

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 OF)	2024-00359
LIVINGSTON FOR NONPAYMENT OF BILLS)	

ORDER

On November 19, 2024, this case was opened to investigate the reasonableness of Wood Creek Water District's (Wood Creek District) termination of water service of to the city of Livingston (Livingston) and Livingston's alleged failure to manage and maintain an adequate and reliable supply of water to Kentucky-American Water (Kentucky-American).¹ On December 5, 2024, requests for information were sent to all three parties, Wood Creek, Livingston, and Kentucky-American, with a response due date of December 20, 2024. On December 19, 2024, Wood Creek District filed a response to Staff's First Request for Information.² On December 20, 2024, Kentucky-American Water (Kentucky-American) filed a response to Staff's First Request for Information.³ As of December 23, 2024, no response has been received from Livingston.

¹ Order (Ky. PSC Nov. 19, 2024).

² Wood Creek District's Response to Staff's First Request for Information (Staff's First Request) (filed Dec. 19, 2024).

³ Kentucky American's Response to Staff's First Request (filed Dec. 19, 2024).

In Wood Creek District's response to Commission Staff's First Request, Wood Creek District provided the monthly billing and payment history between itself and Livingston, which indicated that the total bill for November of 2024 was \$3,050.49, and Livingston paid \$9,729.63.⁴ Wood Creek also provided that the November payment decreased the overall debt from \$94,849.29 to \$88,554.21. Wood Creek also stated that the debt has been accruing since 2006, and that Wood Creek District has not terminated service to Livingston since 2006.⁵

The Commission finds that to assure adequate, efficient, and reasonable service between Wood Creek District and Livingston, Wood Creek District should not terminate water service to Livingston so long as Livingston is making a monthly payment addressing all or portions of Livingston's most recently billed water purchase and portions of the accrued arrearage, or upon order of the Commission. The Commission further finds that Wood Creek should not terminate water service to Livingston for failure to make a monthly payment without first mailing a notice of termination, via USPS, which includes the date of the missed payment, the amount of the missed payment, and a specific date on which if payment is not received that water service termination will occur, the termination of service date must be at least 20 days from the date the notice of termination is mailed. Wood Creek District should also, at the same time the notice of termination is mailed to Wood Creek District, mail a copy of the notice to terminate to Kentucky-American, and tender a copy into this case record.

⁴ Wood Creek District's Response to Staff's First Request (filed on Dec. 19, 2024), Exhibit H.

⁵ Wood Creek District's Response to Staff's First Request (filed on Dec. 19, 2024), items 4 and 6.

IT IS THEREFORE ORDERED that:

1. Wood Creek District shall not terminate water service to Livingston so long as Livingston is making monthly water purchase payments as described herein, or upon further order of the Commission while this investigation is pending.

2. Wood Creek District shall not terminate water service to Livingston for failure to make a monthly payment without first mailing a written notice of termination, via USPS, which includes the date of the missed payment, the amount of the missed payment, and a specific date on which if payment is not received that water service termination will occur, the termination of service date must be at least 20 days from the date the notice is mailed.

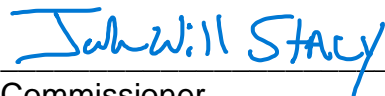
a. Simultaneously, Wood Creek District shall mail a copy of the termination notice to Kentucky-American; and

b. Simultaneously, Wood Creek District shall tender a copy of the notice into this case record.

PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:

Executive Director

ENTERED
DEC 30 2024 AH
KENTUCKY PUBLIC
SERVICE COMMISSION

*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