

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PUBLIC SERVICE COMMISSION)	
)	
vs.)	CASE NO. 9222
)	
ANDY PECK)	

O R D E R

On November 19, 1984, a complaint was received by the Commission from the chairman of the McKinney Water District alleging that Mr. Andy Peck was selling water through his meter to eight customers. An investigation by the Commission staff confirmed the apparent sales. As a result of the complaint and investigation a hearing was held on December 12, 1984.

From the testimony of Mr. Peck, it was determined that he and his brother built at their expense a two inch water line of approximately one mile in length to service eight residences. Mr. Peck charges seven of those customers \$10 per month and one \$8 per month, regardless of usage. Mr. Peck pays McKinney Water District its tariff rate for all the water he purchases. Mr. Peck maintains the line at his expense.

A utility is defined by KRS 278.010(3)(d) as: "The...distributing or furnishing of water to or for the public, for compensa-

tion...." Mr. Peck is furnishing water to the public for compensation and is therefore operating as a utility.

Mr. Peck must begin immediately to comply with all rules and regulations of the Commission, including filing rate schedules and service tariffs as well as complying with all construction and operating standards.

After a review of the record IT IS ORDERED that:

1. Mr. Andy Peck is a utility subject to the jurisdiction of the Commission;

2. Mr. Peck shall immediately comply with all appropriate rules and regulations of the Commission or be subject to the penalties imposed by KRS 278.990;

3. Within 30 days of the date of this Order Mr. Peck shall file all appropriate tariffs;

4. Within 30 days of the date of this Order Mr. Peck shall inform the Commission in writing of the steps being taken to comply with this Order.

Done at Frankfort, Kentucky, this 10th day of January, 1985.

PUBLIC SERVICE COMMISSION

Richard D. Demery
Chairman

Paul W. [unclear]
Vice Chairman

[unclear]
Commissioner

ATTEST:

Secretary