

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CHERYL ETHINGTON	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2026-00125
	)	
WEST LAUREL WATER ASSOCIATION, INC.	)	
	)	
DEFENDANT	)	

ORDER

On May 11, 2026, Cheryl Ethington filed a complaint against West Laurel Water Association, Inc. (West Laurel Water), in which she stated that she believes she was charged for more water than she used and that her bill was double her average usage. She asked for a new meter and that her current meter be tested by a third party. Although she did not explicitly request that her bill be adjusted, that may be reasonably implied from her complaint as an adjustment of her bill would be required if it is proven that her meter was not reading accurately.

A copy of the complaint is attached to this Order as an Appendix.

LEGAL STANDARD

The Commission has original jurisdiction over complaints as to rates or service of any utility pursuant to KRS 278.260. The statute provides that the Commission shall not enter an order affecting the rates or service complained of without a formal public

hearing.¹ The Commission, however, may dismiss any complaint without a hearing if, in its opinion, “a hearing is not necessary in the public interest or for the protection of substantial rights.”² The complainant in a formal complaint case bears the burden of proof.³

Section 20 of 807 KAR 5:006 sets forth requirements and procedures for formal complaints. Section 20(1) provides that each complaint shall state the name and address of the complainant, the name and address of the defendant, the act or omission of which complaint is made, and the relief sought.⁴ Section 20(2) provides that upon the filing of the complaint, the Commission shall ascertain if the complaint establishes a *prima facie* case and conforms with procedural requirements.⁵ 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.⁶ If the complaint establishes a *prima facie* case and conforms to filing requirements, Section 20(4) provides that the Commission shall order the utility to satisfy or answer the complaint within ten days from the date of the order.⁷

¹ KRS 278.260(1).

² KRS 248.260(2).

³ Case No. 2019-00016, *Bollinger v. Kentucky-American Water Co.* (Ky. PSC Dec. 23, 2020), Order at 2.

⁴ 807 KAR 5:006, Section 20(1).

⁵ 807 KAR 5:006, Section 20(2).

⁶ Case No. 2022-00030, *Alfred Saylor v. Kentucky Utilities Company* (Ky. PSC July 1, 2022), Order.

⁷ 807 KAR 5:006, Section 20(4).

DISCUSSION

The Commission finds that Ms. Ethington's complaint complies with procedural requirements. The Commission further finds that the complaint states a *prima facie* case, because it makes allegations, which if uncontradicted by other evidence, would entitle the Complainant to at least a portion of the relief requested. Thus, the Commission finds that pursuant to 807 KAR 5:001, Section 20, West Laurel Water should satisfy the matters complained of or file a written answer to the complaint, as supplemented, within ten days from the date of service of this Order.

The Commission also finds that West Laurel Water should file with its response a copy of all records of tests of the meter that measured water service to Ms. Ethington's residence during the period in question and make the meter available to Commission Staff for testing. The Commission further finds that West Laurel Water should file a copy of all records of tests of the replacement meter before it was placed in service, including, if the meter was new when placed in service, any manufacturer certification of compliance with applicable standards for water metering.

The Commission notes that making a finding that the complaint establishes a *prima facie* case is not making a finding on the merits of complaint, but rather it is simply finding that the case may proceed from a procedural perspective. The Commission further notes that neither the filing of a complaint nor the Commission's finding that a complaint establishes a *prima facie* case eliminates or suspends a complainant's responsibility to, at a minimum, remit payment as contemplated by Section 11(6) of 807 KAR 5:006 for service rendered during the pendency of the case.⁸

⁸ See e.g. 807 KAR 5:006, Section 11(6).

IT IS THEREFORE ORDERED that:

1. West Laurel Water shall satisfy the matters complained of or file a written answer to the complaint within ten days from the date of service of this Order.
2. West Laurel Water shall file with its response to the complaint a copy of all meter test records of the meter that measured water service to Ms. Ethington's premises during the period covered by the complaint, including any tests or certifications of the meter before it was placed in service.
3. West Laurel Water shall make the meter that measured water service to Ms. Ethington's premises during the period covered by the complaint available to Commission Staff for testing.
4. A copy of this Order shall be served by the Executive Director or their designee via First Class, U.S. mail on Cheryl Ethington at 636 Rush Road W., London, Kentucky 40244.

Entered on this 18th day of August, 2026.

PUBLIC SERVICE COMMISSION



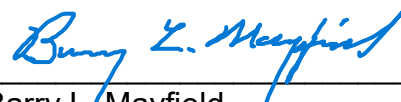
Angie Hatton
Chair



Mary Pat Regan
Vice Chair

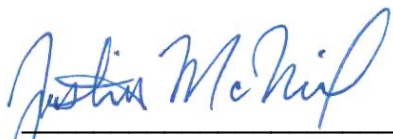


Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2026-00125 DATED AUG 18 2026

TWO PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAY 06 2026

PUBLIC SERVICE
COMMISSION

In the matter of:

(Your Full Name)

COMPLAINANT

VS.

(Name of Utility)

DEFENDANT

COMPLAINT

The complaint of Cheryl Ethington respectfully shows:
(Your Full Name)

(a) Cheryl Ethington
(Your Full Name)
636 Rush Rd W London KY 40324
(Your Address)

(b) West Laurel Water
(Name of Utility)
London KY
(Address of Utility)

(c) That: last bill in the amount of \$166.14
(Describe here, attaching additional sheets if necessary, the specific act, fully and clearly.)
I am requesting a new
(or facts that are the reason and basis for the complaint.)
meter and for the old one to be
inspected by an impartial 3rd
party

Cheryl Ethington vs. West Laurel Water

I believe I was charged for more water than we used. bill was double from Average usage

Wherefore, complainant asks

that a

(Specifically state the relief desired.)

a new meter and old meter be inspected by an impartial 3rd party

Dated at London Kentucky, this 14th day of

(Your City)

April, 2026

(Month)

Cheryl Ethington

(Your Signature*)

(Name and Address of Attorney, if any)

4-14-26

Date

Service List for Case 2026-00125

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

* Cheryl Ethington
636 Rush Road
London, KY 40744