

FOR Camargo and surrounding area

P.S.C. KY. NO. II

SHEET NO. 18

CANCELLING P.S.C. KY NO. I

SHEET NO. _____

Montgomery County Water District #1

RULES AND REGULATIONS

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

APPENDIX II
Rules and Regulations
Montgomery County Water District #1

SEP 13 1996

WATER SHORTAGE RESPONSE PLAN

PURSUANT TO 807 KAR 5011,
SECTION 9 (1)

BY: Jordan L. Neal
FOR THE PUBLIC SERVICE COMMISSION

Section 1. Purpose

The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the District in the event a shortage is declared.

Section 2. Definitions

These terms are applicable only for this Plan unless specifically noted.

a. "Customer" shall mean any person or entity using water for any purpose from the District water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.

b. "Raw Water Supplies" shall mean all water potentially available to persons in the District.

c. "Treated Water" shall mean water that has been introduced by the District into its water distribution system, including water offered for sale.

Uses of treated water are classified as follows:

Essential Water Uses (Class I):

The following uses of water, listed by site or user type, are essential.

DOMESTIC

Water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

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HEALTH CARE FACILITIES

Patient care and rehabilitation, including related filling and operation of swimming pools.

WATER HAULING

Sales of domestic use where not reasonably available elsewhere.

PUBLIC USE

Fire fighting.

Health and public protection purposes, if specifically approved by health officials.

SOCIALLY OR ECONOMICALLY IMPORTANT USES (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

DOMESTIC

Personal, in house water use including kitchen, bath and laundry.

WATER HAULING

Non-domestic, when other sources are not reasonably available elsewhere.

COMMERCIAL AND CIVIC USE

Commercial car and truck washes.

Laundromats.

Restaurants, clubs and eating establishments.

Schools, churches, motel/hotels and similar commercial establishments.

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PURSUANT TO KRS 501.1
SECTION 5(1)
BY: *Andrew L. Neal*
FOR THE PUBLIC SERVICE COMMISSION

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Montgomery County Water District #1

RULES AND REGULATIONS

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OUTDOOR NON-COMMERCIAL WATERING

PURSUANT TO 807 KAR 6011,
SECTION 9.1)

Minimal watering of vegetable gardens.

BY: Andrew C. Neal
FOR THE PUBLIC SERVICE COMMISSION

Minimal watering of trees where necessary to preserve them.

OUTDOOR COMMERCIAL OR PUBLIC WATERING (using conservation methods and when other sources of water are not available or feasible to use)

Agricultural irrigation for the production of food and fiber or the maintenance of livestock.

Watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens.

Watering by commercial nurseries at a minimum level necessary to maintain stock.

Watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation.

Watering of woody plants where necessary to preserve them.

Minimal watering of golf course greens.

RECREATIONAL

Operation of municipal swimming pools and residential pools that service more than 25 dwelling units.

AIR CONDITIONING

Refilling for start-up at the beginning of the cooling season.

Makeup of water during the cooling season.

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Refilling specifically approved by health officials where the system has been drained for health protection or repair services.

NON ESSENTIAL USES (Class 3)

Any waste of water, as defined herein, in non essential. The following uses of water, listed by site or user type, are non essential.

PUBLIC USE

Use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills.

Flushing of sewer and hydrants, except as needed to ensure public health and safety, as approved by health officials.

COMMERCIAL AND CIVIC USE

Serving water in restaurants, clubs, or eating places except by customer request.

Failure to repair a controllable leak.

Increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

ORNAMENTAL PURPOSES

Fountains, reflecting pools and artificial waterfalls.

OUTDOOR NON COMMERCIAL WATERING

Use of water for dirt control or compaction.

Watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas.

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BY John H. [Signature]
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Washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard surface areas.

Washing down building or structures for purposes other than immediate fire protection.

Flushing gutters or permitting water to run or accumulate in any gutter or street.

OUTDOOR COMMERCIAL OR PUBLIC WATERING

Expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process.

Use of water for dirt control or compaction.

Water of lawns, parks, golf course fairways, playing fields, and other recreational areas.

Washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard surface areas.

Washing down building or structures for purposes other than immediate fire protection.

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor or other vehicles.

AIR CONDITIONING (see Class 2 purposes)

Refilling cooling towers after draining.

d. "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.

e. "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

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CSC (09/13/96)
BY Robert L. Daniel
FOR THE PUBLIC SERVICE COMMISSION

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SECTION 111
RULES AND REGULATIONS

BY _____
FOR THE PUBLIC SERVICE COMMISSION

f. "Curtailment" shall mean the reduction of entitlement by some percentage to meet anticipated water shortages.

g. Water Shortage Response Phases:

ADVISORY - shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

ALERT - shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

EMERGENCY - shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

h. RATIONING - shall mean that procedures must be established to provide for the equitable distribution of critically limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. APPLICABILITY - The provisions of this Plan shall apply to all retail and wholesale customer of the District. When implemented, this Plan becomes the Montgomery County Water District #1 Water Shortage Response Regulation.

Section 4. ENTITLEMENTS - Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. DETERMINATION OF WATER SHORTAGE - Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new development and weather conditions on a regular basis. Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water usage shall be approved by the Commissioners.

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SECTION 9 (1)

BY: **RULES AND REGULATIONS**
FOR THE PUBLIC SERVICE COMMISSION

Section 6. TERM OF WATER SHORTAGE DECLARATION - Any water shortage declaration shall remain in effect until water supplies or service conditions have returned to normal. A final determination as to terminating water shortage declaration shall be made by the Commissioners of Montgomery County Water District #1.

Section 7. WATER SHORTAGE STAGE, CONSERVATION & CURTAILMENT MEASURES

A. Advisory Stage:

1. Criteria: A water advisory shall be declared when the amount of treated or raw water available for treatment is projected to be up to 20% below demand or there are periods of water system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the District draws water.

2. Conservation & Curtailment Measures:

- a. Declare a Water Shortage Advisory.
- b. Provide proper notice to all customers and to all local news media.
- c. Eliminate all water leaks.
- d. Request voluntary conservation of all non-essential (Class 3) water use.
- e. Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

B. Alert Stage:

1. Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 30% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs.

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Montgomery County Water District #1

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PURSUANT TO KY REV. STAT. SECTION 191.011

RULES AND REGULATIONS

2. Conservation and Curtailment Measures:

- a. Declare a Water Shortage Alert.
- b. Provide proper notice to all customers and to all local news media.
- c. Eliminate all water leaks.
- d. Prohibit all non-essential (Class 3) customers.
- e. Curtail entitlements to all customers by the same percentage as the projected shortage.
- f. Begin billing all customers water usage in excess of curtailed entitlement at the normal rate plus and excess usage charge of \$5.00 per 1,000 gallons.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 40% below demand, or there are periods of no water in one or more areas of the distribution system, due to low water supply or raw water supplies below the level necessary to meet normal needs.

2. Conservation and Curtailment Measures:

- a. Declare Water Shortage Emergency.
- b. Provide proper notice to customers and to all local news media.
- c. Eliminate all water leaks.
- d. Prohibit all Class 3 uses of water.
- e. Prohibit all Class 2 uses of water, except domestic uses for kitchens, bathrooms, and laundries.
- f. Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
- g. Curtail Residential entitlements by the same percentage as the projected shortage.
- h. Curtail entitlements to all wholesale customers by the same percentage as the project shortage.
- i. Begin billing all customers water usage in excess of curtailed entitlements at the normal rate plus an excess usage charge of \$8.00 per 1,000 gallons.

D. Rationing Stage:

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PURSUANT TO 007 KAR 5011,
SECTION 9(1)

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FOR THE PUBLIC SERVICE COMMISSION

1. Criteria - Treated water available is greater than 60% below demand or raw water supplies are below the level necessary to meet essential needs, and in the opinion of the Chairman and Commissioners of the District, mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures -

- a. Declare Water Shortage Rationing.
- b. Provide proper notice to all customers and to all local news media.
- c. Eliminate all water leaks.
- d. Prohibit all Class 3 and Class 2 uses of water.
- e. Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- f. Curtail all residential and wholesale entitlements by the same percentages as the project shortage.
- g. Implement service interruptions to portions of the system in accordance with approved published schedule. The schedule shall be provided to all local media.
- h. Begin billing customers water usage in excess of curtailment entitlement at the normal rate plus an excess charge of \$10.00 per 1,000 gallons.

Section 8. ENFORCEMENT OF WATER RESTRICTION - Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

a. If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customers of record. Said notice shall describe the violation and order that it be corrected within 48 hours.

b. The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard before termination. The governing

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SECTION 9 (1)

BY **RULES AND REGULATIONS**

FOR THE PUBLIC SERVICE COMMISSION

body shall make findings of fact and decide whether service should continue or terminate.

c. Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.

d. The excess usage charge billing provisions of the Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. REQUEST FOR EXCEPTION -

a. Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the District for an exception. For these purposes, "Extraordinary Hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

b. Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

Section 10. SEVERABILITY - If any provisions of this Plan is declared invalid by the courts, the remainder of this Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

Section 11. EFFECTIVE DATE - This Plan shall take effect immediately upon approval by the Public Service Commission.

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