

# HARDEMAN WATER DISTRICT

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

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

HARDEMAN WATER DISTRICT

OF

MAYFIELD, KY

Rates, Rules and Regulations for Furnishing

WATER SERVICE

AT

A FIVE MILE AREA EAST, NORTHEAST OF MAYFIELD, KY

Filed with PUBLIC SERVICE COMMISSION OF  
KENTUCKY

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

ISSUED MAY 19 ....., 1992....

EFFECTIVE JUN 25 1992 ....., 19.....

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

ISSUED BY HARDEMAN WATER DISTRICT  
PUBLIC SERVICE COMMISSION MANAGER

BY SHELBY GALLOWAY

OFFICE MANAGER

FOR Mayfield, Kentucky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 4

CANCELLING P.S.C. KY. NO. \_\_\_\_\_

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

Hardeman Water District  
(Name of Utility)

RATES AND CHARGES

A. MONTHLY RATES:

5/8" x 3/4" Meter

First 2,000 gallons	\$13.10 minimum bill
Next 3,000 gallons	2.75 per 1,000 gallons
Next 15,000 gallons	2.12 per 1,000 gallons
Over 20,000 gallons	1.80 per 1,000 gallons

\*Rates are based on monthly consumption

DATE OF ISSUE 6 18 2003  
Month / Date / Year

DATE EFFECTIVE \_\_\_\_\_  
Month / Date / Year

ISSUED BY Russell Smith  
(Signature of Officer)

TITLE Chairman of Board of Commissioners

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. 2003 00107 DATED 4-18-2003

5-23-2003

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

MAY 23 2003

PURSUANT TO KRS 207 KAR 5.011  
SECTION 5.11

BY Charles L. ...  
EXECUTIVE DIRECTOR

Form for filing Rate Schedules

For MAYFIELD, KY  
Community, Town or City

P.S.C. NO. 90-181

REVISED SHEET NO. 002

CANCELLING P.S.C. NO. \_\_\_\_\_

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

HARDEMAN WATER DISTRICT  
Name of Issuing Corporation

CLASSIFICATION OF SERVICE

	RATE PER UNI
TAP ON FEE	\$300.00
CONNECTION CHARGE	10.00
DEPOSITS:	
1 - HOUSES	15.00
2 - TRAILERS	20.00

THE UTILITY MAY REQUIRE FROM ANY CUSTOMER OR APPLICANT A MINIMUM CASH DEPOSIT OR OTHER GUARANTEE TO SECURE PAYMENT OF BILLS OF AN AMOUNT NOT TO EXCEED TWO TWELFTHS (2/12) OF THE ESTIMATED ANNUAL BILL OF SUCH CUSTOMER OR APPLICANT. Interest as prescribed by KRS 278.460 will be paid annually either by refund or credit to the customers bill except that no refund or credit will be made if the bill is delinquent on the anniversary date of the deposit.

If the deposit is held longer than 18 months, the deposit will be recalculated at the customer's request based on the customer's actual usage. If the deposit differs from the recalculated amount by more than \$10 for a residential customer or 10 percent for a non residential customer, the company may collect any underpayment and shall refund any overpayment by check to the customer's bill. No refund will be made if the customer's bill is delinquent at the time of the recalculation.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUN 25 1992

DATE OF ISSUE MAY 19, 1992

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

ISSUED BY SHELBY GALLOWAY  
Name of Officer

TITLE OFFICE MANAGER  
PUBLIC SERVICE COMMISSION MANAGER

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. \_\_\_\_\_ dated \_\_\_\_\_.

FOR MAYFIELD, KY

P.S.C. Ky. No. 90-181

Revised Sheet No. 003

HARDEMAN WATER DISTRICT

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

RULES AND REGULATIONS

This schedule of Rules and Regulations governs the furnishing of water service by HARDEMAN WATER DISTRICT hereinafter referred to as the Utility and applies to all service received from the Utility. No employee or individual director of the Utility is permitted to make an exception to Rates, Rules or Regulations. All Rules and Regulations are to be in effect so long as they are not in conflict with Public Service Commission Rules and Regulations. The Utility is further subject to all Rules and Regulations of the Commission even though not contained herein.

REVISIONS

These Rules and Regulations may be revised, amended, supplemented or otherwise changed from time to time subject to approval of the Public Service Commission, and shall have the same force as the present Rules and Regulations.

AVAILABILITY

Water service is available to any domestic, commercial or industrial consumer within the Utility's area.

WATER FAILURE

The Utility is responsible for water failure only when in control of the Utility's employees. No consumer is paid damages for equipment unless such damages are specifically found to be caused by an act of negligence on the part of the Utility or its employees.

PROTECTION BY CONSUMER

Consumer shall protect the equipment of the Utility on his/her premises and shall not interfere with Utility's property or permit interference except by duly authorized representatives of the Utility.

PUBLIC SERVICE COMMISSION  
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DATE OF ISSUE MAY 19, 1992  
Month Day Year

DATE EFFECTIVE \_\_\_\_\_ PURSUANT TO 807 KAR 5:011,  
Month Day Year SECTION 9(1)

ISSUED BY SHELBY GALLOWAY  
Name of Officer

OFFICE MANAGER  
Title

RT. 6 BOX 702C MAYFIELD, KY  
Address

FOR MAYFIELD, KY

P.S.C. KY. NO. 90-181

REVISED SHEET NO. 004

CANCELLING P.S.C. KY NO. \_\_\_\_\_

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

HARDEMAN WATER DISTRICT

**RULES AND REGULATIONS**

All bills are to be paid by the 10th of each month. If not paid by the 10th of the month, a 10% penalty will be added.

All meters are read on or about the 15th of each month.

A customer may be disconnected for nonpayment after ten days written notice but not prior to twenty-seven (27) days after the mailing date of the original bill. Such termination notice will be exclusive of and separate from any bill.

**WATER PRESSURE CONDITIONS**

The Hardeman Water District does not guarantee pressure at fire hydrants or mains under any circumstances. Conventional fire hydrants may be installed by a utility only on 6-inch or larger water mains and only when a professional engineer with the Kentucky registration certifies that adequate and reliable fire flows can be obtained in conformance with good standard engineering practice.

PUBLIC SERVICE COMMISSION  
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EFFECTIVE

JUN 25 1992

DATE OF ISSUE	<u>MAY 19, 1992</u>	DATE EFFECTIVE	PURSUANT TO 807 KAR 5.011, SECTION 9 (1)
	Month Day Year		Month Day Year
ISSUED BY	<u>SHELBY GALLOWAY</u>	OFFICE MANAGER	BY: <u>[Signature]</u>
	Name of Officer	Title	Address

RT. 6 PUBLIC SERVICE COMMISSION, MANAGER

HARDEMAN WATER DISTRICT  
Name of Issuing Corporation

**CLASSIFICATION OF SERVICE**

**RATE  
PER UN**

AT LEAST ONCE ANNUALLY THE COMPANY WILL MONITOR THE USAGE OF EACH CUSTOMER ACCORDING TO THE FOLLOWING PROCEDURE:

1. THE CUSTOMER'S ANNUAL USAGE FOR THE MOST RECENT 12-MONTH PERIOD WILL BE COMPARED WITH THE ANNUAL USAGE FOR THE 12 MONTHS IMMEDIATELY PRECEDING THAT PERIOD.
2. IF THE ANNUAL USAGE FOR THE TWO PERIODS ARE SUBSTANTIALLY THE SAME OR IF ANY DIFFERENCE IS KNOWN TO BE ATTRIBUTED TO UNIQUE CIRCUMSTANCES, SUCH AS UNUSUAL WEATHER CONDIONS, COMMON TO ALL CUSTOMERS, NO FURTHER REVIEW WILL BE DONE.
3. IF THE ANNUAL USAGES DIFFER BY 50% PERCENT OR MORE AND CANNOT BE ATTRIBUTED TO A READILY IDENTIFIED COMMON CAUSE, HARDEMAN WATER DISTRICT WILL COMPARE THE CUSTOMER'S MONTHLY USAGE RECORDS FOR THE 12 MONTH PERIOD WITH THE MONTHLY USAGE FOR THE SAME MONTHS OF THE PRECEDING YEAR.
4. IF THE CAUSE FOR THE USAGE DEVIATION CANNOT BE DETERMINED FROM ANALYSIS OF THE CUSTOMER'S METER READING AND BILLING RECORDS, HARDEMAN WATER DISTRICT WILL CONTACT THE CUSTOMER BY TELEPHONE OR IN WRITING TO DETERMINE WHETHER THERE HAVE BEEN CHANGES SUCH AS DIFFERENT NUMBER OF HOUSEHOLD MEMBERS OR WORK STAFF, ADDITIONAL OR DIFFERENT APPLIANCES, CHANGES IN BUSINESS VOLUME, OR KNOW LEAKS IN THE CUSTOMER'S SERVICE LINE.
5. WHERE THE DEVIATION IS NOT OTHERWISE EXPLAINED, HARDEMAN WATER DISTRICT WILL TEST THE CUSTOMER'S METER TO DETERMINE WHETHER IT SHOWS AN AVERAGE ERROR GREATER THAN 2 PERCNET FAST OR SLOW.
6. HARDEMAN WATER DISTRICT WILL NOTIFY THE CUSTOMERS OF THE INVESTIGATION ITS FINDINGS, AND ANY REFUNDS OR BACKBILLING IN ACCORDANCE WITH 807 KAR 5:006, SECTION 10 (4) AND (5).

IN ADDITION TO THE ANNUAL MONITORING THE COMPANY WILL IMMEDIATELY INVESTIGATE USAGE DEVIATIONS BROUGHT TO ITS ATTENTION AS A RESULT OF ITS ON GOING METER READING OR BILLING PROCESSES OR CUSTOMER INQUIRY.

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OF KENTUCKY  
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AUG 20 1992

DATE OF ISSUE JULY 14, 1992  
ISSUED BY SHELBY GALLOWAY  
Name of Officer

DATE EFFECTIVE PERMANENT TO 807 KAR 5:011  
TITLE SECTION 9 (1)

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. \_\_\_\_\_ dated \_\_\_\_\_  
BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

FOR MAYFIELD, KENTUCKY

P.S.C. Ky. No. \_\_\_\_\_

Sheet No. 006

HARDEMAN WATER DISTRICT

Cancelling P.S.C. Ky. No. \_\_\_\_\_

Sheet No. \_\_\_\_\_

**RULES AND REGULATIONS**

BILL FORMAT

Each bill for Hardeman Water District shall clearly show the present and previous meter reading; dates of the present and last readings; number of gallons consumed; net amount; all taxes; any adjustments; and the gross amount of the bill.

HARDEMAN WATER DISTRICT  
ROUTE 6 BOX 727  
MAYFIELD, KENTUCKY 42066

PRESENT READING		PREVIOUS READING		USED	CODE	AMOUNT
						TOTAL
ACCOUNT NUMBER	CLASS	DATE FROM			DATE TO	

10% Penalty will be added after 10th of the month.  
Service will be discontinued, if payment not received by the 20th of the month

UB	_____
WATER	_____
ST	_____
6%	_____
PENALTY	_____
TOTAL	_____

**RETURN THIS STUB**

**PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE**

DATE OF ISSUE JULY 14, 1992  
Month Day Year

DATE EFFECTIVE \_\_\_\_\_  
Month Day Year  
AUG 20 1992

ISSUED BY SHELBY GALLOWAY, MANAGER  
Name of Officer

Title

PURSUANT TO KRS 5.011,  
SECTION 9 (1)

BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

WATER SHORTAGE RESPONSE PLAN

HARDEMAN WATER DISTRICT

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the DISTRICT in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- (a) "Customer" shall mean any person or entity using water for any purpose from the DISTRICT'S water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- (b) "Raw Water Supplies" shall mean all water potentially available to persons in the DISTRICT
- (c) "Treated Water" shall mean water that has been introduced by the DISTRICT into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

Essential Water Uses (Class 1):

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

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BY: James C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

Domestic:  
- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

Health Care Facilities:  
- patient care and rehabilitation, including related filling and operation of swimming pools.

Water Hauling:

- sales of domestic use where not reasonably available elsewhere.

Public Use:

- firefighting,

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

Socially or Economically Important Uses (Class 2):

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

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

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

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,
- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,

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BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

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

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

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Commercial and Civic Use:

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

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PURSUANT TO 807 KAR 5.011...  
SECTION 9 (1)

BY: Jordan C. Marshall  
FOR THE PUBLIC SERVICE COMMISSION

Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- - use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

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PURSUANT TO 807 KAR 50.11,  
SECTION 9(1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

refilling cooling towers after draining.

- (d) "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
- (e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

- (f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.
- (g) Water Shortage Response Phases:

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

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

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE  
 "Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

JUL 30 1995

PURSUANT TO 807 KAR 5011 SECTION 9(1)

*Jordan C. Neal*  
 FOR THE PUBLIC SERVICE COMMISSION

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

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the WATER DISTRICT When implemented, this Plan becomes HARDEMAN WATER DISTRICT Water Shortage Response Regulation.

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

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the BOARD OF COMMISSIONERS

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the BOARD of HARDEMAN WATER DISTRICT

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

- (1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 20% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the \_\_\_\_\_ DISTRICT draws water. (Note: Additional conditions may be added based on local conditions.)
- (2) Conservation and Curtailment Measures:
  - (a) Declare a Water Shortage Advisory.
  - (b) Provide proper notice to all customers and to all local news media.
  - (c) Eliminate all water leaks.
  - (d) Request voluntary conservation of all non-essential (Class 3) water use.
  - (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

B. Alert Stage:

- (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 20% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

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JUL 20 1995

PURSUANT TO 807 KAR 5011 (2)  
SECTION 9 (1)

BY: Jordan C. MacL  
FOR THE PUBLIC SERVICE COMMISSION

Conservation and Curtailment Measures:

- (a) Declare Water Shortage Alert.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all non-essential (Class 3) water uses.

- (e) Curtail entitlements to all customers by the same percentage as the projected shortage.
- (f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of 6.00 per 1,000 gallons.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 50% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)
2. Conservation and Curtailment Measures:
  - (a) Declare Water Shortage Emergency.
  - (b) Provide proper notice to all customers and to all local news media.
  - (c) Eliminate all water leaks.
  - (d) Prohibit all Class 3 uses of water.
  - (e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
  - (f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
  - (g) Curtail Residential entitlements by the same percentage as the projected shortage.
  - (h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
  - (i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of 10.00 per 1,000 gallons.

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PURSUANT TO 807 KAR 5011,  
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BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

D. Rationing Stage:

1. Criteria: Treated water available is greater than 50% below demand or raw water supplies are below

the level necessary to meet essential needs, and in the opinion of BOARD OF COMMISSIONERS mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Rationing.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
- (h) Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of 15.00 per 1,000 gallons.

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PURSUANT TO 807 KAR 5011,  
SECTION 9 (1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

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

- (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard

before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.

- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. Request for Exception.

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

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

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

Section 11. Effective Date. This Plan shall take effect immediately upon approval by the Public Service Commission.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 30 1996

PURSUANT TO 807 KAR 5011,  
SECTION 9 (1)

BY: Gordon C. Neal  
FOR THE PUBLIC SERVICE COMMISSION