

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOYCE YVONNE EPPERSON	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2021-00363
	)	
WEST LAUREL WATER ASSOCIATION, INC.	)	
	)	
DEFENDANT	)	

ORDER

West Laurel Water Association, Inc. (West Laurel Water) is hereby notified that it has been named as a Defendant in a formal complaint filed on September 8, 2021, a copy of which is attached to this Order.

Pursuant to 807 KAR 5:001, Section 20, West Laurel Water is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 20 days from the date of entry of this Order.

The Commission directs West Laurel Water to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission. In the Commission's March 16, 2020 Order in Case No. 2020-00085,<sup>2</sup> the Commission provides instructions for filings in non-electronic cases, insofar that parties of non-electronic cases

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<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission mandated the use of the electronic filing procedures found in 807 KAR 5:001, Section 8, except for *pro se* formal complaints filed against utilities).

<sup>2</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5-6.

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. Any electronic email filed in this manner should be sent to [PSCED@ky.gov](mailto: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. 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.

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By the Commission



ATTEST:

  
Executive Director

ATTACHMENT

ATTACHMENT TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2021-00363 DATED OCT 22 2021

FOURTEEN PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY

RECEIVED

BEFORE THE PUBLIC SERVICE COMMISSION

SEP 08 2021

PUBLIC SERVICE COMMISSION

In the matter of:

Joyce Yvonne Epperson  
(Your Full Name)  
COMPLAINANT

VS.

West Laurel Water Association  
(Name of Utility)  
DEFENDANT

COMPLAINANT

The complaint of Joyce Yvonne Epperson respectfully shows:  
(Your Full Name)

(a) Joyce Yvonne Epperson  
(Your Full Name)

1450 West Laurel Rd London, Ky. 40741  
(Your Address)

(b) West Laurel Water Association  
(Name of Utility)

1670 East Hal Rogers Parkway London, Ky 40741  
(Address of Utility)

(c) That: my water meter was turned off and the meter removed. This action was made without a single delinquent payment or proper notification of termination. I did NOT  
(Describe here, attaching additional sheets if necessary, the specific act, fully and clearly, or facts that are the reason and basis for the complaint.)

Sign any paperwork authorizing the termination.

Continued on Next Page

My service was installed 20+ years ago to provide water to live stock. I was granted a verbal easement from the meter to the barn by Ebb and Mildred Epperson, the property owners. Ebb and Mildred have both passed away and the section of property was inherited by Debi Greer, Jamie Evans → (See Attached)

Wherefore, complainant asks that my existing water meter (Specifically state the relief desired.)

and service be reinstated to provide water to my livestock while a new meter and service is installed on my property free of charge. I agree to assume the cost of materials and labor to replace the water line to the barn on the customer side of the meter.

Dated at London, Kentucky, this 3rd day (Your City)

of September, 2021. (Month)

Joyce J. Epperson (Your Signature\*)

(Name and address of attorney, if any)

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.



- and Rick Evans. When I asked West Laurel Water Association about the lack of water, they informed me Rick Evans had it turned off. Rick Evans has multiple family members employed at West Laurel Water Association. The comment was also made that the West Laurel Water Association turned off the service without Rick appearing in person. I have read all of the rules, regulations and the consumer bill of rights. I can not find anywhere in the documents that water service can be terminated due to local politics or the buddy system. I am reaching out to you before seeking full legal counsel. This may sound a little drastic but I am backed in a corner and my livestock need water. I am 68 yrs 2 mos old and for the past month have provided water to my livestock by transporting buckets of water from my home. This process is very difficult for me to carry out on a daily basis. Rick Evans is the local environmentalist at the Laurel Co. Health Dept and in order for meter to be moved, he has to grant permission as the land owner. If I choose a new meter installment, I will have to purchase a permit. I can't see how one day I am watering my livestock and the next day my water is turned off without proper notification as outlined by West Laurel Water Association regulations. I will be charged with the cost of a permit, meter set fee, and approx.



1000 ft of water line. An estimated cost of \$1200 - \$1500 due to the rules which have been broken. Each attempt to resolve this issue with the water company has resulted in a "we need this Office" type of answer. The Evans family controls who gets water and who doesn't?? The rules I have read states if the meter of service is to be terminated there must be a signed statement by the person responsible for the bill. I, Joyce Epperson, is the person responsible to provide payment. The termination statement was signed Rick Evans. No consideration, no notification, no delinquent bill yet termination occurred. Enclosed is the Public Service Consumer Bill of Rights, Wood Creek Water Association's republication of the Bill of Rights, as posted on their website. Please provide guidance for the resolution of this issue.



# Customer Bill of Rights

**CUSTOMER BILL OF RIGHTS**

As a residential customer of a regulated public utility in Kentucky, you are guaranteed the following rights subject to Kentucky Revised Statutes and the provisions of the Kentucky Public Service Commission Administrative Regulations:

- You have the right to service provided you (or a member of your household whose debt was accumulated at your account) are not in arrears to the utility.
- You have the right to inspect and review the utility's rates and related operating procedures during the utility's normal office hours.

**View in Full Screen**

- You have the right to prompt (within 24 hours) restoration of your service when the cause for discontinuance of the service has been corrected.
- If you have not been disconnected, you have the right to maintain your natural gas and electric service for up to thirty (30) days if you present a Certificate of Need issued by the Kentucky Cabinet for Human Resources between November and the end of March.
- If you have been disconnected due to nonpayment, you have the right to have your natural gas or electric service reconnected between the months of November through March provided you:
  - Present a Certificate of Need issued by the Kentucky Cabinet for Human Resources, and
  - Pay one third (1/3) of your outstanding bill (\$200 maximum), and
  - Accept referral to the Human Resources Weatherization Program, and
  - Agree to a repayment schedule that will cause your bill to become current by October 15.
- You have the right to contact the Public Service Commission regarding any dispute that you have been unable to resolve with your utility (Call Toll Free 1-800-773-4336).

The Customer Bill of Rights is referenced in 807 KAR 6-008 Section 14 (1) (a).

# CUSTOMER BILL OF RIGHTS

As a residential customer of a regulated public utility in Kentucky, you are guaranteed the following rights subject to Kentucky Revised Statutes and the provisions of the Kentucky Public Service Commission Administrative Regulations.

- You have the right to service, provided you (or a member of your household whose debt was accumulated at **your address**) are not indebted to the utility.
- You have the right to inspect and review the utility's rates and tariffed operating procedures during the utility's normal office hours.
- You have the right to be present at any routine utility inspection of your service conditions.
- You must be provided a separate, distinct disconnect notice alerting you to a possible disconnection of your service if payment is not received.
- You have the right to dispute the reasons for any announced termination of your service.
- You have the right to negotiate a partial payment plan when your service is threatened by disconnection for non-payment.
- You have the right to participate in equal, budget payment plans for your natural gas and electric service.
- You have the right to maintain your utility service for up to thirty (30) days upon presentation of a medical certificate issued by a health official.
- You have the right to prompt twenty-four (24) hour restoration of service or close of the next business day, whichever is later, and shall install and connect new service within seventy-two (72) hours, or close of the next business day, whichever is later, if the cause for refusal or discontinuance of service has been corrected and the utility's tariffed rules and 807 KAR Chapter have been met.
- If you have not been disconnected, you have the right to maintain your natural gas and electric service for up to thirty (30) days if you present a Certificate of Need issued by the Kentucky Cabinet for Human Resources between November and the end of March.
- If you have been disconnected due to nonpayment, you have the right to have your natural gas or electric service reconnected between the months of November through March provided you:
  1. Present a Certificate of Need issued by the Kentucky Cabinet of Human Resources and
  2. Pay one third (1/3) of your outstanding bill (\$200 maximum), and
  3. Accept referral to the Human Resources' Weatherization Program, and
  4. Agree to a repayment schedule that will cause your bill to become current by October 15.
- You have the right to contact the Public Service commission regarding any dispute that you have been unable to resolve with your utility (Call Toll Free 1-800-772-4636).

P. S. C. No. \_\_\_\_\_

Comm. P. S. C. No. \_\_\_\_\_

**FILED**

**DEC 21 1989**

**PUBLIC SERVICE  
COMMISSION**

WEST LAUREL WATER ASSOCIATION

LAUREL COUNTY, Kentucky

**Rates, Rules and Regulations for Furnishing**

49

**Filed with PUBLIC SERVICE COMMISSION OF  
KENTUCKY**

ISSUED December 18, 1989

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
effective January 1, 1990

**JAN 1 1990**

PURSUANT TO KY R.S. 100.010  
ISSUED BY West Laurel Valley Association  
BY: John Charles Lee  
OR Orin Williams  
President



FOR Northern Laurel County  
Community, Town or City

P.S.C. KY. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

Wood Creek Water District  
(Name of Utility)

CANCELLING P.S.C. KY. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

**RULES AND REGULATIONS**

**LEAK ADJUSTMENT POLICY**

**Determination of a Leak**

Our field employees notice when reading meters if the usage of a customer is unusually high and if the meter is running. If so, they go to the customer's door to talk with them about a possible leak. If no one is at home they leave them a note for them to contact the office because they may have a leak. At other times the customers will call the office to ask for someone to come turn their meter off because they have a leak and need assistance. Leaks are then determined by field investigation by designated employees who then report back to the customer and to the office staff as to whether a leak was determined.

**Adjustment of a Leak**

The reduction of the bill is based on the total amount of the water usage. The amount of the customer's average three (3) months water usage bill is subtracted from the bill or bills which are higher than normal due to a water leak. The District will reduce the bill in the amount of 50%. The customer may be granted payments for this 50% payment if he chooses. This leak adjustment is a one time adjustment.

	<u>Absorbed by</u> <u>District</u>	<u>Due From</u> <u>Customer</u>
Example:		
Water usage bill or bills with leak	\$100.00	
3 months average bill	<del>10.00</del>	
	\$90.00	
1/2 of Bill	\$45.00	\$45.00
3 months average bill		<del>10.00</del>
		\$55.00

DATE OF ISSUE November 13, 2008  
Month / Date / Year

DATE EFFECTIVE November 13, 2008  
Month / Date / Year

ISSUED BY [Signature]  
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION  
IN CASE NO. 2008-01334 DATED November 13, 2008

**PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
11/13/2008  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)**

By [Signature]  
Executive Director

FOR Northern Laurel County  
Community, Town or City

P.S.C. KY. NO. 2008-00334

5<sup>th</sup> Revised SHEET NO. 2

Wood Creek Water District  
(Name of Utility)

CANCELLING P.S.C. KY. NO. 2002-00185

4<sup>th</sup> Revised SHEET NO. 2

**RULES AND REGULATIONS**

12. On all new connections, a separate meter must be installed for each residence, apartment, unit, mobile home, business, or family unit residing in a duplex or other multi-unit premise. For existing customers where two or more residences, apartment units, mobile homes, businesses, or family units residing in a duplex or other multi-unit premise are served by a single water meter, the water bill for each occupant, tenant, business, or family unit will be computed as follows:

- a. The customer whose name the meter is in will be billed for the actual water registered by that meter.
- b. All other customers shall pay the minimum bill.

13. The District's system is not designed nor intended for use for fire protection in any manner whatsoever. Any customer using same for fire protection does so at their own full and sole responsibility.

14. A charge of \$20.00 will be charged for inspection of customer's service lines that are not covered by the state or local plumbing inspectors per KRS 318 as ordered by the Public Service Commission in Case No. 10048 on 6/22/88, Wood Creek Water District.

15. Extensions of Service: The District may make extensions per 807 KAR 5:066, Sect. 12 and/or 807 KAR 5:011, Sect. 13, Special Contracts, copy of approved contract attached hereto. All customers desiring an extension will be presented both of the above and may choose which one they prefer.

If surplus funds are used for extensions of service, the following criteria will be reviewed:

- a. Whether surplus funds exist.
- b. Substantial opportunity for repayment of the expended surplus funds exists.
- c. The extension would not otherwise be constructed, due to unavailability of financing from any other source.
- d. Any other relevant facts that pertain to the proposed extension.

16. A charge of \$40.00 will be charged to the London Utility Commission for reconnection of water service for their sewer customers.

DATE OF ISSUE November 13, 2008  
Month / Date / Year

DATE EFFECTIVE November 13, 2008  
Month / Date / Year

ISSUED BY [Signature]  
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION  
IN CASE NO. 2008-00334 DATED November 13, 2008

**PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
11/13/2008  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)**

By [Signature]  
Executive Director

FOR Northern Laurel County  
Community, Town or City

P.S.C. KY. NO. 2008-00334

5<sup>th</sup> Revised SHEET NO. 1

Wood Creek Water District  
(Name of Utility)

CANCELLING P.S.C. KY. NO. 2002-00185

4<sup>th</sup> Revised SHEET NO. 1

**RULES AND REGULATIONS**

1. These rules and regulations are in addition to the rules and regulations of the Kentucky Public Service Commission.
2. Any resident of the Wood Creek Water District is eligible for water service from the District.
3. Water service will be terminated within 72 hours after receiving a written request from the customer requesting discontinuance.
4. A charge of \$40.00 will be charged for reconnection of service.  
A charge of \$80.00 will be charged for reconnection of service after normal working hours (after 4:30 p.m.).
5. Water tap on Charge or Contribution in Aid of Construction shall be as follows:  
5/8 Inch Meter ----- \$530.00  
1 Inch and Larger Meters ----- Actual Cost of Installation
6. A charge of \$25.00 will be on all returned checks.
7. A Charge of \$25.00 will be charged for retesting of meters by customer request if the meter is tested and found to be accurate, in accordance with KAR 5:006 Sect. 20.
8. A fee of \$40.00 will be charged for all additional trips to the customer's premises, such as incorrect addresses given, helping customer find water leaks on their side of the meter, etc.
9. Meters will be read monthly and statements will be mailed before the 10<sup>th</sup> of each month.
10. Service lines to meters and meters are property of the District. From the meter to the customer outlet, installation and service will be the sole responsibility of the customer.
11. All meters will be located on district mains and in the absence of special permission on the property to be served. Reference is made to a more detailed explanation contained in the By-Laws.

DATE OF ISSUE November 13, 2008  
Month / Date / Year

DATE EFFECTIVE November 13, 2008  
Month / Date / Year

ISSUED BY [Signature]  
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION  
IN CASE NO. 2008-00334 DATED November 13, 2008

**PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
11/13/2008  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)**

By [Signature]  
Executive Director



## Utility Shutoffs and Disconnections in Kentucky

### Who makes the rules for utility companies?

Utility companies are called "public" because they serve the public, but they are private corporations or cooperatives.

In Kentucky, most of the electric, gas, telephone, and water utility companies and districts, including Rural Electric and Telephone Cooperatives, are subject to the rules of the Public Service Commission (PSC).

Utilities not regulated by PSC: Propane gas, TVA, city-owned utilities, and cable TV services are not subject to PSC regulation. Problems must be worked out with the companies using the rules set by the city or company running the service.

The following outline applies only to customers of PSC-regulated utilities.

### **A UTILITY MAY REFUSE OR SHUT OFF SERVICE IF A CUSTOMER:**

1. Does not follow company or PSC rules (but customer has to have been given a chance to obey, after which customer must get at least 10 days' written notice before a cut-off of service);
2. Does not fix a danger at the customer's home even tho' the customer is able to fix it;
3. Does not allow the company to come on the customer's property for meter reading or other needed activities (again, customer must be given a chance to comply, and then 10 days' written notice);
4. Has an outstanding bill, or is not paying current bills (see below);
5. Does not follow state, local or other codes (again, 10 days' written notice must be given before shut-off, unless local government requires shutoff immediately);
6. Steals service or gets service by fraud. In this case, the company does not have to give advance notice; but written notice of the utility's reason and the customer's right of appeal must be sent within 24 hours of service being refused or disconnected.

### **CUSTOMER RELATIONS REQUIREMENTS**

- **Member of Household is Ill:** The customer brings in, before the shut-off date, a "Certificate of Need" statement signed by a doctor, nurse, or public health official, saying that cutting off service would harm a member of the household who is ill. Follow-up requests for extensions must include not only the doctor's statement but also an agreed partial payment plan.
- **Notice Goes To Low-Income Household between November 1 & March 31:** Customer brings in, before the shut-off date, a statement from their local office of Community Based Services that they qualify for the heating assistance program or their income is at or below 130% of poverty. If the customer can work out a payment plan which will catch up their bill by no later than October 15, they can't be disconnected.

The utility may not require a new security deposit as a condition of granting a 30-day extension.

## **GETTING SERVICE RE-CONNECTED AFTER IT HAS BEEN SHUT OFF**

### **Winter Hardship Reconnection**

If electric or gas service has already been shut off, a low-income household can get service back under the Winter Hardship Reconnection program, which runs from November 1 thru March 31 each winter.

To get this help, a customer must:

1. Get a Certificate of Need (see above), and give it to the utility company; and
2. Be referred to, and use if possible, weatherization services (eg., insulation, new windows, etc.) from the state; and
3. Pay 1/3 of their outstanding bill or \$200, whichever is less, at the time of applying; and
4. Agree to a repayment schedule to catch up the bill by no later than the next October 15. If the bill is over \$600, the customer must pay all of their current bill and make a good faith payment on the balance, based on ability to pay. Customers current on a payment plan may not be terminated.

## **GETTING HELP WITH PAYING UTILITY BILLS**

A Kentucky program to help low-income households pay their utility bills is the Low Income Home Energy Assistance Program (LIHEAP). It is run by the Department for Community-Based Services (DCBS). Eligibility is based upon family size and income. If you think you may be eligible for this help, check with your county DCBS office.

Generally, every PSC utility must:

- Provide a toll-free telephone line to a customer service person;
- Employ at least one full-time customer service person;
- Display the PSC list of customer rights;
- Allow customers to work out payment plans;
- Offer budget payment plans (spreading costs over 12 months);
- Connect new service within 72 hours, and re-connect within 24 hours, when conditions for service have been met;
- Before connecting new service, check meter and connections to detect prior fraud, so the new customer won't be overcharged;

## **SHUT-OFF OF SERVICE FOR NON-PAYMENT**

*Contents of Notice:*

In almost all cases, any utility company that intends to shut off service for any reason must mail or take to the customer, at their last known address, notice that:

- Is in writing and is apart from any bill;
- Gives the reasons for shut-off;
- Tells the customer they have a right to appeal;
- Warns that the shut-off will occur even if a new bill is sent.

*Gas and Electric Companies Must:*

- Mail written notice of termination at least ten (10) days in advance;
- Not shut service off until at least 27 days after the date of the original bill;
- Include with the notice information about heating assistance programs and a phone number for the local office of Community Based Services.

*Water, Sewer and Telephone Companies Must:*

- Mail written notice at least 5 days in advance;
- Not shut off service until at least 20 days after date of the original bill.

## **PREVENTING A SHUTOFF OF SERVICE AFTER GETTING NOTICE**

**Catch-up or Payment Plan:** If before the shut-off date the customer can catch up their payments or work out a partial payment plan which will catch up the arrears by October 15, the utility may not disconnect.

**A 30-Day Extension of Service Must Be Granted if:**



## INTEREST ON SECURITY DEPOSITS

PSC-regulated utility companies must pay 6% interest on every customer's security deposit, except that water utilities may not pay more than the interest rate they get on their investments. A utility that violates this law can be fined \$100 for each violation.

## PSC HOTLINE

The PSC maintains a toll-free helpline to give information on PSC rules and regulations, and for help in settling disputes: [1-800-772-4636 \(1-800-PSC-INFO\)](tel:1-800-772-4636).

For legal advice, call your local lawyer referral service or, if you are a low-income person, contact your [local Legal Services office](#) <sup>(1)</sup>.

Persons over the age of 60 may obtain advice and consultation at [1-800-200-3633](tel:1-800-200-3633), the Legal HelpLine for Older Kentuckians.

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Reviewed August 2009

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## **tawk chat**

```
var Tawk_API=Tawk_API||{}, Tawk_LoadStart=new Date(); (function(){ var
s1=document.createElement("script"),s0=document.getElementsByTagName("script")[0];
s1.async=true; s1.src='https://embed.tawk.to/5835892afccdfa3ec83e18ed/default';
s1.charset='UTF-8'; s1.setAttribute('crossorigin',''); s0.parentNode.insertBefore(s1,s0); })
(); /*jQuery('iframe').load( function() {
console.log(jQuery('iframe').contents().find("#offline0Field")); });*/
```

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**Source URL:** <http://kyjustice.org/utility-shutoffs-and-disconnections-kentucky#comment-0>

### Links

[1] <http://kyjustice.org/offices>

\*West Laurel Water Association, Inc.  
1670 Hal Rogers Parkway  
P. O. Box 726  
London, KY 40741

\*West Laurel Water Association, Inc.  
West Laurel Water Association, Inc.  
1670 Hal Rogers Parkway  
P. O. Box 726  
London, KY 40741

\*Joyce Yvonne Epperson  
1450 West Laurel Road  
London, KENTUCKY 40741