

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSISSIPPI**

ASHLEY HILL, ET AL

DOCKET NO. 2018-AD-036

VS.

**PUNKIN WATER ASSOCIATION
WA-003-0058-00**

**IN RE: COMPLAINT OF MELANIE RUBE, ET AL, AGAINST PUNKIN WATER
ASSOCIATION FOR FAILURE TO PROVIDE REASONABLY
ADEQUATE SERVICE TO CUSTOMERS IN LAFAYETTE COUNTY,
MISSISSIPPI AND REQUEST FOR HEARING PURSUANT TO MISS.
CODE ANN. § 77-3-5 ET. SEQ.**

**THIRD AMENDED
POST HEARING ORDER**

THIS MATTER is before the Mississippi Public Service Commission ("Commission") for hearing pursuant to Miss. Code Ann. § 77-3-40(6) and arises from the joint complaint filed with the Commission by approximately ninety-two (92) members of Punkin Water Association ("PWA" or "Association") relative to the adequacy of the water service PWA provides to its members.

PROCEDURAL BACKGROUND

On March 19, 2018, approximately ninety-two (92) members of PWA filed their joint complaint with the Commission relative to the adequacy of the water service the Association provides to its members. The Commission issued its notice to PWA on March 22, 2018. The full Commission referred this matter to its Commissioner Brandon Presley for hearing, report, and recommendation of an appropriate order, and any other action necessary pursuant to law on April 10, 2018.

On May 3, 2018, the Commission set this matter for hearing to take place on May 15, 2018, at the Lafayette County Chancery Courthouse located in Oxford, Mississippi, and duly noticed said hearing by publishing notice in the *Oxford Eagle*. Numerous members of PWA attended the hearing along with four (4) members of the PWA board of directors. Also present were local elected officials, representatives from the Mississippi Department of Health (“MDH”), and representatives from the Mississippi Rural Water Association (“MRWA”). At the conclusion of said hearing, Commissioner Presley issued a ruling from the bench, more fully articulated in the Post Hearing Order dated May 18, 2018.

On December 11, 2018, in order to assess PWA’s compliance with the provisions of the Post Hearing Order, the Commission held a subsequent hearing at the Lafayette County Chancery Courthouse located in Oxford, Mississippi. Members of PWA attended the hearing along with the five (5) members of the PWA board of directors, a Lafayette County Supervisor, a representative from the MDH, and a representative from the MRWA. At the conclusion of said hearing, Commissioner Presley issued a ruling from the bench, more fully articulated in the First Amended Post Hearing Order dated January 30, 2019.

On May 31, 2019, in order to further assess PWA’s compliance with the provisions of the Post Hearing Order and the First Amended Post Hearing Order, the Commission set this matter for hearing to take place on June 25, 2019, also at the Lafayette County Chancery Courthouse located in Oxford, MS, and duly noticed said hearing by publishing notice in the *Oxford Eagle*. Members of PWA attended the hearing along with the members of the PWA board of directors. At the conclusion of the hearing, Commissioner Presley ordered PWA to undertake certain additional steps, more fully articulated in the Second Amended Post Hearing Order.

On June 15, 2020, in order to further assess PWA's compliance with the provisions of the Post Hearing Order, the First Amended Post Hearing Order, and the Second Amended Post Hearing Order, the Commission, *sua sponte*, issued an Order Updating Monthly Reporting Requirements. In said Order, the Commission found that the reporting requirements outlined in the Second Amended Post Hearing Order had been fully complied with, specifically, that PWA had provided the Commission a copy of a fully executed water purchase agreement with the City of Oxford. In order to document the status of the interconnection with the City of Oxford, the Order Updating Monthly Reporting Requirements required PWA to include in its monthly reports a detailed description on what had transpired since the execution of the Water Purchase Agreement, what efforts or impediments remained to accomplish an interconnection with the City of Oxford, and PWA's plan of action to execute the interconnection. Further, PWA was required file with the Commission a timeline outlining the anticipated interconnection with the City of Oxford.

In addition to information regarding an interconnection with the City of Oxford, due to an increase in customer complaints, the Order Updating Reporting Requirements required PWA to include in each monthly report documentation outlining and describing customer complaints handled during the previous month. Specifically, the nature of the complaint, identified cause of the issue, and actions taken by PWA to resolve the issue.

On August 11, 2020, in order to further assess PWA's compliance with the provisions of the Order Updating Reporting Requirements, the Commission set this matter for hearing to take place on August 20, 2020; the hearing was held telephonically due to the COVID-19 pandemic. Members of PWA, including the board of directors, were provided call-in information for the

telephonic hearing. At the conclusion of the hearing, Commissioner Presley addressed certain actions that PWA would be required to take, more fully articulated herein.

FINDINGS

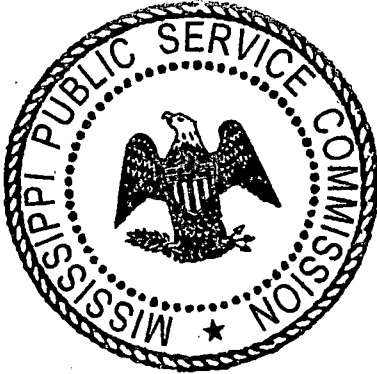
The Commission hereby finds that PWA has made numerous improvements to the service it renders to its members since the initiation of this proceeding. Further, the Commission finds that certain additional action would further improve PWA's quality of service. Beginning with PWA's **September monthly report**, the reporting requirements contained in this Third Amended Post Hearing Order supersede the requirements outlined in the June 15, 2020 Order Updating Monthly Reporting Requirements. Therefore, the Commission hereby orders that PWA take the following additional steps, to wit:

- 1) PWA shall file with the Commission in this docket monthly reports due on the last day of each month; if the last day of the month falls on a weekend or a holiday, the monthly report is due the following work day.
- 2) PWA shall, in conjunction with the MDH and the MRWA, file a continual, strategic flushing plan with the Chief Engineer of the Mississippi Public Utilities Staff ("MPUS") in the Association's **October monthly report** to be certified and adhered to by the Association moving forward.
- 3) Included in PWA's continual, strategic flushing plan filed in its **October monthly report**, the Association shall include measures taken to mitigate damage to customer's property.
- 4) PWA shall, in conjunction with MDH and the MRWA, provide any and all documents necessary work with the MPUS as they review and certify the continual, strategic flushing plan.

- 5) PWA shall continue to take all practical steps to mitigate damage to customer's property and shall certify in **each monthly report** following the MPUS's certification of the continual, strategic flushing plan that flushing was executed in a manner consistent with the flushing plan.
- 6) PWA shall file in **each monthly report** evidence of the number of gallons of water produced, purchased, and sold, and the percentage of water lost on the Association's system.
- 7) PWA shall file in its **December monthly report** evidence it has conducted a leak detection survey and detail any and all actions and proposed future actions taken regarding leak detection repair. The Association shall file in **each monthly report** thereafter any and all action taken during the preceding month regarding leak detection repairs.
- 8) PWA shall cooperate fully with the Mississippi Public Utilities Staff as its Water and Sewer Division conducts an investigation pursuant to Miss. Code Ann. § 77-2-9(4).
- 9) Given the continued informal customer complaints regarding quality of water service, PWA shall include in **each monthly report** documentation outlining and describing customer complaints handled during the previous month. Specifically, the nature of the complaint, identified cause of the issue, and actions taken by PWA to resolve the issue. Including dates and times.
- 10) PWA shall update its website with instructions for customers, for purposes of email complaints, that the customer may copy northern.district@psc.ms.gov on any correspondence.

IT IS THEREFORE ORDERED that PWA shall comply with the above listed reporting requirements by the dates described above.

SO ORDERED this the 3rd day of September, 2020.



MISSISSIPPI PUBLIC SERVICE COMMISSION

A handwritten signature in black ink, appearing to read "Brandon Presley".

Brandon Presley, Commissioner

ATTEST: A True Copy

A handwritten signature in black ink, appearing to read "Katherine Collier".

Katherine Collier, Executive Secretary
Effective this the 3rd day of September, 2020.