COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the	Matter of:			
	VIRGINIA B. EDWARDS)	
		COMPLAINANT))))
	V.)	CASE NO. 2023-00108
	NORTH MERCER WATER DISTRICT			
		DEFENDANT)	

ORDER

On March 28, 2023, Virginia B. Edwards tendered a formal complaint with the Commission against North Mercer Water District (North Mercer District) alleging North Mercer District allowed a broken water pipe to freely flow and made no attempt to turn the water off or notify Ms. Edwards of the broken water pipe and the bill for the water used during the incident is now \$4,335.10.1 For relief, Ms. Edwards requests to the Commission, "that the amount be wiped out and charge me what the City of Harrodsburg charged them (North Mercer District) for the water."²

The complaint does not explain how the water pipe broke, the date or time of that the water pipe broke, or when Ms. Edwards first detected the broken water pipe, confirmation that the water pipe is on the customer's side of the meter, the location of the broken water pipe, the amount of time that the water pipe was broken, any documentation

¹ Virginia B. Edwards Formal Complaint (filed Mar. 28, 2023).

² Virginia B. Edwards Formal Complaint at 2.

of phone calls, emails, or letters between Ms. Edwards and North Mercer District regarding the incident, and the work order completed by Ms. Edwards' contractor to shut off her water.

Pursuant to 807 KAR 5:001, Section 20(4)(a), upon receipt of a formal complaint the Commission must determine whether the complaint states a prima facie case. A complaint establishes a prima facie case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant – here, Ms. Edwards, to the requested relief from an act or omission that violated a statute, regulation, Commission Order, or tariff. If a complaint fails to establish a prima facie case, it may be dismissed.

Based upon a review of the complaint, the Commission is unable to determine at this time whether the complaint establishes a prima facie case, but the allegations support further investigation into the merits of the complaint. The Commission finds that Ms. Edwards should file, within 20 days of the date of service of this Order, certain documents to provide support for making a prima facie case. Ms. Edwards may file the documents with the Commission by U.S. mail at P.O. Box 615, Frankfort, Kentucky, 40602-0615, or by email at PSCED@ky.gov.

IT IS THEREFORE ORDERED that:

- 1. Within 20 days of the date of service of this Order, Ms. Edwards shall file with the Commission:
 - a. An explanation of the circumstances that caused the pipe(s) to break;
 - b. The date and time of the incident;
 - c. The length of the incident;

- d. The location of the broken pipe;
- e. A copy of the work order done by Ms. Edwards' contractor to shut off her water.
- f. Any documentation of phone calls, emails, or letters between Ms. Edwards and North Mercer District regarding the incident.
- g. Copies of any bills from North Mercer District regarding the alleged incident:
- h. A summary of any in person or telephone conversations with North Mercer District regarding the alleged incident.
- 2. Ms. Edwards shall file the documents required in ordering paragraph 1 with the Commission by U.S. mail at P.O. Box 615, Frankfort, Kentucky, 40602-0615, or by email at PSCED@ky.gov.
- 3. Ms. Edwards shall respond to any additional requests for information propounded by Commission Staff, as provided in those requests.
- 4. A copy of this Order shall be served on Ms. Edwards by U.S. certified mail, return receipt requested at 224 W. Factory Street, Harrodsburg, Kentucky 40330.
- 5. Nothing contained in this Order shall prevent the Commission from entering further Orders in this matter.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Commissioner

ENTERED

SEP 08 2023 rcs

KENTUCKY PUBLIC SERVICE COMMISSION

ATTEST:

Executive Director

Virginia B. Edwards 224 West Factory Street Harrodsburg, KENTUCKY 40330

*North Mercer Water District 4795 Louisville Road P. O. Box 79 Salvisa, KY 40372

*Mischell Lee North Mercer Water District P. O. Box 79 Salvisa, KY 40372