

COMMONWEALTH OF KENTUCKY
BEFORE THE UTILITY REGULATORY COMMISSION

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In the Matter of

THE INVESTIGATION OF THE WATER)
SERVICE OPERATION OF MR. ROY) CASE NO. 8144
POTTER, ASHCAMP, KENTUCKY.)

SHOW CAUSE ORDER

On January 8, 1981, the Commission received a letter from Attorney Randy G. Clark, Pikeville, Kentucky, stating, among other things, that Mr. Roy Potter, Ashcamp, Kentucky is providing water service to fifty-three (53) people either residing in the Potter subdivision or outside the subdivision and, further, that Mr. Potter has increased rates from \$5.00 (the initial rate charged) to \$15.00. A Petition signed by fifteen (15) individuals accompanied the letter requesting that the Commission investigate the matter.

The Commission, by letter dated January 19, 1981 advised Mr. Potter that the water service operation appeared to fall within the jurisdiction of the Commission and requested that he inform the Commission of the area served, the number of customers, and the rates charged. No response was received and another letter dated February 5, 1981 was forwarded to Mr. Potter.

On February 12, 1981, the Commission received a letter from Attorney Pamela Todd Robinette, Pikeville, Kentucky, on behalf of Mr. Potter, stating, among other things, that in view of the expense necessary to operate as a public utility Mr. Potter has no choice but to disconnect all of those persons currently receiving water service.

The Commission, having considered the matter and being advised, hereby ORDERS That Mr. Roy Potter, Ashcamp, Kentucky, appear at the offices of the Utility Regulatory Commission,

730 Schenkel Lane, Frankfort, Kentucky, on March 19, 1981 at 2:30 p.m., Eastern Standard Time, to show cause, if any he can, why his water service operation should not be subject to the provisions of Section 278.010 of the Kentucky Revised Statutes which define "utility", in part, as "the diverting, developing, pumping, impounding, distributing or furnishing of water to or for the public, for compensation".

IT IS FURTHER ORDERED That Mr. Roy Potter shall not place into effect any increase in rates and shall not disconnect water service to those now receiving service pending completion of the Commission's investigation and hearings concerning this matter.

Done at Frankfort, Kentucky, this 13th day of February, 1981.

UTILITY REGULATORY COMMISSION

Katherine Randall

For the Commission

ATTEST:

Secretary