

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION INTO WOOD)	
CREEK WATER DISTRICT'S TERMINATION OF)	CASE NO.
WHOLESALE WATER SERVICE TO THE CITY)	2024-00359
OF LIVINGSTON FOR NONPAYMENT OF BILLS)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
TO CITY OF LIVINGSTON

The city of Livingston (Livingston), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on December 20, 2024. The Commission directs Livingston 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.

Livingston shall make timely amendment to any prior response if Livingston 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 Livingston fails or refuses to furnish all or part of the requested information, Livingston 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, Livingston shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Provide the number of gallons of water sold to Kentucky-American Water (Kentucky-American) each month from December 2021 through November 2024. If that information is not fully available, provide the amount for the months that the information is available.

2. Provide copies of all bills sent from the Livingston to Kentucky-American from December 2021 through November 2024. If that information is not fully available, provide the amount for the months that the information is available.
3. Identify each source and state each rate that Livingston is currently paying for wholesale water from all sources.
4. State the production cost of water, if any, produced by Livingston.
5. State the rate at which Livingston is currently charging Kentucky-American for water, the date of the most recent rate change, and what the rate was prior to the most recent rate change.
6. Provide any written correspondence between Livingston and Kentucky-American from December 2021 through November 2024. This should include letters, email correspondence and any other written correspondence.
7. Explain what caused the November 5, 2024 failure to supply water to Kentucky-American.
8. Provide the length of the failure to supply water to Kentucky-American by days using specific dates and times. This should include all times when no water service was available, or water service provided was less than 20 pounds per square inch of pressure.
9. Describe any actions being taken to assure there are no future failures to supply water to Kentucky-American.
10. Provide any contracts between Livingston and Kentucky-American or its predecessor, East Rockcastle Water Association.

11. Provide any contracts between Livingston and the Wood Creek Water District (Wood Creek District).
12. Provide the payment history for water service provided to Livingston by the Wood Creek District from December 2021 through November 2024.
13. Provide copies of all bills received from Wood Creek District from December 2021 through November 2024.
14. Provide a copy of Livingston's most recent audit.
15. Provide a copy of any reports regarding water service or water rates that have been completed in the last two years.
16. Provide copies of any Livingston City Council minutes between December 2021 and November 2024 where water service or payment of water invoices to the Wood Creek District was discussed.
17. State if Livingston has failed to pay any suppliers for wholesale water, the cause of the failure to pay, and the total arrears owed between December 2021 and November 2024.
18. Provide the monthly unaccounted-for water loss percentage of Livingston from December 2021 through November 2024.
19. State what actions are being taken to ensure any debt owed from Livingston to Wood Creek District is paid, and that no further debt accrues.
20. Provide copies of all notice of violations issued by the Kentucky Division of Water to Livingston from December 2021 through November 2024.
21. State if Livingston has any other vendors related to water service that it has failed to make payment to after more than 30 days from December 2021 through

November 2024. If so, identify those vendors, when the bill was received, when the balance was paid, and if there is a current balance identify the amount.

22. Identify the entity that owns the meter between Livingston and Kentucky-American. State how often the meter is tested. Provide the last meter test results.

23. Provide the entity that owns the meter between the Wood Creek District and Livingston. State how often is the meter tested. Provide the last meter test results.

24. Identify any communications between representatives of Livingston and any other party concerning any other entity operating the water and/or wastewater systems owned by Livingston. Identify when the communications took place, everyone involved and who the represented, and what the nature of the communications was.

25. State if Livingston has received any technical or operational assistance from any other entity for water or sewer services. If so, state when that assistance occurred, how the assistance was initiated, who the entity was, and the amount, if any that Livingston compensated the entity for assistance.



Linda C. Bridwell, PE
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

DATED DEC 05 2024

cc: Parties of Record

*City of Livingston Water Works
City of Livingston Water Works
P. O. Box 654
Livingston, KY 40445

*Honorable Lindsey W Ingram, III
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801

*David Pippen
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Honorable Larry G Bryson
318 West Dixie Street
London, KENTUCKY 40741

*Wood Creek Water District
1670 Hal Rogers Parkway
P. O. Box 726
London, KY 40743

*Molly Van Over
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Wood Creek Water District
Wood Creek Water District
1670 Hal Rogers Parkway
P. O. Box 726
London, KY 40743

*Sarah Gaddis
Director
Kentucky Division of Water
300 Sower Boulevard, 3rd Floor
Frankfort, KENTUCKY 40601

*Dewayne Lewis
Wood Creek Water District
P. O. Box 726
London, KY 40743

*Kentucky-American Water Company
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*John Horne
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204