

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO POSSIBLE)	
VACANCIES ON THE BOARD OF)	CASE NO.
COMMISSIONERS OF CUMBERLAND COUNTY)	2023-00234
WATER DISTRICT)	

COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION
TO CUMBERLAND COUNTY WATER DISTRICT

Cumberland County Water District (Cumberland District), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on November 22, 2023. The Commission directs Cumberland District to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

Cumberland District shall make timely amendment to any prior response if Cumberland District obtains information that indicates the response was incorrect or incomplete when made or, though correct or complete when made, is now incorrect or incomplete in any material respect.

For any request to which Cumberland District fails or refuses to furnish all or part of the requested information, Cumberland District shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, Cumberland District shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Explain how the initial term length for each commissioner is determined.
2. State what the standard term length is for reappointed commissioners.
3. Provide each of the following for Troy Norris's initial appointment to finish Paul Neathery's term in July 2012 or a statement that such evidence does not exist:
 - a. The month, day, and year of his original appointment;
 - b. The term length of his original appointment;

- c. The Cumberland County Fiscal Court approval of his initial appointment;
 - d. A copy of the sworn oath of officers and board members signed by Mr. Norris; and
 - e. Any additional proof of Mr. Norris's swearing in.
4. Provide the term length of Mr. Norris's current term.
5. Provide each of the following for Jay Cary's initial appointment in February 2014 or a statement that such evidence does not exist:
 - a. The month, day, and year of his original appointment;
 - b. The term length of his original appointment;
 - c. The Cumberland County Fiscal Court's approval of this appointment;
 - d. A copy of the sworn oath of officers and board members signed by Mr. Cary; and
 - e. Any additional proof of Mr. Cary's swearing in.
6. Provide a copy of the sworn oath of officers and board members signed by Mr. Cary and any additional proof of swearing in from May 2017.
7. Explain the discrepancy between the 2021 and 2022 Annual Reports filed with the Kentucky Public Service Commission listing Mr. Cary's term as expiring on April 1, 2023, and the Cumberland County Fiscal Court's minutes from May 9, 2022, listing the end of the term as April 30, 2025.
8. Provide the current length of Mr. Cary's term.
9. Provide each of the following for Mark Vibbert's initial appointment in April 2012 or a statement that such evidence does not exist:

- a. The month, day, and year of his original appointment;
- b. The term length of his original appointment;
- c. The Cumberland County Fiscal Court's approval of this appointment;
- d. A copy of the sworn oath of officers and board members signed by

Mr. Vibbert; and

- e. Any additional proof of Mr. Vibbert's swearing in.

10. Explain whether Mr. Vibbert's original term expired in December 2014 as was started in the Annual Reports from 2012 and 2013.

11. State whether Mr. Vibbert was reappointed anytime between 2014 and 2016, and if so, provide the following:

- a. The term length of his appointment;
- b. The Cumberland County Fiscal Court's approval of this appointment;

and

- c. A copy of the sworn oath of officers and board members signed by

Mr. Vibbert.

12. Explain why Mr. Vibbert was not listed as a Cumberland District commissioner in the 2021 Annual Report.

13. Explain the discrepancy between the 2022 Annual Report listing Mr. Vibbert's term as expiring on April 1, 2023, and the Cumberland County Fiscal Court's minutes from May 9, 2022, listing the end of the term as April 30, 2025.



Linda C. Bridwell, PE
Executive Director
Public Service Commission
P.O. Box 615
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DATED NOV 03 2023

cc: Parties of Record

Case No. 2023-00234

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Cumberland County Judge Executive
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*Matthew Dyer
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