

MURRAY WATER DISTRICT

NUMBER 3

P.S.C. KY. NO. 1

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

MURRAY NO. 3 WATER DISTRICT

OF

P.O. BOX 643

MURRAY, KENTUCKY, 42071

RATES & CHARGES  
AND  
RULES & REGULATIONS  
FOR FURNISHING  
WATER SERVICE  
AT

WESTERN CALLOWAY COUNTY  
KENTUCKY

FILED WITH THE  
PUBLIC SERVICE COMMISSION  
OF  
KENTUCKY

PUBLIC SERVICE COMMISSION

OFFICE OF THE  
CLERK

DATE OF ISSUE \_\_\_\_\_  
Month / Date / Year

DATE EFFECTIVE \_\_\_\_\_

ISSUED BY Glen Windsor  
Month / Date / Year  
(Signature of Officer)

TITLE District Manager

MAR 04 2001

PURSUANT TO 807 KAR 5.011

SECTION 5(1)

BY [Signature]  
SECRETARY OF THE COMMISSION

FOR Western Calloway County, Ky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 1

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

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

Murray No. 3 Water District  
(Name of Utility)

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TITLE District Manager

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

PUBLIC SERVICE COMMISSION  
COMMERCIAL  
OFFICE

MAR 04 2001

REFERENCE TO R07 KAR 501.1  
FOR FURTHER INFORMATION  
SEE THE PUBLIC SERVICE COMMISSION

FOR Western Calloway County, Ky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 2

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

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

Murray No. 3 County Water District  
(Name of Utility)

RATES AND CHARGES

A. MONTHLY RATES:

First 1,500 Gallons	\$6.75	Minimum Bill
Next 3,500 Gallons	3.75	Per 1,000 Gallons
Next 5,000 Gallons	1.50	Per 1,000 Gallons
Next 10,000 Gallons	1.25	Per 1,000 Gallons
Next 30,000 Gallons	1.05	Per 1,000 Gallons
Next 50,000 Gallons	.80	Per 1,000 Gallons
Over 100,000 Gallons	.60	Per 1,000 Gallons

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IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
OFFICE

MAR 04 2001

PURSUANT TO RC7 KAR 8011,  
OFFICE OF THE PUBLIC SERVICE COMMISSION  
OFFICE OF THE PUBLIC SERVICE COMMISSION

FOR Western Calloway County, Ky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 3

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

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

Murray No. 3 County Water District  
(Name of Utility)

**RATES AND CHARGES**

**B. DEPOSITS:**

Not Applicable

**C. METER CONNECTION/TAP-ON CHARGES:**

5/8 Inch X 3/4 Inch	\$300.00
1 Inch	\$300.00
1 1/2 Inch	\$400.00
2 Inch	\$500.00
All Larger Meters	Actual Cost

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IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

PUBLIC SERVICE COMMISSION  
OFFICE OF THE CLERK  
COLUMBIA, KY

MAR 04 2001

PERMIT TO 407 MAR 01 11  
P.S.C. NO. 1

WESTERN CALLOWAY COUNTY  
COLUMBIA, KY

FOR Western Calloway County, Ky  
Community, Town or City

P.S.C. KY. NO. 1

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

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

Murray No. 3 County Water District  
(Name of Utility)

**RATES AND CHARGES**

**D. SPECIAL NON-RECURRING CHARGES:**

Connection/Turn-on Charge	10.00
Field Collection Charge	0.00
Late Payment Penalty	10%
Meter Relocation Charge	Actual Cost
Meter Re-read Charge	0.00
Meter Test Charge	15.00
Re-connection Charge	0.00
Returned Check Charge	5.00
Service Call/Investigation	0.00

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PUBLIC SERVICE COMMISSION  
KENTUCKY  
OFFICE

MAR 04 2001

PURSUANT TO 207 KAR 0011,  
REGULATORY

\_\_\_\_\_

FOR Western Calloway County, Ky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 5

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

Murray No. 3 County Water District  
(Name of Utility)

RATES AND CHARGES

E. PURCHASED WATER RATES:

<u>Supplier</u>	<u>Rate</u>
City of Murray	\$1.45

F.

Not Applicable

G.

Not Applicable

H.

Not Applicable

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OFFICE

MAR 04 2001

REQUIRE 21201-03-0011

FOR Western Calloway County, Ky  
Community, Town or City

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

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

Murray No. 3 Water District  
(Name of Utility)

**RULES AND REGULATIONS**

The following are the rules and regulations of the Murray No. 3 Water District. 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. Meters will be read monthly between the 1<sup>st</sup> and 10<sup>th</sup> of each month.
2. Bills will be dated and mailed on the 1st of each month. Said bill will state that they are to be paid by the 15<sup>th</sup> of the month.
3. All meters will be located on district mains and in the absence of special permission on the property to be served.
4. Complaint may be made to the operator of the system and may be appealed to the District Commission.
5. The principal place of business of the District will be the office of Murray No. 3 Water District, Highway 94, Murray, Kentucky, 42071.
6. Water bills will be mailed to P.O. Box 643, Murray, Kentucky, 42071.
7. Water users will be notified in person by Water District personnel before water service is disconnected. Termination of service will be the last day of the month.
8. Water customers are notified each time water meters are read if there is an indication of excessive water usage or an indication of a slow registering meter.
9. Calloway County Fire and Rescue does agree to the best of their ability to keep up with the amount of water used by them for fire protection and practice. They agree to notify us at the end of the year the total amount of water used by them from our water system.
10. No more than one house, apartment, mobile home, or other dwelling can be connected to a single meter.

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IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

FILED TO THE PUBLIC SERVICE COMMISSION  
MURRAY, KY  
2001

MAR 04 2001

IN ACCORDANCE WITH KRS 601.1  
PUBLIC SERVICE COMMISSION  
MURRAY, KY

FOR Western Calloway County, Ky  
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P.S.C. KY. NO. 1

Original SHEET NO. 7

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

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

Murray No. 3 Water District  
(Name of Utility)

RULES AND REGULATIONS

B. 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 in the amount listed in the Rates and Charges section of this tariff:
  - 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. Pursuant to 807 KAR 5:006 Section 8(3)(h), a penalty may be assessed only once on any bill for rendered services.
  - 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

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IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

PUBLIC SERVICE COMMISSION  
OFFICIAL  
STAMP

MAR 04 2001

PURSUANT TO 807 KAR 5:011  
FOR THE

FILE NO. \_\_\_\_\_  
DATE \_\_\_\_\_

FOR Western Calloway County, Ky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 8

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

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

Murray No. 3 Water District  
(Name of Utility)

RULES AND REGULATIONS

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

- e) Meter Re-read Charge: Will be assessed when a customer requests the utility to re-read the customer's meter and the re-read proves that the original meter reading was correct.
- f) Meter Test Charge: Will be assessed when a customer requests the utility perform a test on the customer's meter to check for accuracy. The request for the meter test cannot be more frequent than once every twelve (12) months. If the test results show the meter to be more than two (2) percent fast, a refund of the charge shall be made and the bill adjusted accordingly.
- g) 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.
- h) 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.
- i) Service Call/Investigation Charge: Will be assessed when a customer requests the onsite presence of utility personnel to investigate a service problem and the problem is a result of the customer's own plumbing facilities, beyond the utility's delivery point, or not caused by failure of utility facilities. Any maintenance and repair of facilities beyond the utility's delivery point is the responsibility of the customer.

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IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

PUBLIC SERVICE COMMISSION  
OFFICE OF THE  
SECRETARY

MAR 04 2001

ISSUANT TO 407 KAR 5.011,  
PUBLIC SERVICE COMMISSION  
OFFICE OF THE SECRETARY  
1000 WEST MAIN STREET  
COLUMBIA, KY 40302

PURSUANT TO 807 KAR 5:011,  
 SECTION 9 (1)  
 BY: *[Signature]*  
 PUBLIC SERVICE COMMISSION MANAGER

JUL 1 1992

PUBLIC SERVICE COMMISSION  
 OF KENTUCKY  
 EFFECTIVE

**MURRAY NO. 3 WATER DISTRICT**

P. O. Box 643  
 MURRAY, KENTUCKY 42071

Account No. \_\_\_\_\_

To Insure Proper Credit  
 to Your Account When  
 Remitting by Mail, Please  
 Enclose This Coupon!

A 10% Collection Charge Will Be Added If Not Paid On or  
 Before 15th of the Month

Meter Reading		Used	Meter Read On	Amount	Code	Meter Read On	Amount	Code
Previous	Present							
381680	382460	780	4-6	6.75	WA	4-6	6.75	WA
					Sales Tax			Sales Tax
				20	School Tax		20	School Tax
				6.95	Total		6.95	Total

Balance Owning From Previous Month, if any \_\_\_\_\_

Total Due \_\_\_\_\_

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COMMISSION

WATER SHORTAGE RESPONSE PLAN

Murray Water District #3

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 Murray Water District #3 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 Murray #3 Water District water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- (b) "Raw Water Supplies" shall mean all water potentially available to persons in the Murray #3 Water District
- (c) "Treated Water" shall mean water that has been introduced by the Murray #3 Water 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.

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,

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SECTION 9(1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

- 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 commercial establishments.

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BY Jordan C. Neal  
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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,

- 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.

Commercial and Civic Use:

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

Ornamental Purposes:

fountains, reflecting pools and artificial waterfalls.

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*Jordan C. Neal*  
FOR THE PUBLIC SERVICE COMMISSION

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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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.

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PURSUANT TO 807 KAR 5.011.

- (f) "Curtailement" shall mean the reduction in entitlement to some percentage to meet anticipated water shortages. <sup>SECTION 8(1)</sup>  
John C. Neal  
FOR THE PUBLIC SERVICE COMMISSION
- (g) Water Shortage Response Phases:

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

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

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

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

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the Murray #3 Water District. When implemented, this Plan becomes Murray #3 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 Commissioners of the water district.

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 Commissioners of Murray #3 Water District.

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Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.  
PURSUANT TO 807 KAR 5011.  
SECTION 9(1)

A. Advisory Stage:

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

- (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 \_\_\_% 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 Murray #3 Water 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 \_\_\_% 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.)
- (2) 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 \$10.00 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    % 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 20.00 per 1,000 gallons.

D. Rationing Stage:

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

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SECTION 9(1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

the level necessary to meet essential needs, and in the opinion of District manager 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 20.00 per 1,000 gallons.

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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 Murray #3 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

SEP 20 2005

PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION