

Northern Kentucky Water Training 2024
Presented by
Northern Kentucky Water District & Stoll Keenon Ogden PLLC
May 8, 2024
2835 Crescent Springs Road
Erlanger, Kentucky

Morning Agenda

7:45 – 8:30 **Registration and Refreshments**

8:30 – 8:35 **Program Overview and Welcome**

8:35 – 10:05 **Recent Developments in Utility Regulation – Damon Talley**

This presentation reviews recent developments in public utility law and regulation. Topics include revisions to the Sales Tax laws concerning “Residential” exemptions, borrowing money, compliance with Public Service Commission Orders, keeping Minutes, and laws enacted by the 2024 General Assembly. The presenter also examines and discusses recent court and PSC decisions.

10:05 – 10:20 **Break**

10:20 – 11:50 **Environmental Regulation Update: Lead and Copper Rule/PFAS – Amy Stoffer and Tom Edge**

This presentation reviews recent developments in the Environmental Protection Agency’s efforts to address lead and copper and PFAS chemicals in drinking water. It focuses on the requirements of the Lead and Copper Revisions, the proposed Lead and Copper Rule Improvements and the EPA’s proposed rules to monitor and regulate PFAS in drinking water. Presenters will discuss the interplay of these environmental regulations with the current constitutional, statutory and regulatory framework for Kentucky public utilities and discuss current court cases.

11:50 – 12:30 **Lunch (Provided on site)**

Afternoon Agenda

12:30 – 1:30 ***Special Session I* – PSC Consumer Services, One-on-One Discussion – Rosemary Tutt**

This is a question-and-answer session for utility customer representatives with the Manager of the Public Service Commission’s Consumer Services Branch. The requirements of the Commission’s regulation on customer relations will be examined in detail. Seating is limited.

- 12:30 – 1:30 **Reducing Unaccounted-For Water Loss – Amy Stoffer, Tom Edge, Tina Frederick**
Since 2019 the Public Service Commission has engaged in a significant campaign to address water loss among Commission regulated utilities. The first half of this presentation addresses practical and technical approaches to reduce water loss, with an emphasis on those that Northern Kentucky Water District and other water utilities have successfully used. The second half of this presentation reviews the Public Service Commission’s efforts to encourage a reduction in water loss and the Commission’s regulations and recent regulatory decisions addressing unaccounted-for water. It also examines the Commission’s practices to establish and monitor water loss reduction surcharges to finance improvements and practices designed to reduce water loss.
- 1:30 – 1:40 **Break**
- 1:40 – 2:40 *Special Session II* – **PSC Consumer Services, One-on-One Discussion – Rosemary Tutt**
Second session.
- 1:40 – 2:40 **Practical Suggestions for a Successful Rate Adjustment Filing, Or Avoiding Common Mistakes in Rate Adjustment Proceedings – Gerald Wuetcher**
The presenter provides practical suggestions for preparing and presenting applications for a rate adjustment to the Public Service Commission and discusses common mistakes made in rate adjustment proceedings. Topics addressed include: frequency of rate applications, timing considerations for a rate filing, need for a rate consultant or attorney, strategies for preparing the rate application, common issues in ratemaking proceedings, responding to discovery requests, reviewing and responding to Commission Staff’s reports.
- 2:40 – 2:45 **Break**
- 2:45 – 3:45 **Legal Issues in the Operation & Management of Water Systems – Panel Discussion - Panelists: Tom Edge, Tina Frederick, Damon Talley, Gerald Wuetcher**
A panel of attorneys entertain audience questions regarding frequently recurring legal issues faced by water utilities. Discussion is expected to address KRS Chapter 74 and its effects on the management and operation of water districts, as well as other highly relevant statutory provisions, such as the Claims against Local Government Act, Bidding Requirements provision of KRS Chapter 424, Eminent Domain, Local Model Procurement Law, Whistle Blowers Act, and general laws related to special districts. Kentucky Public Service Commission regulatory requirements will also be discussed.
- 3:45 **Closing Remarks/Administrative Announcements**