

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

DENZIL A. O'DELL, JR.  
CAROLYN S. O'DELL

COMPLAINANTS

VS.

KENTUCKY-AMERICAN WATER COMPANY, INC.

DEFENDANT

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CASE NO. 91-051

O R D E R

On January 30, 1991, Denzil A. O'Dell, Jr. and Carolyn S. O'Dell ("O'Dells") filed a complaint against the Kentucky-American Water Company, Inc. ("Kentucky-American") regarding the new rate for water sales through bulk loading stations. In accordance with Commission Regulation 807 KAR 5:001, Section 12(4), the Commission examined the O'Dells' complaint, determined that it did not establish a prima facie case, and notified the O'Dells by Order dated February 22, 1991 that 20 days would be allowed for the filing of an amended complaint.

On March 12, 1991, the O'Dells filed a letter which states that the rate for water sales through bulk loading stations is unreasonable in comparison to Kentucky-American's rate for general service customers, and that users of the bulk loading stations will have to be more conservative to reduce their water

consumption. However, the O'Dells' letter fails to state any grounds to support their claim that the rate is unreasonable. The mere existence of different rates for different classifications of water service does not mean that the higher rate is unreasonable. As the Commission noted in its February 22, 1991 Order, the rate complained of was established on the basis of a cost-of-service study. No facts have been alleged to demonstrate that the cost-of-service study is unreliable or that the rate complained of is not cost based.

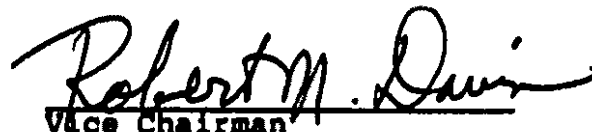
Based on a review of the additional information filed by the O'Dells, the Commission finds that the claim presented does not constitute a prima facie case that the rate complained of is unjust, unreasonable, unjustly discriminatory, or otherwise in violation of any of the provisions of the Kentucky Public Service Commission laws.

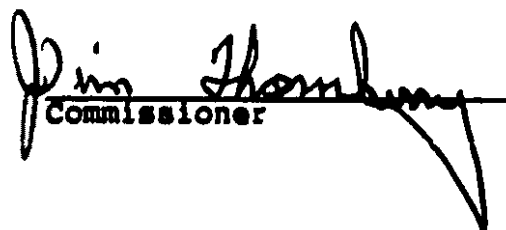
IT IS THEREFORE ORDERED that the O'Dells' complaint be and it hereby is dismissed.

Done at Frankfort, Kentucky, this 25th day of March, 1991.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director