

regulation. 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 to the requested relief.

If a complaint fails to establish a prima facie case or conform to the administrative regulation, 807 KAR 5:001, Section 20 (4)(a)(1) provides that the complainant be notified and provided an opportunity to amend the complaint within a specified time. Additionally, 807 KAR 5:001, Section 20 (4)(a)(2) provides that if the complaint is not amended within the time that the Commission grants, then the complaint shall be dismissed.

DISCUSSION AND FINDINGS

In his complaint, Mr. Gaines alleged that, because of Bullock Pen District's failure to test his meter as requested, and failing to allow him to be present during the service call, there was a delay in detecting a leak.² He had requested the test due to a problem with service pressure.³ Mr. Gaines alleged that his Customer Rights were violated by not allowing him to be present during the service call.⁴ Mr. Gaines made a number of other allegations, including one of the bills received was approximated to be \$3,000 but ended up being \$3,700.⁵

Mr. Gaines stated that concerns were originally raised after a drop in water pressure, which resulted in Bullock Pen District personnel testing water pressure between the dates of May 20-23, 2024.⁶ On April 26, 2024, he was notified that he and his wife

² Belden Craig Gaines Complaint (Gaines' Complaint) (filed Aug. 12, 2024).

³ Gaines' Complaint at 1.

⁴ Gaines' Complaint at 1.

⁵ Gaines' Complaint at 2.

⁶ Gaines' Complaint at 3.

had used 478,000 gallons of water since the last reading and, in a ten-day period between June 17, 2024, and June 26, 2024, they had used 109,720 gallons of water.⁷ On June 26, 2024, a tech was sent out to verify the abnormal reading.⁸ On June 26, 2024, a hidden leak was located and pressure returned to normal.⁹

Mr. Gaines is seeking a billing adjustment.¹⁰ Mr. Gaines stated that he feels they should owe in the range of \$500 after an estimated adjustment for Bullock Pen District not catching the meter spinning during its inspection either May 20, 2024, or May 23, 2024.¹¹ Mr. Gaines also alleged that Bullock Pen District never filled their request for a water main pressure test and did not call for a follow-up regarding the results of the test.¹²

Having reviewed the complaint and being otherwise sufficiently advised, the Commission finds that it is unable to determine, at this time, whether the complaint establishes a prima facie case because there are allegations but no documents regarding the basis for the bills or the relief sought.

Mr. Gaines should file, within 20 days of service of this Order, certain information and documentation to support his claim, including copies of his bills from Bullock Pen District between May 2024 and July 2024 or a statement why said information and documentation cannot be produced.

⁷ Gaines' Complaint at 4.

⁸ Gaines' Complaint at 4.

⁹ Gaines' Complaint at 5.

¹⁰ Gaines' Complaint at 3.

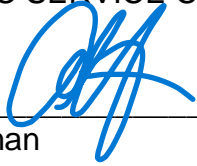
¹¹ Gaines' Complaint at 3.

¹² Gaines' Complaint at 3.

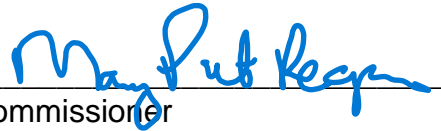
IT IS THEREFORE ORDERED that Mr. Gaines should file, within 20 days of service of this Order, documentation to support his claim and relief sought, including copies of his bills from Bullock Pen District between May 2024 and July 2024 or a statement why said information and documentation cannot be produced.

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PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner

ENTERED
SEP 05 2024 dfg
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

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