P.S.C. KY. NO. 1

CANCELLING P.S.C. KY. NO.

MAGOFFIN COUNTY WATER DISTRICT

OF

PO BOX 490

SALYERSVILLE, KENTUCKY, 41465

RATES & CHARGES

AND

RULES & REGULATIONS

FOR FURNISHING

WATER SERVICE

AT

MAGOFFIN AND FLOYD COUNTIES
KENTUCKY

FILED WITH THE

PUBLIC SERVICE COMMISSION

OF

KENTUCKY

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Randall Hardin
(Signature of Officer)

TITLE Chairman

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 1

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

Magoffin County Water District
(Name of Utility)

CONTENTS

I. RATES AND CHARGES

A. Monthly Rates

B. Deposits

C. Meter Connection/Tap-on Charges

D. Special Non-recurring Charges

E. Purchased Water Rates

II. RULES AND REGULATIONS

A. Service Information

B. Special Rules or Requirements

C. Billings, Meter Readings, and Related Information

D. Deposits

E. Special Nonrecurring Charges

F. Customer Complaints to the Utility

G. Bill Adjustments

H. Status of Customer Accounts during Billing Disputes

I. Customer Request for Termination of Service

J. Customer Relations

K. Refusal or Termination of Service

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Randall Hardin
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 2

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

CONTENTS

L. Customer Requested Meter Tests

M. Access to Property

N. Continuity of Service

O. Service Lines and Connections

P. Leak Adjustments

Q. Ownership of Mains, Services, and Appurtenances

R. Notification of System Problems

S. Legal Disclaimers

T. Fire Departments

U. Requirements for New Connections

V. Water Main Extensions

III. ATTACHMENTS

A. Sample Bill

B. Water Shortage Plan

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Randall Hardin
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
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SECTION 9 (1)

By Stephanie Stumbo
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

2nd Revised SHEET NO. 3

CANCELLING P.S.C. KY. NO. 1

Original SHEET NO. 5

Magoffin County Water District
(Name of Utility)

RATES AND CHARGES

Phase 1 Monthly Water Rates
For Service Rendered From
October 15, 2015 through October 15, 2016

Residential

5/8 – Inch Meter

First	2,000	Gallons	$16.68	Minimum Bill
Next	3,000	Gallons	7.74	per 1,000 Gallons
Next	5,000	Gallons	6.89	per 1,000 Gallons
Over	10,000	Gallons	6.33	per 1,000 Gallons

1 - Inch Meter

First	5,000	Gallons	$39.00	Minimum Bill
Next	5,000	Gallons	6.89	per 1,000 Gallons
Over	10,000	Gallons	6.33	per 1,000 Gallons

Commercial Rates

3/4 - Inch Meter

First	3,000	Gallons	$29.88	Minimum Bill
Next	2,000	Gallons	9.57	per 1,000 Gallons
Next	5,000	Gallons	8.84	per 1,000 Gallons
Next	5,000	Gallons	8.12	per 1,000 Gallons
Over	15,000	Gallons	7.78	per 1,000 Gallons

1 – Inch Meter

First	5,000	Gallons	$49.02	Minimum Bill
Next	5,000	Gallons	8.84	per 1,000 Gallons
Next	5,000	Gallons	8.12	per 1,000 Gallons
Over	15,000	Gallons	7.78	per 1,000 Gallons

2 – Inch Meter

First	15,000	Gallons	$133.82	Minimum Bill
Over	15,000	Gallons	7.78	per 1,000 Gallons

DATE OF ISSUE October 19, 2015
Month / Date / Year

DATE EFFECTIVE October 15, 2015
Month / Date / Year

ISSUED BY Allen McCarty
(Signature of Officer)

TITLE General Manager

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2015-00022 DATED October 15, 2015

KENTUCKY
PUBLIC SERVICE COMMISSION
JEFF R. DEROUEN
EXECUTIVE DIRECTOR
TARIFF BRANCH
Bunt Kirtley
EFFECTIVE
10/15/2015
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

2nd Revised SHEET NO. 4

CANCELLING P.S.C. KY. NO. 1

Original SHEET NO. 5

Magoffin County Water District
(Name of Utility)

RATES AND CHARGES

Phase 2 Monthly Water Rates
For Service Rendered On or After October 16, 2016

Residential

5/8 – Inch Meter

First	2,000	Gallons	$18.45	Minimum Bill
Next	3,000	Gallons	8.23	per 1,000 Gallons
Next	5,000	Gallons	7.62	per 1,000 Gallons
Over	10,000	Gallons	7.00	per 1,000 Gallons

1 - Inch Meter

First	5,000	Gallons	$43.14	Minimum Bill
Next	5,000	Gallons	7.62	per 1,000 Gallons
Over	10,000	Gallons	7.00	per 1,000 Gallons

Commercial Rates

3/4 - Inch Meter

First	3,000	Gallons	$33.06	Minimum Bill
Next	2,000	Gallons	10.59	per 1,000 Gallons
Next	5,000	Gallons	9.78	per 1,000 Gallons
Next	5,000	Gallons	8.98	per 1,000 Gallons
Over	15,000	Gallons	8.61	per 1,000 Gallons

1 – Inch Meter

First	5,000	Gallons	$54.24	Minimum Bill
Next	5,000	Gallons	9.78	per 1,000 Gallons
Next	5,000	Gallons	8.98	per 1,000 Gallons
Over	15,000	Gallons	8.61	per 1,000 Gallons

2 – Inch Meter

First	15,000	Gallons	$148.04	Minimum Bill
Over	15,000	Gallons	8.61	per 1,000 Gallons

DATE OF ISSUE October 19, 2015
Month / Date / Year

DATE EFFECTIVE October 16, 2016
Month / Date / Year

ISSUED BY Allen McCoy
(Signature of Officer)

TITLE General Manager

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2015-00022 DATED October 15, 2015

KENTUCKY
PUBLIC SERVICE COMMISSION
JEFF R. DEROUEN
EXECUTIVE DIRECTOR
TARIFF BRANCH
Bunt Kirtley
EFFECTIVE
10/15/2015
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

CONTENTS

B. DEPOSITS: (Required for rental property only)

5/8" x 3/4" Meter	$70.00
1" Meter	$75.00

Commercial

3/4" Meter	$100.00
1" Meter	$125.00
2" Meter	$150.00

DATE OF ISSUE December 05, 2008
Month / Date / Year

DATE EFFECTIVE January 12, 2009
Month / Date / Year

ISSUED BY James W. Hoskins
(Signature of Officer)

TITLE Superintendent

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-490 DATED 1-12-2009

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
1/12/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By _____
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RATES AND CHARGES

C. METER CONNECTION/TAP-ON CHARGES:

5/8 Inch X 3/4 Inch	$600.00
All Larger Meters	Actual Cost

If the Utility encounters rock during the installation of a service, the customer shall be charged actual cost for said rock removal.

DATE OF ISSUE December 05, 2008
Month / Date / Year

DATE EFFECTIVE January 12, 2009
Month / Date / Year

ISSUED BY James W. Hopkins
(Signature of Officer)

TITLE Superintendent

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-490 DATED 1-12-2009

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
1/12/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By _____
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RULES AND REGULATIONS

D. SPECIAL NON-RECURRING CHARGES:

Connection/Turn-on Charge	$35.00
Field Collection Charge	5.00
Late Payment Penalty	10%
Meter Relocation Charge	Actual Cost
Meter Test Charge	50.00
Re-connection Charge	35.00
Returned Check Charge	30.00

DATE OF ISSUE December 05, 2008
Month / Date / Year

DATE EFFECTIVE January 12, 2009
Month / Date / Year

ISSUED BY James W. Hoskins
(Signature of Officer)

TITLE Superintendent

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. 2008-490 DATED 1-12-2009

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
1/12/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By _____
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 8

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

RULES AND REGULATIONS

E. PURCHASED WATER RATES:

	Rate
Salyersville Water Works	
First 8,000,000 Gallons	$2.50 per 1,000 Gallons
Over 8,000,000 Gallons	$2.65 per 1,000 Gallons

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Randall Hardin
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 9

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

RULES AND REGULATIONS

The following are the rules and regulations of the Magoffin County Water District. The schedule of rates prescribed herein will be uniformly charged to all customers of the utility. No one will receive or be entitled to free service by the utility. No employee or individual commissioner of the utility is permitted to make an exception to these rates, rules, or regulations. These rules and regulations are subject to change by the utility at any time, subject to the approval of the Public Service Commission.

A. Service Information.

1. Upon request the utility will give its customers or prospective customers such information as is reasonably possible in order that they may secure safe, efficient, and continuous service. The utility will inform its customers of any change made or proposed in the character of its service that might affect the efficiency, safety, or continuity of operation.
2. The utility will obtain the approval of the Public Service Commission prior to making any substantial change in the character of the service furnished that would affect the efficiency, adjustment, speed, or operation of the equipment or appliances of any customer. The application will show the nature of the change to be made, the number of customers affected, and the manner in which they will be affected.
3. The utility will inform each applicant for service of each type, class, and character of service available at his/her location.
4. Upon request the utility will provide the following information to any applicant/customer:
   a) Characteristics of Water. A written description of chemical constituents and bacteriological standards of the treated water as required by the Natural Resources Cabinet.
   b) Rates. A schedule of rates for water service applicable to the service to be rendered to the customer.

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Randall Hall
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

c) Reading Meters. Information about the method of reading meters.

d) Bill Analysis. A statement of the past readings of a customer's meter for a period of two (2) years.

B. Special Rules or Requirements.

1. The utility cannot establish any special rule or requirement without first obtaining the approval of the Public Service Commission.
2. A customer that has complied with Public Service Commission rules and regulations cannot be denied service for failure to comply with the utility's rules that have not been approved by the Public Service Commission.
3. Each prospective customer desiring water service will be required to sign the utility's Water Service Contract before service is supplied by the utility.
4. No customer is allowed to resell water except under the terms of a special contract executed by the utility and approved by the Public Service Commission.

C. Billings, Meter Readings, and Related Information.

1. Information on bills. Each bill issued by the utility will clearly show the following, if applicable: class of service; present and last preceding meter readings; date of the present reading; number of units consumed; meter constant, if any; net amount for service rendered; all taxes; any adjustments; and the gross amount of the bill. The date after which a late payment penalty applies to the gross amount will also be indicated. Estimated or calculated bills will be distinctly marked as such. The rate schedule under which the bill is computed will be furnished under one (1) of the following methods:

   a) By printing it on the bill.

   b) By publishing it in a newspaper of general circulation once each year.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

c) By mailing it to each customer once each year.

d) By providing a place on each bill where a customer may request a copy of the applicable rates. The utility will mail the customer a copy by return first class mail.

2. Bill format. A copy of the utility's billing form will be included in the utility's tariff.

3. Meter readings. Registration of each meter shall read in the same units as used for billing unless a conversion factor is shown on the billing form.

4. Frequency of meter reading. Unless prevented by reasons beyond the utility's control, meter readings will be taken every month. Records will be kept by the utility to insure that this information is available to Public Service Commission staff and any customer requesting this information. If, due to reasons beyond its control, the utility is unable to read a meter in accordance with this subsection, the utility will record the date and time the attempt was made, if applicable, and the reason the utility was unable to read the meter.

5. Related Information.

a) Bills and notices related to the utility's business will be mailed to the customer at the address listed on the Water Service Contract unless a change of address has been filed with the utility in writing. The utility will not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in the notice.

b) Water service will be billed monthly between the 23rd and 26th of each month.

c) Bills are payable and due on the date of issuance.

d) Payment must be received, not postmarked, before the close of business on the eighth day of the month; otherwise, the delinquent bill will be assessed the late payment penalty approved and on-file with the Public Service Commission

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

e) The late payment penalty will be assessed on the delinquent amount of the bill, less taxes and any prior penalty amounts. Pursuant to 807 KAR 5:006 Section 8 (3)(h), a penalty may be assessed only once on any bill for rendered services.

f) With the exception of existing connections, the existence of a special contract, or unusual circumstances requiring approval of the utility, a single meter can serve no more than one residential or commercial unit on and after the effective date of this tariff.

g) For existing connections, special contracts, or other utility approved situations, where two or more units are being served by one meter, the following rules will apply:

1) One bill per meter will be sent to the customer that signed the Water Service Contract.

2) The bill will consist of a charge in the amount of the utility's minimum bill multiplied by the number of units the meter serves. The amount of water included with a minimum bill will be multiplied by the number of units and deducted from the total amount of consumption. The remaining consumption will be evenly distributed among each unit, added to each unit's minimum bill, with the charges calculated in accordance with the currently approved rate schedule.

3) The customer that signed the Water Service Contract will be fully and solely responsible for the charges associated with the connection including payment for all water passing through the meter, regardless of which unit is responsible for the water consumption

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

D. Deposits.

1. Deposits to secure payment. The utility may require a minimum cash deposit or other guaranty to secure payment of bills.

2. Equal Deposits. An equal deposit amount for each class of customers will be established based on the average annual bill of customers in that class. Deposit amounts will not exceed two-twelfths (2/12) of the average annual bill of customers in each class where bills are rendered monthly. Deposit amounts are listed in the Rates and Charges section of this tariff.

3. Recalculation of deposits. If the utility retains the deposit for more than eighteen (18) months, it will notify customers in writing that, at the customer's request; the deposit will be recalculated every eighteen- (18) months based on actual usage of the customer. The notice of deposit recalculation will be included either on the customer's application for service or on the receipt of deposit, or may be included annually with or on customer bills. The notice of deposit recalculation will state that if the deposit on account differs by more than ten (10) dollars for residential customers, or by more than ten (10) percent for nonresidential customers, from the deposit calculated on actual usage, then the utility will refund any over-collection and may collect any underpayment. Refunds will be made either by check or by credit to the customer's bill, except that the utility will not refund any excess deposit if the customer's bill is delinquent at the time of recalculation.

4. Waiver of Deposits. The deposit may be waived upon a customer's showing of satisfactory credit or payment history. In determining whether a deposit will be required or waived, the following criteria will be considered:

   a) Previous payment history with the utility. If the customer has no previous history with the utility, statements from other utilities, banks, etc. may be presented by the customer as evidence of good credit.

   b) Whether the customer has an established income or line of credit.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

c) Length of time the customer has resided or been located in the area.

d) Whether the customer owns the property to be served.

e) Whether another customer with a good payment history is willing to sign as a guarantor for an amount equal to the required deposit.

5. Additional deposit requirement. If a deposit has been waived or returned and the customer fails to maintain a satisfactory payment record, the utility may require that a deposit be made. The utility may require a deposit in addition to the initial deposit if the customer's classification of service changes or if there is a substantial change in usage.

6. Receipt of deposit. The utility will issue a receipt to every customer that pays a deposit. The receipt will show the name of the customer, location of the service or customer account number, date, and amount of deposit. If the notice of recalculation described in this section is not included in the utility's application for service or mailed with customer bills, the receipt of deposit will contain the notification. If deposit amounts change, the utility will issue a new receipt of deposit to the customer.

7. Deposits as a condition of service. Service may be refused or discontinued if payment of requested deposits is not made.

8. Interest on deposits. Interest will accrue on all deposits at the rate prescribed by law beginning on the date of the deposit. Interest accrued will be refunded to the customer or credited to the customer's bill on an annual basis, except that the utility will not be required to refund or credit interest on deposits if the customer's bill is delinquent on the anniversary of the deposit date. Upon termination of service, the deposit, any principal amounts, and interest earned and owing will be credited to the final bill with any remainder refunded to the customer.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

E. Special Non-recurring Charges:

1. The utility will collect for special nonrecurring charges to recover customer-specific costs incurred which would otherwise result in monetary loss to the utility or increased rates to other customers to whom no benefits accrue from the service provided or action taken. The utility may establish or change any special nonrecurring charge by applying for Public Service Commission approval of such charge in accordance with the provisions of 807 KAR 5:011, Section 10.
2. Special nonrecurring charges will be applied uniformly throughout the area served by the utility. Such charges will relate directly to the service performed or action taken and only yield enough revenue to pay the expenses incurred in rendering the service.
3. The utility will assess a charge for the following non-recurring services:
   a) Connection/Turn-on Charge: Will be assessed for new service turn-ons, seasonal turn-ons, temporary service, or transfer of service. The charge will not be made for initial installation of service where a meter connection/tap-on charge is applicable.
   b) Field Collection Charge: Will be assessed when a utility representative visits the premises of the service connection to terminate service, and the customer is on-site and pays the bill to avoid termination of service. This fee may only be charged once per billing period.
   c) Late Payment Penalty: Will be assessed on the delinquent amount of the bill, less taxes.
   d) Meter Relocation Charge: Will be assessed when a customer or other authorized person requests that a meter be relocated, changed, or modified. Those requesting a change must reimburse the utility for the actual costs

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
1/12/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
By Jeff Derouen
Executive Director

RULES AND REGULATIONS

incurred, including but not limited to appropriate legal, administrative, engineering, overhead, or other related costs.

e) Meter Test Charge: Will be assessed when a customer requests the utility perform a test on the customer's meter to check for accuracy, and the test shows the customer's meter is not more than two percent (2%) fast.

f) Reconnection Charge: Will be assessed to reconnect service that has been terminated for non-payment of service or for violation of Utility or Public Service Commission rules and regulations, and will include the cost of the service trip for both the disconnection and the reconnection.

g) Returned Check Charge: Will be assessed when a customer's check is returned, either due to insufficient funds or other reason due to customer fault.

F. Customer Complaints to the Utility. Upon complaint to the utility by a customer at the utility's office, by telephone, or in writing, the utility will make a prompt and complete investigation and advise the complainant of its findings. The utility's operator/manager will make a decision within ten (10) days, which the complainant will then have ten (10) days to appeal to the utility's board of commissioners. The customer will receive a final decision from the utility no later than thirty (30) days following the date that the complaint was made. If the complainant is not satisfied with the utility's decision, the utility will provide written notice to the complainant of his/her right to appeal the utility's decision by filing a complaint with the Public Service Commission. The utility will also provide the customer with the address and telephone number of the Public Service Commission. The utility will keep a record of all written complaints. This record will show the name and address of the complainant, the date and nature of the complaint, and the adjustment or disposition of the complaint. Records will be maintained for two (2) years from the date of resolution of the complaint.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
1/12/2009
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Jeff Derouen
Executive Director

RULES AND REGULATIONS

G. Bill Adjustments:

1. Fast or slow reading meters:

a) If upon periodic test, requested test, or complaint test, a meter in service is found to be more than two (2) percent fast, additional tests will be made to determine the average error of the meter. The tests will be made in accordance with Public Service Commission rules and regulations applicable to the type of meter involved.

b) If test results on a customer's meter show an average error greater than two (2) percent fast or slow, or if a customer has been incorrectly billed for any other reason, except in an instance where a utility has filed a verified complaint with the appropriate law enforcement agency alleging fraud or theft by a customer, the utility will immediately determine the period during which the error has existed, and will recompute and adjust the customer's bill to either provide a refund to the customer or collect an additional amount of revenue from the underbilled customer. Any adjustment to the customer's account will be in accordance with the rules and regulations of the Public Service Commission pursuant to 807 KAR 5:066 Section 9(c).

c) The utility will readjust the account based upon the period during which the error is known to have existed. If the period during which the error existed cannot be determined with reasonable precision, the time period will be estimated using such data as elapsed time since the last meter test, if applicable, and historical usage data for the customer. If that data is not available, the average usage of similar customer loads will be used for comparison purposes in calculating the time period. If the customer and the utility are unable to agree on an estimate of the time period during which the error existed, the Public Service Commission will determine the issue. In all

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

instances of customer overbilling, the customer's account will be credited or the overbilled amount refunded at the discretion of the customer within thirty (30) days after final meter test results. A utility will not require customer repayment of any underbilling to be made over a period shorter than a period coextensive with the underbilling.

2. Meter read failure. When a meter has ceased to register, or a meter reading cannot be obtained, the quantity of water to be billed will be based upon an average of twelve-months' consumption. If said meter readings are not available for an entire twelve-month period, the water bill will be estimated by the utility, subject to an upward or downward adjustment once a twelve-month average of actual meter readings can be calculated.

3. Monitoring usage. The utility will monitor a customer's usage at least annually in such a way to draw the utility's attention to unusual deviations in a customer's usage. If a customer's usage is unduly high (100% above average) and the deviation is not otherwise explained, the utility will test the customer's meter to determine whether the meter shows an average error greater than two (2) percent fast or slow.

4. Usage investigation. If the utility's procedure for monitoring usage indicates that an investigation of a customer's usage is necessary, the utility will notify the customer in writing either during or immediately after the investigation of the reasons for the investigation, and of the findings of the investigation. If knowledge of a serious situation requires more expeditious notice, the utility will notify the customer by the most expedient means available.

5. Customer notification. If a meter is tested and it is found necessary to make a refund or back bill a customer, the customer will be notified in substantially the following form:

> On _____, 20___, the meter bearing identification No. ____ installed in your building located at _____ (Street and Number) in _____ (city) was tested at _____ (on premises or elsewhere) and found to register _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

(percent fast or slow). The meter was tested on _____ (Periodic, Request, Complaint) test.

Based upon this we herewith _____ (charge or credit) with the sum of $____, which amount has been noted on your regular bill. If you desire a cash refund, rather than a credit to your account, of any amount overbilled, you must notify this office in writing within seven (7) days of the date of this notice.

H. Status of Customer Accounts during Billing Disputes. With respect to any billing dispute, customer accounts shall be considered to be current while the dispute is pending as long as the customer continues to make undisputed payments and stays current on subsequent bills.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

I. Customer's Request for Termination of Service.

1. Any customer desiring service terminated or changed from one address to another shall give the utility three (3) working days' notice in person, in writing, or by telephone, provided such notice does not violate contractual obligations. The customer will not be responsible for charges for service beyond the three- (3) day notice period if the customer provides proper notification and reasonable access to the meter during the notice period. If the customer notifies the utility of his/her request for termination by telephone, the burden of proof is on the customer to prove that service termination was requested if a dispute arises.

2. Upon request that service be reconnected at any premises subsequent to the initial installation or connection to its service lines, the utility will charge the applicant a reconnect fee as set out in this tariff and approved by the Public Service Commission

J. Customer Relations.

1. Display of customer rights. The utility will prominently display in the office in which payment is received a copy of Customer's Rights. If a customer indicates to any utility personnel that he is experiencing difficulty in paying a current utility bill, that employee will refer the customer to the designated representative for explanation of the customer's rights.

2. Partial payment plans. The utility shall negotiate and accept reasonable partial payment plans at the request of residential customers who have received a termination notice for failure to pay, except that a utility is not required to negotiate a partial payment plan with a customer who is delinquent under a previous partial payment plan. Partial payment plans must be mutually agreed upon. Plans which extend for a period longer than thirty (30) days will be in writing and will advise customers that service may be terminated without additional notice if the customer fails to meet the obligations of the plan.

3. Utility inspections of service conditions prior to providing service. The utility will inspect the condition of the meter and service connections before providing service to a new customer so

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

that prior or fraudulent use of the facilities will not be attributed to the new customer. The new customer will be afforded the opportunity to be present at such inspections. The utility will not be required to render service to any customer until any defects in the customer-owned portion of the service facilities have been corrected.

4. Prompt connection of service. The utility will reconnect existing service within twenty-four (24) hours, and will install and connect new service within seventy-two (72) hours, when the cause for refusal or discontinuance of service has been corrected and the rules and regulations of the utility and Public Service Commission have been met.

5. Advance termination notice. When advance termination notice is required, the termination notice will be mailed or otherwise delivered to the last known address of the customer. The termination notice will be in writing, distinguishable and separate from any bill. The termination notice will plainly state the reason for termination, that the termination date will not be affected by receipt of any subsequent bill, and that the customer has the right to dispute the reasons for termination.

K. Refusal or Termination of Service.

1. The utility may refuse service to a customer under the following conditions:

   a) For noncompliance with utility or Public Service Commission rules and regulations. The utility cannot refuse service to any customer for noncompliance without first having made a reasonable effort to obtain customer compliance. After such effort by the utility, service may be refused only after the customer has been given a written notice of refusal stating the reasons for refusal of service.

   b) For dangerous conditions. If a dangerous condition exists which could subject any person to imminent harm or result in substantial damage to the property of the utility or others is found to exist on the customer's premises, then service will be refused. The utility will notify the customer in writing and, if possible, orally for the reasons

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

for refusal of service. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer before service can be provided.

c) For refusal of access. When a customer refuses or neglects to provide reasonable access to the premises for installation, operation, meter reading, maintenance or removal of utility property, the utility may refuse service. The utility will notify the customer in writing and, if possible, orally for the reasons for refusal of service. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer before service can be provided.

d) For outstanding indebtedness. The utility will not furnish new service to any customer who is indebted to the utility until that customer has repaid the indebtedness.

e) For noncompliance with state, local, or other codes. The utility may refuse service to a customer if the customer does not comply with state, municipal or other codes, rules, and/or administrative regulations applying to such service. The utility will notify the customer in writing and, if possible, orally for the reasons for refusal of service. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer before service can be provided.

2. Utility Initiated Termination of Service.

a) The termination notice requirements stated herein will not apply if termination notice requirements to a particular customer or customers are otherwise dictated by the terms of a special contract between the utility and customer which has been approved by the Public Service Commission.

b) When advance termination notice is required, the termination notice shall be mailed or otherwise delivered to the last known address of the customer. The termination notice shall be in writing, distinguishable and separate from any bill. The termination notice shall plainly state the reason for termination, that the termination date will not

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

be affected by receipt of any subsequent bill, and that the customer has the right to dispute the reasons for termination.

c) The utility may terminate service to a customer under the following conditions with an advance termination notice:

1) For noncompliance with utility or Public Service Commission rules and regulations. The utility cannot terminate service to any customer for noncompliance without first having made a reasonable effort to obtain customer compliance. After such effort by the utility, service may be terminated only after the customer has been given at least ten (10) days written termination notice.

2) For refusal of access. When a customer refuses or neglects to provide reasonable access to the premises for installation, operation, meter reading, maintenance, or removal of utility property, the utility may terminate service. Such action will be taken only when corrective action negotiated between the utility and customer has failed to resolve the situation and after the customer has been given at least ten (10) days' written notice of termination.

3) For noncompliance with state, local, or other codes. The utility may terminate service to a customer that does not comply with state, municipal, and/or other codes, rules, and regulations that apply to such service. A utility may terminate service only after ten (10) days' written notice of termination is provided unless ordered to terminate immediately by a governmental official.

4) For nonpayment of bills. The utility may terminate service for nonpayment of charges incurred for utility services. The utility may terminate service only after five (5) days' written notice of termination is provided, and after twenty (20) days have elapsed since the mailing date of the original unpaid bill.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

d) The utility may terminate service to a customer if the following conditions exist without an advance termination notice. Within twenty-four (24) hours after such termination, the utility shall send written notification to the customer of the reason(s) for termination upon which the utility relies, and of the customer's right to challenge the termination by filing a formal complaint with the Public Service Commission. The utility will not restore service until the customer agrees to comply with all rules and regulations of the utility and Public Service Commission.

1) For illegal use or theft of service. The utility may terminate service to a customer without advance notice if it has evidence that a customer has obtained unauthorized service by illegal use or theft. This right of termination is separate from and in addition to any other legal remedies that the utility may pursue for illegal use or theft of service.

2) For dangerous conditions. If a dangerous condition relating to the utility's service which could subject any person to imminent harm or result in substantial damage to the property of the utility or others is found to exist on the customer's premises, then service will be terminated immediately. Upon termination the utility will leave notification at the customer's dwelling and, if possible, orally contact the customer to inform him/her of the reasons for the termination. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer or utility before service can be restored.

3) Unapproved Extensions and/or Additions. Any extension or additions to an existing service connection that have not been approved by the utility will be considered theft of service, and will constitute grounds for termination of service. This right of termination is separate from and in addition to any other legal remedies that the utility may pursue for illegal use or theft of service.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

4) Misrepresentation. Any misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water will constitute grounds for termination of service, and the customer shall be liable for any damage to any of the utility's facilities or equipment.

5) Failure to Report Changes. Failure to notify the utility of additions to the property or fixtures to be supplied or additional use to be made of water will constitute grounds for termination of service.

6) Resale of Water. Under no circumstances will a customer be allowed to resell or give away water except under the terms of a special contract executed by the utility and approved by the Public Service Commission. Failure to comply with this rule will constitute grounds for termination of service.

7) Waste or Misuse. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep said pipes in suitable state of repair will constitute grounds for termination of service.

8) Tampering with meter, meter seal, service, valves, or other system facilities, or permitting such tampering by others will constitute grounds for termination of service.

9) Connections, cross-connections, or permitting the same, of any separate water supply to premises that receive water from the utility will constitute grounds for termination of service.

e) The utility will not terminate service to a customer if the following conditions exist:

1) If payment for services is made. Service will not be terminated to a customer that was sent a termination notice if the customer delivers full payment to the utility prior to the actual termination of service.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

2) If a partial payment agreement is in effect. Service will not be terminated for nonpayment if the customer and the utility have entered into a partial payment plan and the customer is meeting the requirements of the plan.

3) If a medical certificate is presented. Service will not be terminated for thirty (30) days beyond the termination date if a physician, registered nurse or public health officer certifies in writing that termination of service will aggravate a debilitating illness or infirmity on the affected premises. The utility may refuse to grant consecutive extensions for medical certificates past the original thirty (30) days unless the certificate is accompanied by an agreed partial payment plan. The utility will not require a new deposit from a customer to avoid termination of service for a thirty (30) day period who presents to the utility a medical certificate certified in writing by a physician, registered nurse or public health officer.

L. Customer Requested Meter Tests.

1. The utility will make a test of any meter upon written request of any customer if the request is not made more frequently than once every twelve- (12) months. The customer shall be given the opportunity to be present at the requested test. If the test shows that the meter was not more than two (2) percent fast, the utility will make a reasonable charge for the test, the amount being approved by the Public Service Commission and set out in the utility's tariff.

2. After having first obtained a test from the utility, any customer of the utility may request a meter test by the Public Service Commission upon written application. Such request shall not be made more frequently on one (1) meter than once every twelve- (12) months.

M. Access to Property.

1. 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,

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

maintenance, meter reading, operation, replacement or removal of its property at the time service is terminated. Any employee of the utility whose duties require him/her to enter the customer's premises will wear a distinguishing uniform or other insignia identifying him/her as an employee of the utility, or show a badge or other identification which will identify him/her as an employee.

2. Obtaining easements and right-of-ways necessary to extend service will be the responsibility of the utility.

3. All customers must grant, convey, or cause to be granted or conveyed to the utility a perpetual easement and right-of-way across any property owned or controlled by the customer wherever necessary for the utility's facilities in order to provide service.

4. The utility cannot require a prospective customer to obtain easements or rights-of-way on property not owned by the prospective customer as a condition for providing service. However, the cost of obtaining easements or rights-of-way will be included in the total per foot cost of an extension, and will be apportioned among the utility and customer in accordance with the applicable extension administrative regulation.

N. Continuity of Service.

1. Emergency interruptions. The utility will make all reasonable efforts to prevent interruptions of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay consistent with the safety of its consumers and the general public.

2. Scheduled interruptions. If the utility finds it necessary to schedule an interruption of its service, it will notify all customers to be affected by the interruption, stating the time and anticipated duration of the interruption. Whenever possible, scheduled interruptions will be made at hours of least inconvenience to customers.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 28

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

RULES AND REGULATIONS

O. Service Lines & Connections.

1. The utility will furnish and install at its own expense for the purpose of connecting its distribution system to the customer's premises that portion of the service connection from its main to and including the meter and meter box. The utility will recoup this expense from the customer in accordance with KRS 278.0152.
2. In areas where the distribution system follows well-defined streets and roads, the customer's point of service will be located at that point on or near the street right-of-way or property line most accessible to the utility from its distribution system. In areas where the distribution system does not follow streets and roads, the point of service will be located as near the customer's property line as practicable. Prior to installation of the meter the utility will consult with the customer as to the most practical location.
3. Depth of service line. All service lines must be laid at a sufficient depth (a minimum of 24 inches) to prevent freezing during the coldest weather normally experienced except where services are not intended for use during freezing weather and are actually drained during such periods.
4. A plumbing permit from the appropriate regulatory agency is required before the utility can set the meter.
5. The applicant/customer must furnish and lay the necessary pipe to make the connection from the point of service to the point of usage and be financially responsible for all costs associated with the installation and maintenance of his/her service line plumbing, including a shut-off valve, one-way check valve and pressure regulator installed on his/her property beginning at the outlet side of the water meter. The service line must be kept in good repair and in accordance with utility and Public Service Commission rules and regulations.
6. The installation and maintenance of the water service line must be in accordance with the rules and regulations of the Kentucky Department of Health.

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Randall Hall
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. I

Original SHEET NO. 29

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO.

SHEET NO.

RULES AND REGULATIONS

7. A cross-connection of the utility's system with any other source is strictly prohibited.
8. A well that has or is being used on the premises must be inspected by utility personnel to verify disconnection and separation.
9. All service lines on the customer's side of the meter must consist of copper, CTS or PVC pipe with a rating of no less than 200 psi, and should not be less than 3/4 inches.
10. Absolutely no galvanized pipe or fittings can be used in the installation.
11. The utility will not set a meter on a customer's service line at a point that does not deliver 30 psig at the meter.
12. If the applicant/customer's point of usage is at a higher elevation than the meter, the customer should consult with a reputable engineering firm to properly size the service line from the meter to the point of usage.
13. Should an applicant/customer desire a higher pressure due to location or other need, provisions must be made by the applicant for an individual pressure booster system. The manner of connection, location cross-connection protection and type is subject to approval by the utility. The utility reserves the right to require discontinuance and disconnection should the private booster system have a detrimental effect on the utility's system.
14. Piping on the premises of the applicant/customer must be installed so that connections are conveniently located with respect to the utility's lines and mains. A place must be provided for metering that is unobstructed and accessible at all times.
15. The utility may require the applicant/customer may, at his/her own expense, to install a back-flow preventor and/or pressure regulator.
16. All meters will be installed, renewed, and maintained at the expense of the utility, and the utility reserves the right to approve the size and type of meter used.

DATE OF ISSUE
Month / Date / Year

DATE EFFECTIVE
Month / Date / Year

ISSUED BY Randall Hardin
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. DATED

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

17. All taps and connections to the mains of the utility must be made by and/or under the direction and supervision of utility personnel and will incur a meter connection/tap-on charge, an amount that has been approved by the Public Service Commission for such service. Payment of this fee is for the privilege of connecting to the water system and the payment of the fee does not constitute the purchase of a water meter.

18. Should an applicant requesting a 5/8" x 3/4" meter require service on the opposite side of the road from the water main, the utility will provide the service at no additional cost to the customer other than the standard meter connection/tap-on charge. All larger size meters will be charged the actual cost of installing the meter, including, when applicable, the additional costs for crossing the road.

19. Any customer having boilers and/or pressure vessels that receive water from the utility must have a check valve on the water supply line and a vacuum valve on the steam line in order to prevent a collapse were the water supply from the utility be interrupted or discontinued.

P. Leak Adjustments. A customer may make a request for a bill adjustment in the event of a leak under the following conditions:

1. The customer must request a leak adjustment in writing to the utility by the 7th of the month.

2. The customer's bill will be based on two components. The first step will be to calculate the customer's average monthly usage over a three-month period. The second step will be to deduct the customer's average monthly usage (as calculated in the above) from the total amount of water that passed through the meter. The usage calculated in step one will be billed at the utility's regular rates, while the remaining usage will be charged 60% of the remainder of the bill as set forth in the rates and charges portion of the utility's approved tariff. All water passing through the meter must be accounted and paid for by the customer. So the customer will owe the amount of his/her average bill plus 60% of the remainder of the water that passed through the meter.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

3. Only one (1) leak adjustment will be made per twelve-month period.

Q. Ownership of Mains, Services, and Appurtenances:

1. All mains, fire hydrants, valves, crossings, and other appurtenances are and shall remain the property of the utility, whether installed by the utility or the customer.
2. All service lines from the main to the meter with appurtenances are and shall remain the property of the utility, whether installed by the utility or the customer.
3. The customer shall install, own, and maintain his/her service line from the meter (or point of delivery) to the point of usage.

R. Notification of System Problems. The customer shall notify the utility immediately should the service be unsatisfactory for any reason, or should there be any defects, problems, trouble, or accidents affecting the water system.

RULES AND REGULATIONS

S. Legal Disclaimers.

1. The utility shall in no event be held responsible for any claims made against it for reasons of system failure or interruption of service. No persons shall be entitled to damages nor for any portion of a payment refunded for any system failure or interruption of service which in the opinion of the utility is deemed necessary.
2. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure appurtenance or equipment which is a part of the utility's water system. Any person violating this provision will be subject to immediate arrest and/or discontinuance of water service and shall pay the cost of repairing or replacing the utility's facilities.
3. If any loss or damage to the property of the utility or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of a customer, members of his/her household, his/her agent or employee, the cost of necessary repairs or replacements shall be paid by the customer of the utility and any liability otherwise resulting shall be that of the customer.
4. For purposes of fire protection, including any customer's fire protection system, the utility cannot guarantee a water supply at any particular flow rate or pressure. The water flow may vary depending upon other water demands on the system, various water facility limitations, or other circumstances. The customer will indemnify and hold harmless the utility and its employees from and against all claims, damages, losses, and expenses incurred as a result of insufficient water supply or deficient system facilities.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

FOR Magoffin and Floyd Counties, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 33

Magoffin County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RULES AND REGULATIONS

T. Fire departments:

Any city, county, urban-county, charter county, fire protection district, or volunteer fire protection district ("User") may withdraw water from the utility's water distribution system for the purpose of fighting at no charge on the condition that it maintains estimates of the amount of water used for fire protection during the calendar month and reports the amount of this water usage to the utility no later than the 15th day of the following calendar month.

Any city, county, urban-county, charter county, fire protection district, or volunteer fire protection district that withdraws water from the utility's water distribution system for fire protection purposes and fails to submit the required report on water usage in a timely manner shall be assessed the cost of this water.

A non-reporting user's usage shall be presumed to 0.3 percent of the utility's total water sales for the calendar month. A non-reporting user may present evidence of its actual usage to rebut the presumed usage. The utility shall consider this evidence and may adjust the presumed usage amount accordingly.

The non-reporting user shall be billed for this usage at the lowest usage block rate regardless of customer classification that the utility charges.

A non-reporting user shall also be assessed a penalty of $ 100.00 for each failure to submit a report in a timely manner.

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Randall Hall
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

RULES AND REGULATIONS

U. Requirements for New Water Connections.

1. The water line must be buried in a ditch that is at a minimum of 24 inches in depth.
2. The water line must be a minimum of 200 psi
3. A shut-off valve must be installed.
4. A one-way check valve must be installed.
5. A pressure regulator may be required as prescribed by the utility.
6. There shall be absolutely no galvanized pipe or fittings used in the installation.
7. The customer shall present to the Water District a plumbing permit issued from their local Health Department before water service is provided.
8. If a well is being used, it must be disconnected and the utility must inspect to verify separation.

V. Water Main Extensions.

1. Normal extension. An extension of fifty (50) feet or less shall be made by a utility to its existing distribution main without charge for a prospective customer who shall apply for and contract to use service for one (1) year or more.

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

By Stephanie Stumbo
Executive Director

Magoffin County
Water District
P.O. Box 490
Salyersville, Kentucky 41465

Office Phone: (606) 349-6812
Fax: (606) 349-6814

ACCOUNT NUMBER	
SERVICE ADDRESS	GUN CREEK
BILLING DATE	01/24/08
NET AMOUNT DUE	$ 0.59
GROSS AMOUNT AFTER 02/08/08	$ 0.59
AMOUNT PAID	$

Make Checks Payable to: Magoffin County Water District

ADDRESSEE

MAGOFFIN COUNTY WATER DISTRICT
PO Box 490
Salyersville, KY 41465-0490

☐ Check box if your address is incorrect. Indicate change(s) on reverse side
PLEASE RETURN TOP PORTION WITH PAYMENT

UTILITY BILL

Magoffin County Water District

Phone: (606) 349-6812
In Emergencies Dial:
(606) 349-5324 OR
PAGER: (606) 482-0189

Hours: 8 A.M. - 4:30 P.M.
Monday thru Friday
(excluding recognized holidays)

Service Codes:
WT = Water
SWR = Sewer
GS = Gas
E = Estimated
M = Meter Change

SERVICE	PREVIOUS READING	PRESENT READING	CONSUMPTION	AMOUNT
12/14/07 THRU 01/10/08				
WT	236300	238800	2500F	
WATER				18.00
SCHOOL TAX				0.54
DEPOSIT REFUND				-51.21
PREVIOUS BALANCE				33.26

FINAL BILLING - PLEASE REMIT

SERVICE ADDRESS			
GUN CREEK	GROSS DUE AFTER	02/08/08	
	GROSS AMOUNT	0.59	
	ACCOUNT NO.	40-5740	

NET AMOUNT DUE $ 0.59

NOT RESPONSIBLE FOR MAIL DELIVERY

MESSAGE AREA

HOW DO YOU LIKE OUR NEW WATERBILLS ? THIS IS YOUR ACTUAL BILL

10% PENALTY ADDED TO ALL BILLS AFTER 8TH OF THE MONTH. RATES FURNISHED UPON REQUEST

MAGOFFIN COUNTY WATER DISTRICT • P.O. BOX 490 • SALYERSVILLE, KY 41465 • (606) 349-6812

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE
5/1/2008
PURSUANT TO 807 KAR 5:011
SECTION 9 (1)
By Stephanie Stumbo
Executive Director

MAGOFFIN COUNTY WATER DISTRICT

WATER USER AGREEMENT

EFFECTIVE 10/01/2000

This agreement entered into between _____
Whose address is_____, hereinafter called "USER", and the Magoffin County Water District, P. O. Box 490, Salyersville, KY 41454, hereinafter called "SUPPLIER".

WHEREAS, THE USER desires to purchase water from the SUPPLIER, the USER hereby enters into this water agreement as required by the By-Laws of the SUPPLIER.

NOW THEREFORE, in consideration of the mutual covenants, promises and agreements herein contained, it is hereby understood and agreed by the parties hereto as follows:

The SUPPLIER shall furnish subject to the limitations set out in its By-Laws, Rules and Regulations now in force or as hereinafter amended, such quantity of was as the USER may desire in connection with the property to be served by this agreement. The property is to be served is a RESIDENT_____ MOBILE HOME_____ located on _____.

The USER shall install and maintain, at his own expense, a service line which shall begin at the meter and extend to the dwelling place of use. The location of the water meter on the property will be determined by the SUPPLIER. The SUPPLIER shall purchase and install a cut-off f vale and a water meter. The SUPPLIER shall have exclusive right to use such cut-off valve and water meter.

The USER shall connect his service line to the water distribution system within 30 days and start using water. The USER agrees to use the water service for 12 months and shall pay the monthly minimum charge plus any additional water used at the District's scheduled rate. If the water meter is removed after six months there will be a Reconnect Fee of _____.

The USER agrees to pay a connection fee of $_____ to the SUPPLIER. If the water system is constructed, but the property covered by this agreement is not reached by the SUPPLIER'S water line, The connection fee will be fully refunded to the USER. An advance deposit of $_____.00 is required at the time this agreement is signed and the balance of $_____will be paid to the SUPPLIER on demand. Construction of water lines to serve the property covered under this agreement depends upon feasibility, availability of funds for construction and approval of all local, state and federal agencies having jurisdiction over this type of facility. THE SUPPLIER DOES NOT GUARANTEE WATER SERVICE WILL BE MADE AVAILABLE TO THE USER.

The user agrees to comply with and be bound by the Articles, By-Laws, Rules and Regulations of the SUPPLIER, now in force as hereafter duly and legally supplemented, amended or changed.

The USER agrees to pay for water at such rates, time and place as shall be determined by the SUPPLIER, and agrees to the imposition of such penalties for noncompliance are now set out in the SUPPLIER'S BY-LAWS, Rules and Regulations, or which have been or hereinafter be adopted or imposed by the SUPPLIER.

The SUPPLIER shall determine the allocation of water to the USER in the event of water shortage and may shut off water to the USER if he allows a connection or extension to be made of his service line for the

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purpose of supplying water to another party. In the event the total water supply shall be insufficient to meet all of the needs f the users, or in the event there is shortage of water, the SUPPLIER may prorate the water available among the various users on such basis is deemed equitable by the GOVERNING BODY and if at any the total water supply shall be insufficient to meet all the needs of all the users, the SUPPLIER must first satisfy all the needs of all the users for domestic purposes before supplying any water to livestock purposes and must satisfy all the needs of all users for both domestic and livestock purposes before supplying any water for garden purposes.

The USER agrees that no present or future source of water will be connected to any water lines served by the SUPPLIER'S water lines and will disconnect from his present water supply prior to connecting to and switching to the SUPPLIER'S system and shall eliminate present and future crossconnections in his system.

The failure of the USER to pay water charges duly imposed shall result in the automatic imposition of the following penalties:

1. Nonpayment of water bill on due date shall be subject to a ten (10%) percent of the delinquent Account.
2. Nonpayment of water bill will result in the water being shut off from the USER'S property.
3. In the event it becomes necessary for the SUPPLIER, to shut off the water from the USER'S Property, a fee of $_____ will be charged for a reconnection of the service.

It is understood and agreed that the SUPPLIER reserves the right to determine the size of a service connection to be used to supply water to the USER. A 5/8 inch by ¾ inch meter will be used unless the USER contracts for a larger meter. A separate meter must be installed for each residence. A separate contract will be used by trailer parks when trailers are not supplied by individual meters.

The USER agrees to grant to the SUPPLIER, its successors and assigns, a perpetual easement upon land owned by the USER at the location of the USER'S meter and service line with the right to lay and hereafter, maintain, replace and remove the meter or service line and appurtenant facilities, together with the right to utilize adjoining lands belonging to USAR for the purpose of ingress and egress from the said meter and service line.

If the SUPPLIER has not received a commitment of sufficient loan and/or grant funds to construct this project, the connection fee or the advance deposit, as the case may be will be refunded to the USER upon request.

IN WITNESS THEREOF, we have executed this agreement this _____ day of _____, 20_____.

WITNESS:

_____ _____
Water User
Social Security No._____

_____ _____
Water User's Spouse

ATTES:

_____ MAGOFFIN COUNTY WATER DISTRICT
Supplier

BY _____
Title_____

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