

RECEIVED

JUN 16 2014

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

KURT AND LAYNE NETHERTON
COMPLAINANTS

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}

}

CASE NO.
2014-00141

VS

}

}

KENTUCKY-AMERICAN WATER COMPANY
DEFENDANT

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

Pursuant to Administrative Regulation 807 KAR 5:001, Complainants, Kurt and Layne Netherton, provide the following responses to the Commission Staff's First Request for Information.

TABLE OF CONTENTS

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION DATED MAY 28, 2014

1. Provide all letters, e-mails and other written correspondence sent to and received from Kentucky-American Water Company ("Kentucky-American") that relate to the allegations of the Complaint.
2. Provide the date(s) and identity of the content of any verbal communications you had with Kentucky-American that relate to the allegations of the Complaint.
3. Refer to the second paragraph of the second page in the Complaint. Provide all documentation that evidences your assertion that there are no leaks on the property.
4. Did you request Kentucky-American to conduct a meter test after receiving the bill dated January 8, 2014, for water usage from November 6, 2013, through December 5, 2013?
5. Did you request Kentucky-American to conduct a meter test after receiving the bill dated January 13, 2014, for water usage from December 6, 2013, through January 7, 2014?
6. Beginning with the bill you received on March 7, 2014, for water usage from January 8, 2014, through March 6, 2014, have your bills for water service at 3649 Winding Wood Lane, Lexington, Kentucky, been in line with your average daily usage as measured between May 4, 2013, when you moved to your residence, and November 5, 2013, which is the billing period immediately prior to the billing period in dispute?

TABLE OF CONTENTS FOR EXHIBITS

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION DATED MAY 28, 2014

- A.** E-mail Correspondence date 1/7/14
- B.** E-mail Correspondence dated 1/8/14
- C.** E-mail Correspondence dated 1/12/14
- D.** E-mail Correspondence dated 1/13/14
- E.** E-mail Correspondence dated 1/19/14
- F.** E-mail Correspondence dated 1/20/14
- G.** E-mail Correspondence dated 1/20/14
- H.** E-mail Correspondence dated 1/21/14
- I.** E-mail Correspondence dated 1/22/14
- J.** E-mail Correspondence dated 1/24/14
- K.** E-mail Correspondence dated 1/25/14
- L.** E-mail Correspondence dated 1/25/14
- M.** E-mail Correspondence dated 1/26/14
- N.** Doorknob Correspondence dated 1/24/14
- O.** Doorknob Correspondence dated 1/28/14
- P.** Letter from KAWC dated 2/7/14
- Q.** Letter from Netherton dated 3/20/14
- R.** Final Shut Off Notice from KAWC dated 4/12/14

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

1. Provide all letters, e-mails and other written correspondence sent to and received from Kentucky-American Water Company ("Kentucky-American") that relate to the allegations of the Complaint.

Response by: Layne Netherton

- A. E-mail correspondence dated 1/7/14 discussing Netherton phone calls that took place on 1/7/14—**Exhibit A**
- B. E-mail correspondence dated 1/8/14 requesting KAWC contact Netherton about the water bill retrieved from the KAWC website—**Exhibit B**
- C. E-mail response dated 1/12/14 from KAWC replying to Netherton e-mail sent on 1/7/14—**Exhibit C**
- D. E-mail response dated 1/13/14 from KAWC replying to Netherton e-mail sent on 1/8/14—**Exhibit D**
- E. E-mail correspondence dated 1/19/14 discussing Netherton phone call—**Exhibit E**
- F. E-mail response dated 1/20/14 from KAWC discussing their inability to respond to Netherton request to have meter tested—**Exhibit F**
- G. E-mail correspondence dated 1/20/14 requesting that KAWC notify LFUCG that there is an issue with the meter reading—**Exhibit G**

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

- H.** E-mail response dated 1/21/14 from KAWC discussing our request to have our meter checked—**Exhibit H**
- I.** E-mail response dated 1/22/14 from KAWC discussing the investigation process—**Exhibit I**
- J.** E-mail correspondence dated 1/24/14 from Netherton discussing the notice received on doorknob by KAWC—**Exhibit J**
- K.** E-mail correspondence dated 1/25/14 from KAWC confirming that there were no leaks on the property—**Exhibit K**
- L.** E-mail correspondence dated 1/25/14 from Netherton discussing phone call to KAWC—**Exhibit L**
- M.** E-mail reply dated 1/26/14 from KAWC apologizing for the delay in testing the meter and discussing issues that caused the delay in reading the meter—**Exhibit M**
- N.** Doorknob correspondence from 1/24/14 from KAWC regarding meter readings—**Exhibit N**
- O.** Doorknob correspondence from 1/28/14 from KAWC stating the meter had been taken for testing—**Exhibit O**
- P.** Letter from KAWC dated 2/7/14 discussing their “immediate review” of the high usage issue—**Exhibit P**

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

Q. Letter from Netherton dated 3/20/14 discussing their payment of the current amount due—**Exhibit Q**

R. Final Shut Off Notice from KAWC dated 4/12/14—**Exhibit R**

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

2. Provide the date(s) and identity of the content of any verbal communications you had with Kentucky-American that relate to the allegations of the Complaint.

Response By: Layne Netherton

The majority of the verbal communications have been described in the e-mail correspondence referenced in section 1 above. Additionally, Netherton has called and spoken to Doug Brock at KAWC on at least two occasions regarding the situation. No resolution was reached and Netherton communicated that they would be filing a complaint with the Public Service Commission. I do not recall the exact dates of these conversations.

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

3. Refer to the second paragraph of the second page in the Complaint. Provide all documentation that evidences your assertion that there are no leaks on the property.

Response By: Layne Netherton

- A.** On 1/7/14, immediately upon gaining knowledge of the high usage bill, both Kurt and Layne Netherton closely examined the inside and outside of the property and verified that there were no leaks. We walked around the entire premises and observed all faucets, toilets, and appliances attached to the internal plumbing system. We did not observe even minor leaks, much less a leak that could result in the massive usage reported by KAWC.
- B.** On 2/12/14, Todd Teeples, owner of Shamrock Turf Management, Damon Parker, Irrigation Contractor, and Kurt Netherton examined the property for leaks. See attached e-mail, marked as **Exhibit S**, regarding that visit. At that time, a picture of the irrigation tag was taken as additional evidence. See **Exhibit T**. Had there been a leak that would have resulted in the magnitude of leaking 249,000 gallons of water in 58 days, the premises would have been covered in water and the irrigation tap area would have been filled with water.

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

- C. In the e-mail correspondence dated 1/25/14, KAWC acknowledges that, upon examination of the property, that there were no leaks. **See Exhibit U.**

- D. The KAWC letter dated 2/7/14, KAWC confirms there were no leaks observed on 1/24/14 by KAWC. **See Exhibit V.**

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

4. Did you request Kentucky-American to conduct a meter test after receiving the bill dated January 8, 2014, for water usage from November 6, 2013, through December 5, 2013?

Response By: Layne Netherton

As evidenced in the correspondence provided in **Section 1** of this response, the Nethertons initially contacted KAWC in good faith, when the bill was not sent out, to obtain a copy of the bill. The Nethertons made numerous attempts to contact KAWC to have the meter re-read and/or tested. Only after multiple requests by the Nethertons to have the meter tested did KAWC finally send someone out to test the meter.

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
DATED MAY 28, 2014

5. Did you request Kentucky-American to conduct a meter test after receiving the bill dated January 13, 2014, for water usage from December 6, 2013, through January 7, 2014?

Response By: Layne Netherton

Yes, we repeatedly requested that KAWC conduct a meter test. Our requests continued throughout the time period that we received the second bill for water usage from December 6, 2013, through January 7, 2014.

ANSWER TO COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION
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6. Beginning with the bill you received on March 7, 2014, for water usage from January 8, 2014, through March 6, 2014, have your bills for water service at 3649 Winding Wood Lane, Lexington, Kentucky, been in line with your average daily usage as measured between May 4, 2013, when you moved to your residence, and November 5, 2013, which is the billing period immediately prior to the billing period in dispute?

Response By: Layne Netherton

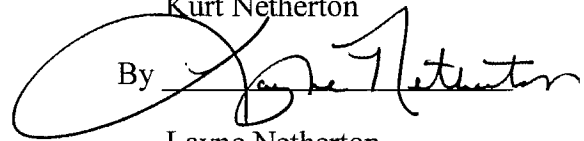
The billings in have actually been lower during the time frame indicated above. The average daily use has gone from 199 gallons per day (excluding the August and September billings, when we were watering the lawn), to an average of 154 gallons per day. **See Exhibit W.**

Respectfully submitted,

Kurt and Layne Netherton
3649 Winding Wood Lane
Lexington, KY 40515
(859)-536-8875
layniemia@yahoo.com

By 

Kurt Netherton

By 

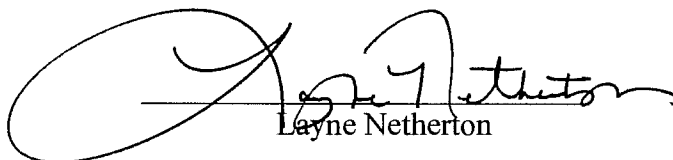
Layne Netherton

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Request for Information has been served via US Mail this the 16th day of June, 2014 to Hon. Lindsey W. Ingram III, 300 West Vine Street, Suite 2100, Lexington, KY 40507 and to Cheryl D Norton, 2300 Richmond Road, Lexington, KY 40502 and that the original and seven true and accurate copies of the same has been served, via US Mail this 16th day of June, 2014 upon the following:

Public Service Commission
211 Sower Blvd.
Box 615
Frankfort, Kentucky 40602-0615


Kurt Netherton


Layne Netherton

Subject: KAWC Bill Account No. 1012-210010167585 Layne Netherton 3649 Winding Wood Lane Lexington KY 40515

From: Layne Netherton (layniemia@yahoo.com)

To: infoky@amwater.com; k.netherton@insightbb.com;

Date: Tuesday, January 7, 2014 2:15 PM

On 1/7/14, I called the KAWC call center (800-678-6301) to get a copy of my December bill because we had not received it in the mail. The customer service representative, Lapracia?, told me that we had a balance of \$836.79 and that our account was in collections and that I probably needed to speak to the post office because there had been several notices sent out.

After sitting on hold for approximately 35 additional minutes, I was finally forwarded to the billing department where I spoke to Kelly. By that time I had managed to access My H2O Online account and determine that the bill for the charges in question had not yet been sent out. Under the Usage Section of the website, there was a reference to a large amount of usage with a bill date of 1/8/14. Kelly told me that KAWC was using a new system and that some bills were delayed. This makes sense because the prior bill was for November, which I'm attaching to this e-mail. It shows no past due balance.

The only reference I see at all for any usage since the last bill was paid is not in the form of a bill, but rather a notation on the Usage tab of the website, which I'm including at the bottom of this e-mail.

Kelly then put me on hold and the call was disconnected. She called back and left a message (while I was still on hold on the other line) that the usage was for the current month and that I needed to call the call center to possibly discuss getting the meter reread or checking for leaks. I called the call center back immediately and sat on hold for approximately 28 more minutes before being disconnected.

At this point, I am completely unable to reach anyone at KAWC and am hoping someone can contact me regarding this obvious and blatant mistake in the billing.

Please contact my husband or me immediately to discuss this matter.

Layne Netherton
859-536-8875

Kurt Netherton
859-221-4841

Water Use

You can view your water usage history for up to 24 months.

Usage

View:

Bill Date	Usage	Unit	Read Type
01/08/2014	1458.60	100 gallons	Meter Reading by RF Device
11/07/2013	67.32	100 gallons	Meter Reading by RF Device
10/09/2013	149.60	100 gallons	Meter Reading by RF Device

Subject: Re: KAWC Bill Account No. 1012-210010167585 Layne Netherton 3649 Winding Wood Lane Lexington KY 40515

From: infoky@amwater.com (infoky@amwater.com)

To: layniemia@yahoo.com;

Date: Sunday, January 12, 2014 9:40 AM

Dear Customer,

Thank you for your contact. Please be advised that this matter has been forwarded to the appropriate department.

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

Sincerely,
American Water
Customer Service

Layne Netherton <layniemia@yahoo.com>

01/07/2014 01:15 PM

Please respond to
Layne Netherton <layniemia@yahoo.com>

To "infoky@amwater.com" <infoky@amwater.com>, Kurt Netherton <k.netherton@insightbb.com>,
cc

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Layne Netherton
859-536-8875

Kurt Netherton
859-221-4841

Water Use

You can view your water usage history for up to 24 months.

Subject: Netherton KAWC Bill

From: Layne Netherton (layniemia@yahoo.com)

To: infoky@amwater.com;

Cc: k.netherton@insightbb.com;

Date: Wednesday, January 8, 2014 4:53 PM

I logged in to My H2O Online today and retrieved this bill. Obviously, this is not correct. Can someone please contact me via e-mail or phone (859-536-8875) to discuss having the meter re-read? We have looked around the property and there are no leaks.

Please advise ASAP.

Mary Layne Netherton



KENTUCKY AMERICAN WATER

PO Box 371880, Pittsburgh, PA 15250-7880

00010122100101675850000000000083679017

For Service To: 3649 WINDING WOOD LN

Check this box for address changes and note new address on back.

Account Number	1012-210010167585
Due Date	January 22, 2014
Total Due	\$836.79
If Paid After Due Date	\$879.13 after 1/22/14

Amount Enclosed \$

LAYNE NETHERTON

3649 WINDING WOOD LN
LEXINGTON, KY 40515-1284

KENTUCKY AMERICAN WATER

PO BOX 371880
PITTSBURGH, PA 15250-7880



Please tear along the dotted line and return this portion with your payment.

BILLING PERIOD AND METER READINGS

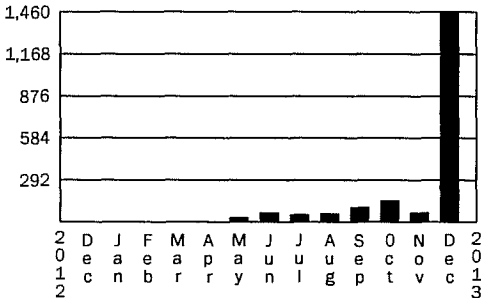
- Billing date: January 6, 2014
- Due Date: **January 22, 2014**
- Billing period: Nov 06 to Dec 05 (30 Days)
- Next reading on or about: Jan 07, 2014
- Customer Type: Residential
- Meter Reading Measurement:
1 unit = 100 CF or 748 gallons of water
- Billing Measurement: 100 gallons (CGL)

Meter No.	090537102N
Size of meter	5/8"
Current Read	545 (Actual)
Previous Read	350 (Actual)
Total water used this billing period	195 units (145,860 gallons)

Total Water Use Comparison (in 100 gallons)

- Current billing period 2013: 1,458.60 CGL
- Same billing period 2012: 0.00 CGL

Billed Use Graph (100 gallons)



BILLING SUMMARY

For Service To: 3649 WINDING WOOD LN
For Account 1012-210010167585

Prior Balance

- Balance from last bill 53.25
- Payments as of Nov14. Thank you! -53.25

Balance Forward 0.00

Current Water Service

- Water Service Charge 12.45
- Water Usage Charge (\$0.53004000 x 1,458.60) 773.12
- Total Water Service Related Charges 785.57**

Other Charges

- KRA Withdrawal Fee (\$0.00910000 x 1,458.60) 13.27
- Total Other Charges 13.27**

Adjustments

- Rate Refund Late Chg Adj -0.13
- Rate Refund -9.85
- Total Adjustments -9.98**

Taxes

- Franchise Taxes 23.97
- School District Tax 23.96
- Total Taxes 47.93**

TOTAL CURRENT CHARGES 836.79

TOTAL AMOUNT DUE → \$836.79

Important messages from Kentucky American Water

- Local Office: 2300 Richmond Road (Lexington) and 102 Main Street (Owenton).
- Effective Oct. 25, 2013, the Kentucky Public Service Commission (PSC) approved new rates for Kentucky American Water customers. The new rates are reflected on your bill. In accordance with the PSC's Oct. 25 decision, any difference in these new rates and those that the company implemented on July 27, 2013 plus interest will be refunded to customers through a credit on their bills within 60 days of the PSC's Oct. 25 decision.
- We are now offering paperless billing. It's a convenient, environmentally friendly and secure way to receive your water and/or wastewater bill. Users must enroll online. To get started, visit www.amwater.com/myh2o. Go to Account Detail and click on the green Paperless Billing button. Follow the steps, press submit and you're enrolled!

Questions about this bill? Call our 24-Hour Customer Service Center: 1-800-678-6301

www.kentuckyamwater.com
100000523456

Subject: Re: Netherton KAWC Bill
From: infoky@amwater.com (infoky@amwater.com)
To: layniemia@yahoo.com;
Date: Monday, January 13, 2014 4:29 AM

Dear Customer,

Thank you for your contact. We do apologize for the delayed response to your email. I did look over the bill it would be best if you call in to set up your appointment because they will need you to answer some questions and then they will setup your service appointment .

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

Sincerely,
American Water
Customer Service

Layne Netherton <layniemia@yahoo.com>
01/08/2014 03:53 PM
Please respond to
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To "infoky@amwater.com" <infoky@amwater.com>,
cc: Kurt Netherton <k.netherton@insightbb.com>
Subject: Netherton KAWC Bill

I logged in to My H2O Online today and retrieved this bill. Obviously, this is not correct. Can someone please contact me via e-mail or phone (859-536-8875) to discuss having the meter re-read? We have looked around the property and there are no leaks.

Please advise ASAP.

Mary Layne Netherton

Subject: Re: Netherton KAWC Bill
From: Layne Netherton (layniemia@yahoo.com)
To: infoky@amwater.com;
Date: Sunday, January 19, 2014 10:47 AM

I have contacted KAWC again. The bill is in dispute and the representative said someone would call me within 72 hours to schedule a time to come look at the broken meter. No one has called and that was over 1 1/2 weeks ago. Furthermore, the meter reading was submitted to LFUCG and now I have a \$752.00 sewer bill.

Can someone please call me to get this resolved? The average wait time is about 30-40 minutes if I call KAWC and that is not feasible to sit and wait that long.

Layne Netherton
859-536-8875

On Monday, January 13, 2014 4:29 AM, "infoky@amwater.com" <infoky@amwater.com> wrote:
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Mary Layne Netherton

Subject: Re: Netherton KAWC Bill
From: infoky@amwater.com (infoky@amwater.com)
To: layniemia@yahoo.com;
Date: Monday, January 20, 2014 2:01 AM

Dear Customer,

Thank you for your contact. We apologize for the delayed response. Due to the recent events in West Virginia, our company needed to focus on the safety and resolution of issues at hand for those customers. We apologize that you were given a 3 day time frame. Please be advised that it can take up to 30 days for this matter to be resolved. We apologize again for the delay. We will contact you as soon as we can.

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

Sincerely,
American Water
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Subject Netherton KAWC Bill

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To: infoky@amwater.com;
Date: Monday, January 20, 2014 10:17 AM

Thanks for the update. Is there any way that KAWC can notify LFUCG that there is an issue with the reading, as the sewer bill is impacted as well?

Please advise.

Layne Netherton
859-536-8875

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To: layniemia@yahoo.com;
Date: Tuesday, January 21, 2014 3:28 AM

Dear Customer,

Thank you for your contact.

Your request is complete. Your meter at 3649 Winding Wood Ln is scheduled to be checked in between the dates of Jan 22 to Feb 1. We will arrive sometime during normal service hours to test your meter, verify if there are leaks and re-read your meter.

Please be advised that you can also check for leaks in your home. We have an online leak detection kit available for use. Please go to www.amwater.com Hover over the heading title, "Learning Center" and click on the sub heading titled, "Wise Water Use". You will be directed to a page with a pdf file detailing how to check for home for leaks. The online leak detection kit also advises of what to look for in the home that would indicate a leak.

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

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On Monday, January 20, 2014 2:01 AM, "infoky@amwater.com" <infoky@amwater.com> wrote:

Dear Customer,

Thank you for your contact. We apologize for the delayed response. Due to the recent events in West Virginia, our company needed to focus on the safety and resolution of issues at hand for those customers. We apologize that you were given a 3 day time frame. Please be advised that it can take up to 30 days for this matter to be resolved. We apologize again for the delay. We will contact you as soon as we can.

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

Sincerely,
American Water
Customer Service

Layne Netherton <layniemia@yahoo.com>

01/19/2014 09:47 AM

Please respond to
Layne Netherton <layniemia@yahoo.com>

To "infoky@amwater.com" <infoky@amwater.com>,

cc

Subject Re: Netherton KAWC Bill

Subject: Re: Netherton KAWC Bill
From: infoky@amwater.com (infoky@amwater.com)
To: layniemia@yahoo.com;
Date: Wednesday, January 22, 2014 6:34 AM

Dear Layne Netherton,

Thank you for your contact. Our prior email communication indicated that we have scheduled a technician to visit your property to re-read the meter and to check for leaks between the dates of January 22, thru February 1st. Our technician will inspect the meter, obtain another reading and watch for meter movement. A physical visit is the second step of our high usage investigation. The first step is to direct our customer's to the leak detection information on our website and advise what types of things can cause the bill to escalate. You may contact us after February 2, 2014 and we will be happy to update you on the results of our visit.

Your email mentioned that you have verified that there are no leaks inside or outside of the property. Your historical usage indicates very erratic usage from month to month which can indicate the possibility of a malfunctioning toilet which is the most common type of leak that can easily go unnoticed. A dye test is a quick and easy method to check for toilet leaks. Put a few drops of food coloring in the holding tank of the toilet and don't flush. Wait for thirty minutes to an hour and see if any of the color seeps from the tank to the toilet bowl. If coloring appears in the bowl, the flapper is likely allowing water to seep from the tank into the bowl which can cause a significant amount of water loss.

I have included a leak kit in the attachment to assist you in identifying any potential issues. Additional information may be found on our website at www.amwater.com. Hover over the heading title, "Learning Center" and click on the sub heading titled, "Wise Water Use".

We hope this information is helpful.

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

Sincerely,
American Water
Customer Service

Layne Netherton <layniemia@yahoo.com>

01/21/2014 10:38 AM

Please respond to
Layne Netherton <layniemia@yahoo.com>

To "infoky@amwater.com" <infoky@amwater.com>,
cc
Subject Re: Netherton KAWC Bill

Thanks. We have verified that there is not a leak inside or outside of the property. It's obvious from the reading that the reading is either incorrect or the meter is broken. There is no way the consumption could have been over 14,000 gallons of water. We would have had to fill up 15 swimming pools to have used that much water. We only have 2 people in our household.

Regards,

Layne Netherton

On Tuesday, January 21, 2014 3:28 AM, "infoky@amwater.com" <infoky@amwater.com> wrote:
Dear Customer,

Thank you for your contact.

Your request is complete. Your meter at 3649 Winding Wood Ln is scheduled to be checked in between the dates of Jan 22 to Feb 1. We will arrive sometime during normal service hours to test your meter, verify if there are leaks and re-read your meter.

Please be advised that you can also check for leaks in your home. We have an online leak detection kit available for use. Please go to www.amwater.com. Hover over the heading title, "Learning Center" and click on the sub heading titled, "Wise Water Use". You will be directed to a page with a pdf file detailing how to check for home for leaks. The online leak detection kit also advises of what to look for in the home that would indicate a leak.

Subject: Re: Netherton KAWC Bill
From: Layne Netherton (layniemia@yahoo.com)
To: infoky@amwater.com;
Cc: k.netherton@insightbb.com;
Date: Friday, January 24, 2014 1:27 PM

The meter was reread today and the notice indicates that the "readings appear to be back to normal".

Regarding the outstanding balance of \$1,444.19 for the time frame November 6-January 7th, we are in the process of filing a formal complaint with the KY Public Service Commission. Additionally, we have received a sewer bill for \$1,285.48 for the same time period, of which we are concurrently filing a complaint for.

It's obvious your billing and/or meter reading is incorrect. It's impossible to come close to using the reported 249,832 gallons of water, as reported by your company.

I'm available to discuss this matter immediately. Otherwise, I'll proceed with filing the complaint that I have started preparing. We regard this matter as a very serious one.

Regards,

Layne Netherton
859-536-8875

On Wednesday, January 22, 2014 6:34 AM, "infoky@amwater.com" <infoky@amwater.com> wrote:
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American Water
Customer Service

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To "infoky@amwater.com" <infoky@amwater.com>,
cc
Subject Re: Netherton KAWC Bill

Subject: Re: Netherton KAWC Bill
From: infoky@amwater.com (infoky@amwater.com)
To: layniemia@yahoo.com;
Date: Saturday, January 25, 2014 3:44 AM

Dear Customer,

Thank you for your contact. Upon review of the account after the most recent visit, we have also confirmed no leaks on the premise. We have also verified the reads on the meter for the billing periods in question to be actual and not estimated reads. At this point a meter test would be the next step in the investigation process. The billing department is already aware of this dispute and is working to resolve the issue. To discuss this matter further and/or to schedule a meter test. Please call in to our call center with the phone number listed below, and we will be happy to assist you. Thank you.

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

Sincerely,
American Water
Customer Service

Layne Netherton <layniemia@yahoo.com>

01/24/2014 12:27 PM

Please respond to
Layne Netherton <layniemia@yahoo.com>

To "infoky@amwater.com" <infoky@amwater.com>,
cc Kurt Netherton <k.netherton@insightbb.com>
Subject Re: Netherton KAWC Bill

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Subject: Re: Netherton KAWC Bill
From: infoky@amwater.com (infoky@amwater.com)
To: layniemia@yahoo.com;
Date: Sunday, January 26, 2014 2:29 AM

Dear Customer,

Thank you for your contact. We apologize again for the delay in testing the meter. Due to the large number of emergencies in your area, our local office had to focus on the priority issues at hand. Please be advised that our Account Resolution Team is aware of this situation and are still in process of getting the meter tested.

Should you have any other questions or concerns, please reply with history to this email or you may contact us by phone at 1-800-678-6301.

Sincerely,
American Water
Customer Service

layniemia <layniemia@yahoo.com>

01/25/2014 09:49 AM

To infoky@amwater.com,
cc
Subject Re: Netherton KAWC Bill

The meter was supposed to be tested already. The meter was reread over a month ago. I called the no. listed below four times yesterday and reached the collection department because that department was answering calls because customer service was so busy. The lady transferred me back to customer service because she couldn't help. Upon transfer, I was disconnected for the third time. I have filed a complaint with the public service commission and they said they would be in contact with you regarding the matter.

Layne Netherton

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: infoky@amwater.com
Date: 01/25/2014 3:44 AM (GMT-05:00)
To: Layne Netherton
Subject: Re: Netherton KAWC Bill

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Layne Netherton <layniemia@yahoo.com>

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To "infoky@amwater.com" <infoky@amwater.com>,
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Sincerely,
American Water
Customer Service

Layne Netherton <layniemia@yahoo.com>

01/24/2014 12:27 PM

Please respond to
Layne Netherton <layniemia@yahoo.com>

To "infoky@amwater.com" <infoky@amwater.com>,
cc Kurt Netherton <k.netherton@insightbb.com>
Subject Re: Netherton KAWC Bill

Our representative was at your residence for the purpose indicated below:

- Customer requested investigation.
- Billing verification/meter reading conducted.
 - Investigation results available upon request.
- Meter stable. No leaks.
- Water was turned off at the meter box.
- Contact the office regarding returned mail/new customer hookup.
- Water service (has been) (will be) shut off for failure to supply required billing information.
- Water service has been shut off for failure to repair leaks.
- Checked for leaks.
- Checked water pressure.
- Changed and reset meters.
- Please call customer service at (800) 678-6301.
- New customer, please call (800) 678-6301 to apply for service.
Water was temporarily left on as a courtesy. Water may be turned off within two working days.
- When we turned on your water service today, the meter continued to register flow. To prevent flooding inside the home, we turned the water off.
- The meter shows that water is passing through it, indicating either usage or a leak in the line, which runs from the meter to the house, or in the household plumbing. It is your responsibility to make the necessary repairs. Please call a plumber for professional assistance.

Notes: Reading today - 0689
looked at usage - Reading - 1-7-14 0689.
Readings - 12-5-13 Reading - 0545
Reading 11-5-13 Reading 0350

There is also no movement on meter today where there

Appears Back to normal
AMERICAN WATER
Not sure what went on from 11-5-13 to 12-5-13 - to 1-7-14

IT WAS A PLEASURE TO SERVE YOU.

Our service representative was here today to:

- | | |
|--|---|
| <input type="checkbox"/> Turn off water | <input type="checkbox"/> Investigate water consumption at location for which no customer has applied for water service. |
| <input type="checkbox"/> Turn on water | <input type="checkbox"/> Your premise number is: _____ |
| <input type="checkbox"/> Change meter | <input type="checkbox"/> Postal Service returning mail _____ |
| <input type="checkbox"/> Reread meter | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Previous read: _____ | |
| <input type="checkbox"/> Current read: <u>0690</u> | <input type="checkbox"/> We were able to complete the service as requested. |
| <input type="checkbox"/> High bill investigation | |
| <input type="checkbox"/> Reading: _____ | |
| <input type="checkbox"/> Meter moving: _____ | |
| <input type="checkbox"/> Meter still: _____ | |

We were unable to complete service due to:

- Vehicle or other obstruction preventing access to meter.
- No one home.
- Unable to enter premises.
- More than 10 gallons of water went through the meter.
- Please contact our office to reschedule service.

Date: <u>1/28/14</u> Time: <u>1:57</u> a.m./p.m. <input checked="" type="radio"/>
Service Order No.: _____
<u>Took meter for testing</u>

Thank you.



P.O. Box 578 Alton, IL 62002

02/07/2014



004801 1 AB 0.403 04806/004806/006491 19 01 ACR98P 002

LAYNE NETHERTON
3649 WINDING WOOD LN
LEXINGTON, KY 40515-1284

For Service To:

Account Number: 1012-210010167585
Service Address: 3649 Winding Wood Ln
Lexington, KY 40515-1284

Dear Layne Netherton,

It is important to us, as we know it is to you, that your concerns with a higher than expected water bill be reviewed as quickly as possible. When you contacted us we reviewed your situation immediately by issuing a service order to verify the meter reading was correct.

We have looked into this situation and determined that the water use billed is correct on the account. On January 24, 2014 Kentucky American Water went to the property and obtained a reading of 689. The field office representative found no movement on the meter, which indicates that there is not a water leak at the present time. If you recently repaired a leak, please send in a copy of the contractor or hardware receipt for consideration of an adjustment. Adjustment requests and receipts maybe mailed to the address at the top of this letter.

We recognize the added financial burden that may have been placed on you. If you would like to discuss a possible payment arrangement for your account or have other questions, please contact our customer service center at (800-678-6301). Please call when it is convenient for you. Our representatives are available 24 hours a day, 7 days a week.

Your effort to conserve water -- a precious natural resource, and using water wisely, will help manage your future water cost. Thanks for making this a priority. For water saving ideas and leak detection tips, please visit www.amwater.com.

Sincerely,

American Water Customer Service

Questions: Call our 24 hour Customer Service Center: 1-800-678-6301

www.kentuckyamwater.com

March 20, 2014

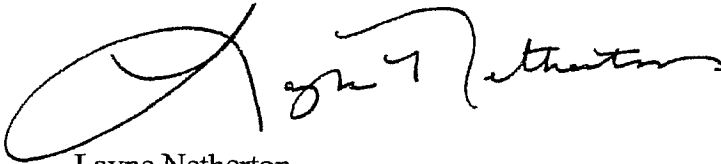
Kurt and Layne Netherton
3649 Winding Wood Lane
Lexington, KY 40515

Kentucky American Water Company
Service Address: 3649 Winding Wood Lane
Account No. 1012-210010167585

Dear Customer Service,

I'm writing to inform you that this account is still under formal dispute. As such, we are paying the current amount due of \$80.80 in a check coming from our bank, which was scheduled for payment today.

Regards,

A handwritten signature in black ink, appearing to read "Layne Netherton". The signature is fluid and cursive, with a large initial "L" and "N".

Layne Netherton

859-536-8875



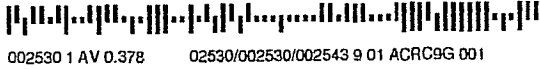
AMERICAN WATER

PO Box 371880, Pittsburgh, PA 15250-7880

Account Number	1012-210010167585
Due Date	March 24, 2014
Total Due	\$1,524.99

For Service To: 3649 WINDING WOOD LN

Check this box for address changes and note new address on back.



002530 1 AV 0.378 02530/002530/002543 9 01 ACRC9G 001

LAYNE NETHERTON
3649 WINDING WOOD LN
LEXINGTON, KY 40515-1284

Amount Enclosed \$



KENTUCKY AMERICAN WATER
PO BOX 371880
PITTSBURGH, PA 15250-7880



Please tear along the dotted line and return this portion with your payment.

BILLING PERIOD AND METER READINGS

- Billing date: March 7, 2014
- Due Date: **March 24, 2014**
- Billing period: Jan 08 to Mar 06 (58 Days)
- Next reading on or about: Apr 04, 2014
- Customer Type: Residential
- Meter Reading Measurement:
1 unit = 100 CF or 748 gallons of water
- Billing Measurement: 100 gallons (CGL)

Meter No.	090537102N
Size of meter	5/8"
Current Read	690 (Actual)
Previous Read	684 (Actual)
Total water used this billing period	6 units (4,488 gallons)

Meter Changed: 01/29/2014

Meter No.	H013289897
Size of meter	5/8"
Current Read	7 (Actual)
Previous Read	0 (Actual)
Total water used this billing period	7 units (5,236 gallons)
Total water used this billing period	13 units (9,724 gallons)

Total Water Use Comparison (in 100 gallons)

- Current billing period 2014: 97.24 CGL
- Same billing period 2013: 0.00 CGL

BILLING SUMMARY

For Service To: 3649 WINDING WOOD LN
For Account 1012-210010167585

Prior Balance		1,444.19
• Balance from last bill		
TOTAL PAST AMOUNT - DUE IMMEDIATELY		1,444.19
Current Water Service		
• Water Service Charge		23.81
• Water Usage Charge (\$0.53004000 x 97.24)		51.54
• Total Water Service Related Charges		75.35
Other Charges		
• KRA Withdrawal Fee (\$0.00910000 x 97.24)		0.88
• Total Other Charges		0.88
Taxes		
• Franchise Taxes		2.29
• School District Tax		2.28
• Total Taxes		4.57
TOTAL CURRENT CHARGES		80.80

*80.80

TOTAL AMOUNT DUE **\$1,524.99**

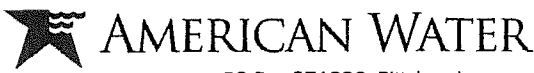
- Pay your bill online: www.water.paymybill.com
- Pay by phone: 24-hours a day, every day at 1-866-271-5522
- Pay in person: Residential customers may obtain a listing of payment locations by visiting www.amwater.com/myh2o
- Pay by mail: Remit your payment to the address shown above

Important messages from Kentucky American Water

- Local Office: 2300 Richmond Road (Lexington) and 102 Main Street (Owenton).
- THE DUE DATE PERTAINS TO CURRENT CHARGES ONLY. ANY PAST DUE BALANCE SHOULD BE PAID IMMEDIATELY.
- We are now offering paperless billing. It's a convenient, environmentally friendly and secure way to receive your water and/or wastewater bill. Users must enroll online. To get started, visit www.amwater.com/myh2o. Go to Account Detail and click on the green Paperless Billing button. Follow the steps, press submit and you're enrolled!

Questions about this bill? Call our 24-Hour Customer Service Center: **1-800-678-6301**

www.kentuckyamwater.com



PO Box 371880, Pittsburgh, PA 15250-7880

For Service To: 3649 WINDING WOOD LN LEXINGTON, KY 40515-1284

Account Number	1012-210010167585
Pay Before	04/22/2014
Total Due	1,444.19

04/12/2014

Check this box for address changes and note new address on back.



000671 1 MB 0.432 00674/000674/000674 1 01 ACRF1A 002

LAYNE NETHERTON
3649 WINDING WOOD LN
LEXINGTON, KY 40515-1284

Amount Enclosed \$



Kentucky American Water
PO Box 371880
Pittsburgh, PA 15250-7880

Please return this portion with your payment.

IMPORTANT: FINAL SHUT OFF NOTICE

Please read and take the steps needed to avoid your service from being shut off.

PAY THIS AMOUNT ➔ **\$1,444.19**

PRIOR TO ➔ **04/22/2014**

Payment on your water account is overdue. If payment is not received, your service may be shut off on or after 04/22/2014. You can prevent discontinuation of water service by paying the amount printed above. Please use one of our convenient payment options listed below to ensure your payment is applied to your account immediately.

TO STOP THE SHUT OFF, YOU MUST PAY THE AMOUNT OVERDUE OR YOU MUST CALL US AT 1-866-358-3429 if:

1. You cannot pay the overdue amount and would like to discuss your eligibility to enter into a payment arrangement.
2. You dispute the overdue amount or have a question regarding your bill.
3. Someone in your home has a serious illness or medical condition. We will not shut off your service. Please see the instructions listed below regarding the actions you must take before your water service is disconnected.
 - Contact your doctor or local board of health to request written verification which confirms the affected person's residency, illness and the period of time termination of water service will aggravate the illness.
 - The verification should be written on the doctor or board of health's letterhead and we must receive the letter within five (5) days from the date you notify us of the illness.
 - This medical certification is good for 30 days.

Note: The medical certification can be renewed for 30 days by following the same procedure. If not renewed, your water service may be disconnected after the first 30 day period has expired.

It is our sincere goal to work with you to correct this situation before further action becomes necessary. Please respond immediately so that we can assist you as best as possible. If you do not respond to this notice and your service is disconnected, you will be required to pay the full amount due and a service charge of \$56.00 before service is reconnected.

If you have any questions or need more information, please contact us.

For more information on the Water for Life financial assistance program that may be able to help you with payment of your water bill, call Community Action Council at 1-800-244-2275. For information on other local agencies that may be able to provide financial assistance, call 859-313-LINK (5488).

CONVENIENT PAYMENT OPTIONS



Pay your bill online:
www.amwater.com/myh2o



Pay by Phone:
24 hours a day, seven days a week



Pay in person: for a list of approved payment locations, visit www.amwater.com/myh2o

Questions: Call our 24 hour Customer Service Center: 1-866-358-3429

www.kentuckyamwater.com

1012-N-000674/000674 ACRF1A FTM10001

(ACRF1A 000674/0101000)

45 740101

From: Todd Teeples [mailto:mtt@unitedlandscape.net]
Sent: Wednesday, February 12, 2014 10:08 AM
To: Kurt Netherton
Subject: water leak

To whom it may concern:

Damon Parker, irrigation contractor and myself visited Kurt Netherton's property (3649 Winding Wood Lane) on February 12, 2014 to inspect his irrigation system for a possible leak. During our one hour site visit we looked at all possible areas where water could be leaking.

The irrigation tap to the main line showed no signs of leaking, the water at the bottom near the irrigation shut-off ball valve was not frozen, there was no water present in the irrigation system and the back flow preventer was intake showing no signs of water freeze damage.

The irrigation system was winterized on November 4, 2013.

During the one hour site visit we were also looking at the water meter to determine if the leak indicator was spinning, there was no movement of the leak indicator during our visit.

Todd Teeples

Shamrock Turf Management

1260 Versailles Rd.

Lexington, KY 40508

Cell: 859-509-1006

todd@shamrockturf.net



Subject: Re: Netherton KAWC Bill
From: infoky@amwater.com (infoky@amwater.com)
To: layniemia@yahoo.com;
Date: Saturday, January 25, 2014 3:44 AM

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American Water
Customer Service

Layne Netherton <layniemia@yahoo.com>
01/24/2014 12:27 PM
Please respond to
Layne Netherton <layniemia@yahoo.com>

To "infoky@amwater.com" <infoky@amwater.com>,
cc: Kurt Netherton <k.netherton@insightbb.com>
Subject Re: Netherton KAWC Bill

The meter was reread today and the notice indicates that the "readings appear to be back to normal".

Regarding the outstanding balance of \$1,444.19 for the time frame November 6-January 7th, we are in the process of filing a formal complaint with the KY Public Service Commission. Additionally, we have received a sewer bill for \$1,285.48 for the same time period, of which we are concurrently filing a complaint for.

It's obvious your billing and/or meter reading is incorrect. It's impossible to come close to using the reported 249,832 gallons of water, as reported by your company.

I'm available to discuss this matter immediately. Otherwise, I'll proceed with filing the complaint that I have started preparing. We regard this matter as a very serious one.

Regards,

Layne Netherton
859-536-8875

On Wednesday, January 22, 2014 6:34 AM, "infoky@amwater.com" <infoky@amwater.com> wrote:
Dear Layne Netherton,

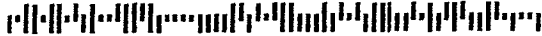
Thank you for your contact. Our prior email communication indicated that we have scheduled a technician to visit your property to re-read the meter and to check for leaks between the dates of January 22, thru February 1st. Our technician will inspect the meter, obtain another reading and watch for meter movement. A physical visit is the second step of our high usage investigation. The first step is to direct our customer's to the leak detection information on our website and advise what types of things can cause the bill to escalate. You may contact us after February 2, 2014 and we will be happy to update you on the results of our visit.

Your email mentioned that you have verified that there are no leaks inside or outside of the property. Your historical usage indicates very erratic usage from month to month which can indicate the possibility of a malfunctioning toilet which is the most common type of leak that can easily go unnoticed. A dye test is a quick and easy method to check for toilet leaks. Put a few drops of food coloring in the holding tank of the toilet and don't flush. Wait for thirty minutes to an hour and see if any of the color seeps from the tank to the toilet bowl. If coloring appears in the bowl, the flapper is likely allowing water to seep from the tank into the bowl which can cause a significant amount of water loss.



P.O. Box 578 Alton, IL 62002

02/07/2014



004801 1 AB 0.403 04806/004806/005491 19 0: ACR98P 002

LAYNE NETHERTON
3649 WINDING WOOD LN
LEXINGTON, KY 40515-1284

For Service To:

Account Number: 1012-210010167585
Service Address: 3649 Winding Wood Ln
Lexington, KY 40515-1284

Dear Layne Netherton,

It is important to us, as we know it is to you, that your concerns with a higher than expected water bill be reviewed as quickly as possible. When you contacted us we reviewed your situation immediately by issuing a service order to verify the meter reading was correct.

We have looked into this situation and determined that the water use billed is correct on the account. On January 24, 2014 Kentucky American Water went to the property and obtained a reading of 689. The field office representative found no movement on the meter, which indicates that there is not a water leak at the present time. If you recently repaired a leak, please send in a copy of the contractor or hardware receipt for consideration of an adjustment. Adjustment requests and receipts maybe mailed to the address at the top of this letter.

We recognize the added financial burden that may have been placed on you. If you would like to discuss a possible payment arrangement for your account or have other questions, please contact our customer service center at (800-678-6301). Please call when it is convenient for you. Our representatives are available 24 hours a day, 7 days a week.

Your effort to conserve water -- a precious natural resource, and using water wisely, will help manage your future water cost. Thanks for making this a priority. For water saving ideas and leak detection tips, please visit www.amwater.com.

Sincerely,

American Water Customer Service



Questions: Call our 24 hour Customer Service Center: 1-800-678-6301 www.kentuckyamwater.com

Kentucky American Water Company
Invoice and Water Usage Recap

<u>Bill Date</u>	<u>Beginning Billing Period</u>	<u>Ending Billing Period</u>	<u>No of Days</u>	<u>Beginning Meter Reading</u>	<u>Ending Meter Reading</u>	<u>Water Usage</u>	<u>Water Usage in Gallons</u>	<u>Bill Amount</u>	<u>Gallons Used Per Day</u>
5/13/2014	4/5/2014	5/6/2014	32	13	19	44.88	4,488	\$ 39.32	140
4/8/2014	3/7/2014	4/8/2014	29	7	13	44.88	4,488	\$ 38.97	155
3/7/2014	1/8/2014	3/6/2014	58	684	690	97.24	9,724	\$ 80.80	168
1/13/2014	12/6/2013	1/7/2014	33	545	684	1,039.72	103,972	\$ 607.40	3,151
1/8/2014	11/6/2013	12/5/2013	30	350	545	1,458.60	145,860	\$ 836.79	4,862
11/7/2013	10/8/2013	11/5/2013	29	341	350	67.32	6,732	\$ 53.25	232
10/9/2013	9/7/2013	10/7/2013	31	321	341	149.60	14,960	\$ 102.64	483
9/11/2013	8/8/2013	9/6/2013	30	307	321	104.72	10,472	\$ 78.68	349
8/9/2013	7/10/2013	8/7/2013	29	299	307	59.84	5,984	\$ 73.53	206
7/11/2013	6/7/2013	7/9/2013	33	292	299	52.36	5,236	\$ 65.36	159
6/12/2013	5/4/2013	6/6/2013	34	283	292	67.32	6,732	\$ 73.90	198

