

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JAMES LEWIS)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2020-00017
JESSAMINE-SOUTH ELKHORN WATER)	
DISTRICT)	
)	
DEFENDANT)	

ORDER

Jessamine-South Elkhorn Water District (Jessamine-South Elkhorn District) was notified by an Order entered on March 27, 2020, that it has been named as defendant in a formal complaint (Complaint) filed on January 13, 2020. The Complaint alleged that the Complainant, James Lewis, experienced a major water leak and asked for the water bill to be waived. Mr. Lewis claimed Jessamine-South Elkhorn District only allows one bill adjustment for a water leak per property, which allegedly was given in 1989 for the property in question. Based upon a review of the Complaint, the Commission found there was insufficient information upon which to determine whether Mr. Lewis had established a *prima facie* case and the Commission ordered the parties to file additional information so the Commission could determine what further action to take or if a *prima facie* case existed.

Both parties were ordered to provide documents, and Jessamine-South Elkhorn District filed its response to the March 27, 2020 Order on March 27, 2020. Mr. Lewis did

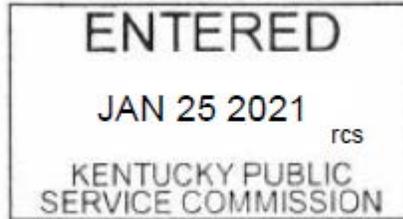
not respond to the March 27, 2020 Order and when Commission Staff followed up via email to ensure that he had received the Order, Mr. Lewis confirmed receipt. A copy of the email response from Mr. Lewis confirming receipt of the Order is attached as the Attachment to this Order.

Based upon a review of the record, the Commission finds that Mr. Lewis has failed to establish a *prima facie* case for which the Commission may grant relief. Mr. Lewis acknowledged receiving the Commission's Order requesting further information. As Mr. Lewis is the Complainant and has failed to communicate any good cause for not complying with the Commission's Order by providing the information, the Commission finds good cause to dismiss this case without prejudice.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice.
2. This case is closed and removed from the Commission's docket.

By the Commission



ATTEST:

A handwritten signature in blue ink that reads "Linda C. Bidwell". The signature is written in a cursive style.

Executive Director

ATTACHMENT

ATTACHMENT TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00017 DATED JAN 25 2021

ONE PAGE TO FOLLOW

From: [James Lewis](#)
To: [Koenig, Brittany H \(PSC\)](#)
Cc: jessamine.south@jsewd.com; [Pinney, Jeb E \(PSC\)](#)
Subject: Re: 2020-00017-Jessamine-South Elkhorn Water District Complaint
Date: Wednesday, July 22, 2020 12:30:45 PM

Yes, I received it.

On Wed, Jul 22, 2020, 11:43 AM Koenig, Brittany H (PSC) <brittany.koenig@ky.gov> wrote:

Mr. Lewis,

My name is Brittany Koenig and I am a Staff Attorney at the Kentucky Public Service Commission. I am contacting you to confirm whether you have been receiving service of the filings in the above-referenced matter and to ask that you file a response to the Commission's Order filed March 27, 2020. Staff cannot speak for the Commission and I cannot discuss any substantive issues of your case, but I am reaching out to obtain acknowledgement as to whether or not you are able to proceed electronically in this matter. I have copied the other party to this complaint. Please file a response to the March 27, 2020 Order in the record and any electronic email filed in this manner should be sent to this email: PSCED@ky.gov, and each message should include the case number in the subject line of the message and a read receipt to ensure the Commission received the message and documents. Please limit the size of documents to 5 MB.

Thank you,

Brittany H. Koenig

Staff Attorney III

Kentucky Public Service Commission

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