

RECEIVED

AUG 26 1994

P.S.C.
RATES & RESEARCH DIV.

RECEIVED

AUG 26 1994

PUBLIC SERVICE
COMMISSION

AGREEMENT

THIS AGREEMENT made and entered into on this the 10 day of September, 1968, by and between the ELECTRIC AND WATER PLANT BOARD OF THE CITY OF FRANKFORT, KENTUCKY, a governmental agency of the City of Frankfort, Kentucky, having the powers granted by Section 96.171 et. seq., Kentucky Revised Statutes, hereinafter referred to as "Board", and the PEAKS MILL WATER DISTRICT, a water district created and existing under the Laws of the State of Kentucky, hereinafter referred to as "District";

WITNESSETH: That the parties hereto, in consideration of the mutual duties and obligations herein created, have, and do agree as follows:

1. The Board will make available to the District water in such quantity and at such pressure as it may have in its main at the service connection at the time of use but not to exceed more than 150 gallons per minute or one million gallons per month, with, however, pumping from the main, if done by the District, done at regular pumping periods to be designated by the Board, not to exceed ten hours per day.

2. The Board under this agreement is obligated to make water available only to the facilities of the District.

3. The board in agreeing to furnish water to the District is acting on a friendly and neighborly basis and in an effort to assist the residents of the District to have water service, and agrees to release the District from this contract at any time the District desires on Sixty (60) days written notice to the Board.

4. The Board under this agreement has, and assumes no obligation whatever to furnish satisfactory quantity or pressure

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

SEP 09 1994

PURSUANT TO 807 KAR 5.011,
SECTION 9 (1)

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

SEP 09 1994

PURSUANT TO 807 KAR 5011,
SECTION 9(1)

BY: Jordan C. [Signature]
FOR THE PUBLIC SERVICE COMMISSION

for any particular service such as irrigation, fire protection, industrial or commercial use.

5. The District shall at all times pay the rates and charges for water as exist at the time of delivery under the then existing published rates, rules and regulations of the Board.

6. The water will be furnished the District through a meter or meters of the size and type specified by the Board, which shall be furnished and maintained by the District and located at such point or points as the Board shall designate on its main, which said meter or meters the Board shall have the right to inspect and test at any and all times. In the event any meter test, whether initiated by the Board or by the District, discloses any substantial error compensation payable for water delivered shall be adjusted so as to compensate for the error.

7. The obligation of the Board to supply water hereunder is further limited by the understanding that the Board shall only be required to use reasonable care and diligence in the operation and maintenance of its existing system to prevent and avoid interruptions and fluctuations in the supply, and that it cannot and does not guarantee that such interruptions and fluctuations will not occur, or that because of emergencies due to breaks, leaks, defects or necessary repairs to its facilities, or the normal demand on its system, or fires, strikes, acts of God or other causes there may not be periods during which the supply may be curtailed or interrupted; provided, however, notwithstanding a shortage by reason of any one of the above causes, if water be available to the District from the system of the Board through the aforesaid line, the Board shall in such event, furnish to the District water in such quantity as

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

SEP 09 1994

PURSUANT TO 807 KAR 5011,
SECTION 9 (1)

BY: Jordan C. Neal
FOR THE COMMISSION

the normal daily requirements of the District shall bear to the normal daily requirements of the Board.

8. The present published Rates, Rules and Regulations of the Board relating to water service are attached hereto and made a part hereof.

9. It is further mutually agreed and understood by and between the parties hereto that this contract is to run for a period of 20 years from the date of initial delivery of water hereunder, with an option to renew for an additional period of 20 years.

10. Service shall begin as of the date of the completion and placing in service of the system to be constructed by the District.

11. Any successor of the Board or the District, whether the result of legal process, assignment or otherwise, shall succeed to the rights of the Board or District hereunder.

IN TESTIMONY WHEREOF, the parties hereto have caused this agreement to be executed by its duly authorized officers, on this the day and year first above written.

ELECTRIC AND WATER PLANT BOARD OF
THE CITY OF FRANKFORT, KENTUCKY

ATTEST:

J. Hiram Williams
Secretary

By

William P. Cerslin
Chairman

ATTEST:

Mason Bates
Secretary

PEAKS MILL WATER DISTRICT

By

Richard L. Luster
Chairman

FRANKFORT ELECTRIC & WATER PLANT BOARD
FRANKFORT, KENTUCKY

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

RATES
WATER SERVICE

SEP 09 1994

Effective December Billing Period, 1960. PURSUANT TO 807 KAR 5.011,
SECTION 9(1)

Applicable to:

BY: Jordan C. Neal
FOR THE PUBLIC SERVICE COMMISSION

All water service.

<u>Rate:</u>	<u>City</u>	<u>Rural (Outside City Limits)</u>
First 5,000 gallons per month @ \$.30 /M gal.		\$.40
Next 20,000 gallons per month @ .20 /M gal.		.20
Next 175,000 gallons per month @ .15 /M gal.		.15
Next 800,000 gallons per month @ .12 /M gal.		.12
Excess @ .10 /M gal.		.10

Minimum Bill:

5/8 and 3/4" Meters	\$ 1.00 Month	1.25
1" Meters	1.50 Month	1.50
1-1/2" Meters	2.50 Month	2.50
2" Meters	5.00 Month	5.00
3" Meters	10.00 Month	10.00
4" Meters	20.00 Month	20.00
6" Meters	30.00 Month	30.00
8" Meters	50.00 Month	50.00

Booster Pumping (Outside City) -Plus- 20% and in no case shall it be less than 3¢ per thousand gallons.

Fire Hydrants - Per Hydrant \$ 10.00 per year.

Sprinkler Service and Private Fire Hydrants:

	<u>Effective Date 3-1-48</u>
Size of Service - 2"	\$ 12.00 per year.
Size of Service - 4"	\$ 30.00 per year.
Size of Service - 6"	\$ 60.00 per year.
Size of Service - 8"	\$100.00 per year.

Terms of Payment:

The above rates are Net and apply on all bills paid within ten (10) days from date thereof. On all bills not so paid an additional charge of 10% of the amount billed will be made.

Special Provision:

Board reserves the right to curtail the use of water under unusual circumstances or emergencies.

Customer requesting water meter for Seasonal or Temporary use must pay to the Board a charge of \$100.00 for the meter installation. Rates are applicable for the succeeding twelve months period. Further, the customer shall contact the Municipal Sewer Board in regard to exemption on sewer rental and the Municipal Sewer Board shall direct the Plant Board to exempt sewer charge for such services.