

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ALLEGED FAILURE OF FOUNTAIN)	CASE NO.
RUN WATER DISTRICT #1 TO COMPLY WITH)	2026-00008
COMMISSION ORDERS)	

ORDER

The Commission, on its own motion, initiates this proceeding, pursuant to KRS 278.260, to conduct a formal investigation Fountain Run Water District #1 (Fountain Run District #1); its individual commissioners- Brenda Turner, Francis Howard, Jeremy Jones, John Pedigo, Will Downing; and its manager- Christopher Veach for failure to file either an application for a general rate adjustment, alternative rate adjustment pursuant to 807 KAR 5:076, or file a detailed explanation of why neither rate adjustment is necessary on or before July 31, 2025, as required in Case No. 2024-00376.¹

LEGAL STANDARD

Fountain Run District #1 is a utility organized pursuant to KRS Chapter 74. Under KRS 278.250 and KRS 278.260, the Commission is authorized to investigate and examine the condition of any utility subject to its jurisdiction, including any practice or act relating to the utility service. Under KRS 278.280, if the Commission finds that any practice or act is unjust, unreasonable, unsafe, improper, inadequate, or insufficient, then the Commission has the authority to determine the just, reasonable, safe, proper,

¹ Case No. 2024-00376, *Electronic Purchased Water Adjustment of Fountain Run Water District No. 1* (Ky. PSC Jan. 7, 2025), final Order at 6, ordering paragraph 5.

adequate, or sufficient practice or method to be observed. Upon a finding that Fountain Run District #1, its commissioners or manager violated any provision of KRS Chapter 278, Commission regulations, or a Commission Order, KRS 278.990 authorizes the Commission to assess civil penalties not to exceed \$2,500 for each offense against a utility and against any officer, agent, or employee of a utility who willfully violates any provisions of KRS Chapter 278, Commission regulations, or Orders.

DISCUSSION

In Case No. 2024-00376, Fountain Run District #1 was ordered to file either an application for a general rate adjustment, alternative rate adjustment pursuant to 807 KAR 5:076, or file a detailed explanation of why neither rate adjustment is necessary on or before July 1, 2025.² To date, Fountain Run District #1 has not filed an application in compliance with the Commission's January 7, 2025 Order nor a motion requesting relief of the requirement. The Commission finds that prima facie evidence exists to open an investigation to determine whether Fountain Run District #1, its commissioners³ or its manager,⁴ has willfully violated this portion of a Commission Order.

To facilitate the administration of this investigation, the Commission finds it should incorporate, by reference, Case No. 2024-00376 into the record of this case. The Commission further finds that Fountain Run District #1; its individual commissioners- Brenda Turner, Francis Howard, Jeremy Jones, John Pedigo, Will Downing; and its

² Case No. 2024-00376, Jan. 7, 2025 final Order at 6, ordering paragraph 5.

³ Brenda Turner, Francis Howard, Jeremy Jones, John Pedigo, and Will Downing.

⁴ Christopher Veach.

manager- Christopher Veach, should respond to any request for information from Commission Staff as directed in those requests.

Finally, The Commission notes that this Order should be mailed to the Judge Executive in each county⁵ in the Fountain Run District #1 service territory.

IT IS THEREFORE ORDERED that:

1. This case is opened to investigate the alleged failure of Fountain Run District #1 to comply with the Commission order referenced herein and for any other violations discovered in this investigation.

2. Any party filing documents with the Commission shall serve a copy of those documents pursuant to KAR 5:001, Section 8, related to the service and electronic filing of papers shall be followed in this proceeding.

3. The Commission directs the parties to the Commission's July 22, 2021 Order in Case No. 2022-00085⁶ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

4. Fountain Run District #1, each of the named commissioners, and the general manager, in their official and individual capacities as officers of Fountain Run District #1's Board of Commissioners, shall submit individual written responses to the allegations contained in this Order within 30 days of the date of service of this Order,

⁵ Allen, Barren, and Monroe counties, Kentucky.

⁶ 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).

including but not limited to any, and all written testimony or documentation that would dispute the allegations.

5. Counsel for the parties shall enter an appearance or appearances within 20 days of the date of entry of this Order.

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

7. Case No. 2024-00376 shall be incorporated into this proceeding by reference.


8. Fountain Run District #1; its individual commissioners- Brenda Turner, Francis Howard, Jeremy Jones, John Pedigo, Will Downing; and its manager- Christopher Veach, shall respond to any request for information from Commission Staff as directed in those requests.


9. The County Judge Executives in Allen, Barren, and Monroe counties, Kentucky shall be served with a copy of this Order.


10. The following parties: Brenda Turner, Francis Howard, Jeremy Jones, John Pedigo, Will Downing, and Christopher Veach shall be served via certified USPS mail: 226 Main Street, Fountain Run, Kentucky 42133.

11. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



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Judge/Executive
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