

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WILLIAM H. MAY, JR)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2020-00233
)	
FARMDALE WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

Farmdale Water District (Farmdale District) is hereby notified that it has been named as a Defendant in a formal complaint (Complaint) filed on June 15, 2020, a copy of which is attached to this Order as Attachment 1.

In the Complaint, the Complainant, William H. May, Jr., alleged that Farmdale District, in the course of working on its system, damaged his yard and did not repair the damage. Mr. May requests that Farmdale District repair his property to the state it was in before it was damaged.

On July 22, 2020, Farmdale District filed a letter indicating that this Complaint may have been settled, a copy of which is attached as Attachment 2. Clifford Toles, the chairman of Farmdale District's board of commissioners, stated in the letter that Farmdale District had repaired Mr. May's yard.

Pursuant to 807 KAR 5:001, Section 20(3)(a), the Commission, upon the filing of a formal complaint, shall examine if the complaint establishes a prima facie case. If the

Commission determines that the complaint does not establish a prima facie case, then the Commission shall give the Complainant an opportunity to amend the complaint so that it states a prima facie case. If Farmdale District has repaired Mr. May's property to his satisfaction, then his Complaint may not state a prima facie case, or otherwise request relief that the Commission can provide.

Based on the above, the Commission finds that Mr. May should file a statement within ten days of service of this Order to confirm whether this matter has been resolved.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read. The Commission directs the parties to the Commission's March 16, 2020 Order and the March 24, 2020 Order in Case No. 2020-00085¹ regarding the filing of physical documents with the Commission. In the March 16, 2020 Order, the Commission stated that if a non-electronic case is not converted to an electronic case, the Commission will grant a deviation from the filing requirements 807 KAR 5:001, Section 7(1), insofar that a filer may file one original document with no copies, or send an electronic mail message with an electronic copy of the document to the Commission and to parties to the matter. The Commission expects that original documents will be filed with the Commission within 30 days of the lifting of the current state of emergency. Any electronic email filed in this manner should be sent to this email: PSCED@ky.gov. Each message should include the

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6. Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 24, 2020), Order at 1–3.

case number in the subject line of the message and a read receipt to ensure the Commission received the message and documents. If electronic mail is used, please limit the size of the documents to 5 MB. All responses in paper medium shall be appropriately bound, tabbed, and indexed.

IT IS THEREFORE ORDERED that within ten days of the date of service of this Order, Mr. May shall file a statement with the Commission to indicate whether this matter has been resolved.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission

ENTERED
SEP 11 2020 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Acting Executive Director

ATTACHMENT 1

ATTACHMENT TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00233 DATED SEP 11, 2020

[FOUR PAGES TO FOLLOW]

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JUN 15 2020

PUBLIC SERVICE
COMMISSION

In the matter of:

WILLIAM H. MAY JR.
(Your Full Name)

COMPLAINANT

VS.

FARMDALE WATER
(Name of Utility)

DEFENDANT

COMPLAINT

The complaint of WILLIAM H. MAY JR. respectfully shows:
(Your Full Name)

(a) WILLIAM H. MAY JR.
(Your Full Name)

124 RUNNING BROOK TRL. (FRANKFORT)
(Your Address)

(b) FARMDALE WATER
(Name of Utility)

100 HIGHLWOOD DR (FRANKFORT)
(Address of Utility)

(c) That: A YEAR AGO THEY BROUGHT A EXCAVATOR IN MY
(Describe here, attaching additional sheets if necessary,

YARD, DUG A BIG HOLE, THE HOLE HAS SUNK IN AND THEY DIDNT
the specific act, fully and clearly, or facts that are the reason

BRING NEW SEED, I HAVE A BARE SPOT IN MY YARD
and basis for the complaint.)

AND THE OTHER SIDE OF MY BUSHES, THERES A

Continued on Next Page

Formal Complaint

WILLIAM H. MAY, JR vs. FARMDALE WATER (CLIFFORD TOWNS)

Page 2 of 2

WATER LEAK, WATER STAND IN MY DRIVEWAY CURVEST
WATER HAS BEEN THERE FOR SEVERAL YEARS, IT
ALSO SURFACES IN THE ROAD OUT FRONT, I'VE
CALLED NUMEROUS TIMES WITH NO RESULTS. MY WATER
METER SITS SIDEWAYS, NO WAY TO TURN THE WATER
OFF IN MY HOUSE IN CASE OF AN EMERGENCY. (CONTINUED ->

Wherefore, complainant asks I WANT MY PROPERTY FIXED
(Specifically state the relief desired.)

THE WAY IT WAS BEFORE THEY TOOK IT
UP. I WANT THE WATER LEAK FIXED, I
SPENT \$4400.00 TO POUR A NEW DRIVEWAY
AT THE ^{END} WHERE THE WATER STANDS, MY OLD
DRIVE CAVED IN, AT THE CURVEST WHERE THE WATER
STANDS

Dated at FRANKFORT, Kentucky, this 13TH day
(Your City)

of JUNE, 2020.
(Month)

William H. May Jr.
(Your Signature*)

(Name and address of attorney, if any)

6-13-20
Date

*Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

MY WATER METER STANDS FULL OF WATER. I EVEN WENT
AS FAR AS CALLING THE MAGISTRATE SHERRY SEBASTIAN.
SHE HAS CONTACTED CLIFFORD TOVES (THE OWNER) NUMEROUS
TIMES HE TELLS HER EVERYTIME THEY WILL LOOK INTO IT,
STILL NO RESULTS

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ATTACHMENT 2

ATTACHMENT TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00233 DATED SEP 11 2020

[ONE PAGE TO FOLLOW]

Farmdale Water District
FRANKFORT, KENTUCKY 40601

COMMISSIONERS:
CLIFFORD TOLES, CHAIRMAN
Richard Tanner, Treasurer
Donald Morse, Secretary
www.farmdalewaterdistrict.com

TELEPHONE
(502) 223 3562
farmdalewater@gmail

RECEIVED

JUL 22 2020

PUBLIC SERVICE
COMMISSION

July 17, 2020

Kent A. Chandler, Acting Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

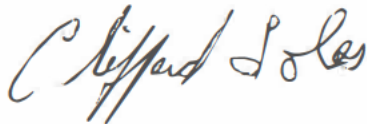
RE: Case No. 2020 00233
William H. May, JR vs Farmdale Water District

Mr. Chandler:

The above case has been resolved. The Farmdale Water District hired Mr. William Cox to repair Mr. May's yard. Mr. Cox hauled top soil, graded the yard, raked, and put down seed and straw. This job was completed on June 19, 2020. No other complaint was received after this work was done. As far as we know, Mr. May was satisfied with the work done.

Respectfully,

Clifford Toles, Chairman



William H. May, Jr.
124 Running Brook Trail
Frankfort, KENTUCKY 40601

*Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601

*Clifford Toles
Chairman
Farmdale Water District
100 Highwood Drive, Route 8
Frankfort, KY 40601