

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of

THE COMPLAINT OF MS. FRAN COLE,)
FRANKFORT, KENTUCKY AGAINST)
FARMDALE DEVELOPMENT CORPORATION)

CASE NO. 8547

O R D E R

On March 22, 1982, the Public Service Commission (Commission) received a letter from Ms. Fran Cole, Frankfort, Kentucky, concerning problems she is experiencing with sewer service, including the backing of sewage into her home. Sewer service is provided by Farmdale Development Corporation (Farmdale). The Commission investigated the complaint and prepared a Staff Report dated April 5, 1982, summarizing the investigation and containing conclusions and recommendations.

A copy of the Report was forwarded on April 5 to Mr. Carroll Cogan, operator of Farmdale, requesting that he respond to the matters in the Report no later than May 5, 1982. No written response was received. On May 26, 1982, Mr. Cogan was again requested to respond. No written response was made.

An order was issued by the Commission on June 10 against Farmdale to show cause why the staff's recommendations should not be implemented.

The hearing was held at the Commission's office on June 16. No representative of Farmdale appeared to respond to the Commission's order.

Evidence was received from the complainant, Ms. Cole. She purchased the home new and until recently experienced no problems with the sewage system. However, in the last several months, sewage has been backing up into her house, making use of toilets, washing machine, etc., impossible for parts of each day. A plumber hired by her inspected the sewer line and found no obstructions.

Ms. Cole further testified that contacts with Mr. Cogan of Farmdale failed to resolve the problem. She then complained to this Commission.

Based on the record before it, the Commission finds that:

1. Farmdale failed to respond adequately to Ms. Cole's request for assistance in determining the cause of the problem and in alleviating it;
2. Farmdale failed to respond in writing to staff requests for information about Ms. Cole's complaint;
3. Farmdale failed to have a representative at the hearing on this matter in violation of the order of June 10;
4. Farmdale's lack of attention to this situation indicates a lack of concern with the safe and efficient operation of the sewage system; and

5. Farmdale failed to sustain its burden of proof to show cause why it should not comply with the staff recommendations.

After reviewing the evidence, IT IS ORDERED that:

1. Within 10 business days of the date of this Order, Farmdale inspect the sewer line of Ms. Cole and repair it in such a manner to relieve the present problem and prevent future problems of a similar nature;

2. Within 10 business days of the date of this Order, Farmdale submit to the Commission a report on the condition of Ms. Cole's sewer line and the extent of the repairs made; and

3. Farmdale be more diligent in responding to future staff requests and customer complaints to forestall further Commission action against it.

Done at Frankfort, Kentucky this 17th day of June, 1982.

PUBLIC SERVICE COMMISSION

Marlin M. Holz
Chairman

Katherine Randall
Vice Chairman

Sam Rangan
Commissioner

ATTEST:

Secretary