

P.S.C. Ky. No. 10219.....

Cancels P.S.C. Ky. No.....

OF

OLDHAM COUNTY WATER DISTRICT

Rates, Rules and Regulations for Furnishing

AT

OLDHAM COUNTY WATER DISTRICT

P. O. Box 51

Buckner, Kentucky 40010

Filed with PUBLIC SERVICE COMMISSION OF  
KENTUCKY

ISSUED..... Sept. 1,....., 19..88

EFFECTIVE..... July 22,....., 19..88

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 22 1988

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

BY: *George Arlie*  
PUBLIC SERVICE COMMISSION MANAGER

ISSUED BY..... OLDHAM COUNT WATER DISTRICT  
(Name of Utility)

BY: *Carl Klingenfus*  
CHAIRMAN

*C8-89*

U.R.C. NO. \_\_\_\_\_

SHEET NO. 1

CANCELLING U.R.C. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

OLDHAM COUNTY WATER DISTRICT  
Name of Issuing Corporation

RULES AND REGULATIONS

OLDHAM COUNTY WATER DISTRICT  
BY-LAWS, RULES AND REGULATIONS

The Commissioners of the Oldham County Water District of Oldham County, Kentucky, at a meeting April 1, 1980, adopted the following By-Laws and Regulations:

ARTICLE 1. NAME: The name of this District is the Oldham County Water District. The principal office of this District shall be located at Buckner, Kentucky, but the District may maintain offices and places of business at such other places within the State as the Commissioners may designate.

ARTICLE 2. SEAL: The seal of the District shall have inscribed thereon the name of the District and such other inscription as the Commissioners may designate and adopt. The Secretary of the District shall have custody of the seal.

ARTICLE 3. MEMBERSHIP: The customers are the members of this District. The duties of the members are set out hereinafter. A customer must enter into a written users agreement for water service at the office of the District. Said agreement, including service received thereunder, is not assignable by the customer, unless prior written approval is obtained from the District.

ARTICLE 4. COMMISSIONERS: The Commission is a body corporate as approved by KRS 74.070 and is created and its powers and duties are coincident with applicable Kentucky Statutes. The business and affairs of the District shall be conducted by Commissioners who have been appointed pursuant to the statute. In view of the present statutory requirements that the Commissioners of the District be selected by the County Judge of Oldham County, Kentucky, the customers at the annual meeting held in the year prior to the selection of each Commissioner shall recommend the name of three (3) or less members of the District for consideration by the County Judge with the request that he select one (1) of the members as a Commissioner. Such meeting date, time and place shall be fixed by the Secretary to be held during the first month of the fiscal year and any present customer may vote.

ARTICLE 5. MEETINGS: The Commissioners shall meet at least one (1) time per month and at such other times as necessary to conduct business. The Chairman and/or the Secretary may call such meetings by

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Public Service Commission  
MAR 26 1982  
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28-89

DATE OF ISSUE April 1, 1980 DATE EFFECTIVE April 1, 1980  
Month Day Year Month Day Year

ISSUED BY Carl Klingenfus Title Chairman Address 5200 Old LaGrange Road Crestwood, Ky. 40014  
Name of Officer

U.R.C. NO. \_\_\_\_\_

SHEET NO. 2

OLDHAM COUNTY WATER DISTRICT  
Name of Issuing Corporation

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SHEET NO. \_\_\_\_\_

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giving the other Commissioners three (3) days oral or written notice, and two (2) Commissioners constitute a quorum. An ongoing record (minutes) shall be taken of these meetings.

ARTICLE 6. OFFICERS: Officers shall be elected annually at the first meeting of the fiscal year,

ARTICLE 7. SALARIES: The Commissioners shall receive an annual salary to be fixed by the County Court and paid out of the Water District funds as provided by KRS 74 and further as provided by law.

ARTICLE 8. BONDS: The District shall pay for the purchase of the fidelity bond of each Commissioner required by the Court and the position fidelity bond of the Treasurer.

ARTICLE 9. VACANCIES: Vacancies of the Commission shall be filled by the County Court.

ARTICLE 10. TREASURER'S DUTY: The Treasurer of the Commission shall pay out of the funds of the Commission only upon presentation of warrants signed by the Chairman and countersigned by the Secretary of the Commission. As compensation for his services the Treasurer shall receive an amount fixed by the Commission, not to exceed Two Hundred (\$200.00) Dollars per month. He shall execute bond to the Commission in an amount fixed by the Commission.

ARTICLE 11. POWERS: The Commission may acquire and install pipe and water laterals, and operate a water system. The Commission shall be a body corporate for all purposes, and may make contracts for the water district with municipalities and persons for a water supply, and for the sale of water and for all other purposes connected with its business. It may prosecute and defend suits, hire necessary employees, including Commissioners for duties to which their salary limitation herein shall not apply, and to do all acts necessary to carry on the work. It may establish and revise a fiscal year. The Commission shall have all powers provided by Kentucky Statutes, including KRS 74 and KRS 106.

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Official Commission  
MAR 26 1982  
by *B. Richmond*  
DATE AND REVISION

ARTICLE 12. RATES: The Commission may establish and revise water rates and make reasonable regulations for the disposition and consumption of water.

DATE OF ISSUE April 1, 1980 DATE EFFECTIVE April 1, 1980  
Month Day Year Month Day  
ISSUED BY Carl Klingenfus Chairman 5200 Old LaGrange Road  
Name of Officer Title Crestwood, Kentucky 40018  
Address

08-89

U.R.C. NO. \_\_\_\_\_

SHEET NO. 8

CANCELLING U.R.C. NO. \_\_\_\_\_

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ARTICLE 13. DISPOSITION OF ASSETS: In the event the District terminates business by reason of liquidation or sale of its assets, and in the event there is a sum of money remaining after the District has sold its property and paid its debts of every kind, including all bonded indebtedness, then the District shall seek court approval of a distribution of the money based on the following plan:

(a) One-half (1/2) of the said money shall be distributed to the original subscribers, their heirs, devisees and assigns in direct ratio to the connection fees paid by them prior to construction of the original line;

(b) One-half (1/2) of the said money shall be distributed to each customer, his heirs, devisees and assigns, who has at any time purchased water from the District, in direct ratio to the total water bill the customer paid during the entire operation of the system.

The District does not in any way represent that this means of disposing of the assets of the District in the event of liquidation or sale will be approved by the Court.

ARTICLE 14. MISCELLANEOUS: The Commission may acquire a water line or system operating in the District as provided by KRS 74.100, or other facilities as may be necessary in the opinion of the District.

ARTICLE 15. The Commission may condemn rights-of-way as provided by KRS 416.010 to 416.080 and KRS 106.220 and 106.240, all as provided by law, these and other statutes granting the right of eminent domain.

ARTICLE 16. So long as the United States is the insurer of any bonds issued by the District, the Commissioners will not, without the consent of the Farmers Home Administration, United States Department of Agriculture, take any action with respect to diminishing the territorial limits of the District and will notify the Farmers Home Administration of any proposal or petition to diminish the territorial limits of the District as soon as the Commission has acquired knowledge thereof.

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ARTICLE 17. The Commission may finance the acquisition and the construction of authorized works of improvement by the issuance of (1) special assessment bonds; (2) revenue bonds, or (3) a combination special assessment and revenue bonds, payable primarily from water revenue supplemented, when necessary, by special assessments. If the

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ISSUED BY Paul Stingerfus Chairman Crestwood Ky  
Name of Officer Title Address

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SHEET NO. 9

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Name of Issuing Corporation \_\_\_\_\_

**RULES AND REGULATIONS**

combination special assessment and revenue bond is used, the special assessment will not be levied, nor will the lien thereof be attached until such time as it is necessary to make up any deficit in the water revenue to meet annual obligations.

ARTICLE 18. The Commission may issue refunding bonds as provided by KRS 74.320 and 74.330 and KRS 106, or as may be provided by other laws of Kentucky and the United States.

ARTICLE 19. The Commission shall keep an account of the time spent by all employees employed on an hourly basis and each item of expense incurred in connection with the District.

ARTICLE 20. The fees of officers for services rendered in such capacity shall be the same as fees now allowed by law for similar services in other cases. Such fees shall be taxed as a part of the costs and paid on order of the Court. Fees or compensation for any service not otherwise provided for shall be fixed and paid by the Commission.

ARTICLE 21. The Commissioners shall secure personnel to repair and maintain district property including mains, lines, meters, storage tanks, etc. When necessary, shall secure personnel to read meters and shall secure personnel to bill customers. The Commissioners may retain an attorney to represent the District. The District may enter into contracts for services, labor, material and construction as provided by law.

ARTICLE 22. The Commission may make all provisions concerning contracts for sale of water, connection charges, and other disposition of District services and assets, including the plan of collecting proceeds thereof. The system manager may at his discretion discontinue delivery of water to any delinquent customer. The District shall install, maintain and operate a main distribution pipe line or lines from the source of water supply and service lines from the main distribution pipe line or lines to the property line of each customer of the District, if the District Commission determines it is feasible to serve such customer, at which points, designated as delivery points, meters to be purchased, installed, owned and maintained by the District shall be placed. The cost of service line or lines from the main distribution pipe line or lines of the District to the property line of each customer shall be paid by the District or the customer, or both, in a manner to be determined by the Commission at the time of installation, depending upon the length of the service line. The District will also purchase and install a cut-off valve in each service line from its main distribution line or

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MAR 26 1982  
by [Signature]  
RATES AND TARIFFS

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Month Day Year

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ISSUED BY Carl Klingenfus Chmn. Centwood Ky.  
Name of Officer Title Address

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lines, such cut-off valve to be owned and maintained by the District and to be installed on some portion of the service line owned by the District. The District shall have the sole and exclusive right to the use and operation of such cut-off valve.

Each service line shall connect with the District's water system at the nearest available point to the place of desired use by the District, if the District's water system shall be of sufficient capacity to permit the delivery of water through a service line at that point without interfering with the delivery of water through a prior service line. If the District's water system shall be inadequate to permit the delivery of water through a service line installed at such point without interfering with the delivery of water through a prior service line, then such service line shall be installed at a point to be designated by the Commission. Each customer will be required to install and own the service line from the meter to the place of use on his premises and to maintain such portion of the service line, all subject to applicable rules and regulations of the Public Service Commission.

Each customer shall be entitled to purchase from the District pursuant to such agreements as may from time to time be provided and required by the Commission such water as the customer may desire, subject however, to the provisions of these By-Laws and to such rules and regulations as may be prescribed by the Commission, provided, however, that should a customer sell or dispose of a portion of his property or subdivide the same he or the new owner of each such new tract may not demand water and taps without paying connection fees for each such tract to be served.

In the event the total water supply shall be insufficient to meet all the needs of the members or in the event there is a shortage of water, the Commission may prorate the water available among the various members on such basis as is deemed equitable by the Commission, and may also prescribe a schedule of hours covering use of water and require adherence thereto or prohibit the use of water for specified purposes.

ARTICLE 23. The Commission is authorized to secure insurance on storage tanks, if any, and such other properties as the District owns, against fire, windstorms and other calamity and liability insurance, in such amounts and with such companies as other privately-owned water systems ordinarily carry.

RECEIVED  
Public Utility Commission  
MAR 26 1982  
by S. Redmond  
RATES AND TARIFFS

DATE OF ISSUE 4-1-1980 DATE EFFECTIVE 4-1-1980  
Month Day Year Month Day

ISSUED BY Carl Klingenberg Title Chm Address Crestwood  
Name of Officer

U.R.C. NO. \_\_\_\_\_

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CANCELLING U.R.C. NO. \_\_\_\_\_

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Name of Issuing Corporation \_\_\_\_\_

**RULES AND REGULATIONS**

ARTICLE 24. The District shall own all lines and meters held by or for it, in the absence of a written agreement to the contrary.

ARTICLE 25. The Commission shall secure engineering services for an annual engineering inspection and report dealing with operation and maintenance practice if the Commission desires or if so required by any bond holder or the Federal Government as insurer of the bonds.

ARTICLE 26. The Commission may contract with any person or entity for the sale of water and if such person or entity is meter within the District boundaries, he or it is a member of the District for such time as he or it pays the District bills pertaining to such metered connection.

ARTICLE 27. The By-Laws shall not be amended without the permission of the Farmers Home Administration, United States Department of Agriculture, so long as the United States is the holder or insurer of any bonds issued by the District so long as the bonds remain unpaid.

ARTICLE 28. All applicable Kentucky Statutes which now or may hereafter exist are incorporated herein and made a part of these By-Laws and the Commissioners may use any powers therein contained in addition to those herein set out. Any provision herein in violation of Kentucky Statute which is now or may hereafter be in effect is null and void, the remainder of these By-Laws to continue in full force and effect.

ARTICLE 29. An annual audit on a fiscal year basis will be made of the books and accounts pertinent to said project by competent auditor. No later than sixty (60) days after the close of each fiscal year copies of such audit report certified by such accountant shall be promptly mailed to the Farmers Home Administration without request and to any bond holder that may have requested same in writing.

The following rules and regulations are hereby adopted subject to change by the Commission at any time. These rules and regulations are intended to supplement the bond resolution, the rate resolution, and the By-Laws:

- A. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.

**CHECKED**  
 Public Service Commission  
**MAR 26 1982**  
 by B. Richmond  
**RATES AND TARIFFS**

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ISSUED BY Carl Klingenfus Title Chm Address Curtwood  
 Name of Officer Title Address

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B. Water service may be discontinued by the District for any violation of any rule, regulation, or condition of service and especially for any of the following reasons.

1. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
2. Resale or giving away of water.
3. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water.
4. Waste or misuse of water due to improper or imperfect service pipes and for failure to keep in suitable state of repair.
5. Tampering with meter, meter seal, service, or valves or permitting such tampering by others, removal of meter, alternating meter, connection or by-pass.
6. Connection, cross-connection, or permitting the same, of any separated water supply to premises which receive water from the district.
7. Non-payment of bills.
8. Violation of District Rules and Regulations.

C. Any customer desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in writing at the business office of the District; otherwise, a customer shall remain liable for all water used and service tendered by the District until said notice is received by the District.

D. Bills and notices relating to the conduct of the business of the District will be mailed to the \_\_\_\_\_

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ISSUED BY Carl Klingenfus Chm Cust. Serv. Div.  
 Name of Officer Title Address



U.R.C. NO. \_\_\_\_\_

SHEET NO. 8

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customer at the address listed on the users agreement unless a change of address has been filed in writing with the District; and the District shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill of any performance required in said notice.

- ✓ E. 1. Bills for water service are due and payable at the office of the District, or to any designated agent, on the date of issue. The past due date shall be the tenth day after the date of issue. Bills will be dated and mailed on the same day of each month.
- 2. All bills not paid on or before the past due date shall be deemed delinquent. The District may serve a customer a written final notice of said delinquency. If delinquent bill is not paid within ten (10) days after date of such final notice, the water supply to the customer may be discontinued, after notice as required by law.
- 3. Meters will be read monthly.
- F. Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge of Ten (\$10.00) Dollars will be made for reconnection of water service, but the reconnection will not be made until after all delinquent bills and other charges, if any owed by the customer to the District, have been paid. If meter is removed the charge will be Twenty-five (\$25.00) Dollars for reconnection.
- G. The District reserved the right to request a nominal sum be placed on deposit with the District for the purpose of establishing or maintaining any customer's credit, subject to rules of the Public Service Commission. However, in no event shall the required deposit be in excess of two-twelfths (2/12) of the estimated annual bill of such customer, pursuant to 807 KAR 5:006, Section 7.

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 Public Service Commission  
 MAR 26 1982  
 by B. Richmond  
 RATES AND TARIFFS

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ISSUED BY Carl Klingspor Chm B. Richmond  
 Name of Officer Title Address

U.R.C. NO. \_\_\_\_\_

SHEET NO. 9

CANCELLING U.R.C. NO. \_\_\_\_\_

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**RULES AND REGULATIONS**

- H. All meters shall be installed, renewed, and maintained at the expense of the District and the District reserves the right to determine the size and type of meter used.
- I. Upon written request of any customer, the meter serving said customer shall be tested by the District. Whenever a meter is found to be more than two percent (2%) fast, additional tests shall be made at once to determine the average error of the meter. Said tests shall be made in accordance with the Public Service Commission regulations applicable to the type of meter involved.

The burden of maintaining measuring equipment so that it will register accurately is upon the utility; therefore, if meters are found upon test to register fast and if time for periodic test has overrun to the extent that one-half (1/2) of the time elapsed since the last previous test exceeds twelve (12) months, the refund shall be for the twelve (12) months as specified by 807 KAR 5:006, Sec. 9(2) and in addition thereto, a like refund for those months exceeding the periodic test period; provided, however, that the commission may relieve the utility from this requirement in any particular case in which it is shown that the failure to make the periodic test was due to causes beyond the utility's control.

- J. When a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior three (3) months consumption and the conditions of water service prevailing during the period for which the meter failed to register.
- K. The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay. When the service is interrupted consumers affected by such interruption will be notified in advance whenever it is possible to do so.

- ✓ L. The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs.

CHECKED  
 Public Notice Division  
 MAR 26 1982  
 R. Richmond  
 MAKING OF TARIFFS

DATE OF ISSUE 4-1-1980 DATE EFFECTIVE 4-1-1980  
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ISSUED BY Carl Klincenfas Chm Crestwood, Ky. CS-81

Name of Issuing Corporation \_\_\_\_\_

**RULES AND REGULATIONS**

- ✓ No person shall be entitled to damages nor for any portion of a payment refunded for any interruption of service which in the opinion of the District may be deemed necessary.
- M. Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a check valve on the water supply line and a vacuum valve on the steam line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice. All customers shall have a check valve on the customer's side of the District meter, to prevent back flow into District System.
- N. The utility shall at all reasonable hours have access to meters, service connections and other property owned by it and located on customer's premises for purposes of installation, maintenance, meter reading, operation or removal of its property at the time service is to be terminated.
- O. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times.
- P. The customer's service line shall be installed and maintained by the customer at his own expense in a safe and efficient manner and in accordance with the District rules and regulations and with the regulations of the Department of Health.
- ✓ Q. If any loss or damage to the property of the District or any accident or injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the District and any liability otherwise resulting shall be that of the customer.
- R. Water furnished by the District may be used for domestic consumption by the customer, member of his household,

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 Public Service Commission  
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*[Signature]*  
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ISSUED BY: *[Signature]* *[Signature]* *[Signature]* *[Signature]*

Name of Issuing Corporation \_\_\_\_\_

RULES AND REGULATIONS

and employees only. The customer shall not sell or give away the water to any other person. District does not provide fire protection to any customer, any fire protection facility tank, pump or storage unit shall be installed only with prior written consent of the District.

- S.. All customers shall grant or convey, or shall be caused to be granted or conveyed, to the District a perpetual easement and right-of-way across any property owned or controlled by the customer wherever said easement or right-of-way is necessary for the District water facilities and lines so as to be able to furnish service to the customer.
- T. Complaints may be made to the operator of the system whose decision may be appealed to the Board of Commissioners of the District within ten (10) days; otherwise, the operator's decision will be final.
- U. The water bills shall be paid at Buckner, Kentucky, office of the Oldham County Water District

ARTICLE 30. This Resolution shall take effect and be in force from and after its passage.

I, the undersigned, Secretary of Oldham County Water District, do hereby certify the foregoing to be a true and accurate copy of the By-Laws, Rules and Regulations of said District, as adopted by the Board of Commissioners.

Witness my hand this 8th day of January, 1981.

Carl Klingenfus  
CHAIRMAN

James A. Hall  
SECRETARY

**CHECKED**  
Public Service Commission  
MAR 26 1982  
by B. Richmond  
RATES AND TARIFFS

DATE OF ISSUE 4-1-1980 DATE EFFECTIVE 4-1-1980  
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ISSUED BY Carl Klingenfus Chair Crestwood Ky.  
Name of Officer Title Address

Community, Town or City

U.R.C. NO. \_\_\_\_\_

SHEET NO. 12

CANCELLING U.R.C. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

\_\_\_\_\_  
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RULES AND REGULATIONS

It is hereby certified that the foregoing By-Laws, Rules and Regulations are a true and correct copy of the official Rules and Regulations of Oldham County Water District adopted by the Commissioners at a special meeting held on the 1st day of April, 19 80.

James A. Salter  
SECRETARY

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Public Service Commission  
MAR 26 1982  
by B. Redmond  
RATES AND TARIFFS

DATE OF ISSUE 4-1-1980  
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ISSUED BY Chas. Klingenfus  
Name of Officer

Chm  
Title

Crestwood Ky.  
Address