

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SAMUEL L. PERKINS

COMPLAINANT

VS.

SPEARS WATER COMPANY

DEFENDANT

CASE NO. 92-269

O R D E R

On June 4, 1992, Samuel L. Perkins filed a letter, which he intended to serve as a complaint pursuant to KRS 278.260, against Spears Water Company ("Spears").

In his letter, Mr. Perkins alleges Spears charged him for water he did not use and requests the Commission grant him a hearing on this issue.

807 KAR 5:001, Section 12, is the regulation that sets forth the procedure by which a formal complaint is filed. The Commission finds that Mr. Perkins did not comply with the requirements of the applicable regulation, and that as a result, important information relating to the complaint was not supplied. The Commission finds that Mr. Perkins has failed to establish a prima facie case against Spears. In order to establish a prima facie case, Mr. Perkins should fully, clearly, and with reasonable certainty describe the action of the Defendant that caused the complaint to be made. Mr. Perkins should also attach copies of

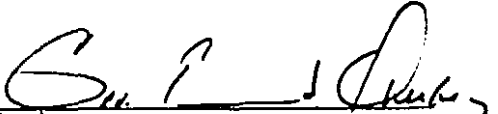
any bills indicating the amount he claims he was overcharged, the date of the overcharge, and any other correspondence between Spears and himself. The full name and post office address of both Complainant and Defendant should be listed. Ten copies of the complaint are to be filed with the Commission.

IT IS THEREFORE ORDERED that:

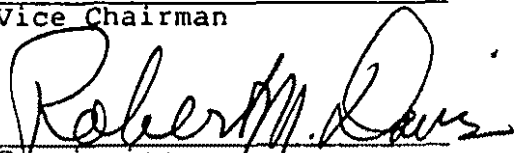
1. Complainant has 10 days to amend the complaint to establish a prima facie case.
2. If the complaint is not so amended within such time, this case shall be dismissed without further Order of the Commission.

Done at Frankfort, Kentucky, this 6th day of July, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director, Acting