

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLINTON CROSS)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO. 91-350
)	
GARRARD COUNTY WATER ASSOCIATION)	
)	
DEFENDANT)	

O R D E R

This matter arises out of a complaint filed with the Commission by Clinton Cross ("Cross") against the Garrard County Water Association, Inc. ("Garrard").

The subject matter of this complaint concerns certain late fees charged to Cross' July bill for water service. Cross alleges in his complaint that he did not receive the water bill for July at the first of the month as usual. Cross additionally alleges that he called Garrard's office on August 16, 1991 to confirm payment by mail. Garrard asserts that the payment that Cross mailed to Garrard was received on August 30, 1991, which was past the due date. The check mailed by Cross was in the amount of \$78.29. As a result of the late receipt of payment, Garrard assessed Cross a penalty in the amount of \$7.83. Garrard also charged a penalty of 78 cents for the next month's bill. This penalty resulted from the previous month's balance being past due

as a consequence of the initial \$7.83 assessed in the previous month not being paid.

Cross paid \$8.61 for the total of the two penalties. Cross avers that he should not have been required to pay the penalties since he was not responsible for the circumstances involved because he mailed the payment on August 16, 1991. Cross requests that he be reimbursed for the \$8.61 in penalties that he has paid.

IT IS THEREFORE ORDERED that:

1. All parties shall have 14 days from the date of this Order to file a written request for an informal conference or hearing. If no request is made, this case shall stand submitted to the Commission for its decision.

2. All parties have 14 days from the date of this Order to file any additional information which is deemed helpful in deciding the issues in this case.

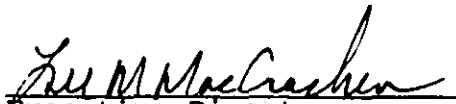
Done at Frankfort, Kentucky, this 6th day of December, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:


Executive Director

Commissioner