

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SPEARS WATER COMPANY)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 96-449
)	
KENTUCKY-AMERICAN WATER COMPANY)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

Kentucky-American Water Company ("Kentucky-American") is hereby notified that it has been named as defendant in a formal complaint filed on September 12, 1996, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Kentucky-American is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 16th day of September, 1996.

ATTEST:

Don Mills
Executive Director

PUBLIC SERVICE COMMISSION

Linda K. Beath
Chairman

E. J. [Signature]
Vice Chairman

Robert M. Davis
Commissioner

RJ

RECEIVED

SEP 12 1996

Executive Director's Office

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

<u>Spears Water Company, Inc.</u>)
(Your Full Name))
COMPLAINANT)
VS.)
<u>Kentucky-American Water Company</u>)
(Name of Utility))
DEFENDANT)

96-449

C O M P L A I N T

The complaint of Spears Water Company, Inc. respectfully shows:
(Your Full Name)

(a) Spears Water Company, Inc.
(Your Full Name)

104 West Maple Street, Nicholasville, Ky. 40356
(Your Address)

(b) Kentucky-American Water Company
(Name of Utility)

2300 Richmond Road, Lexington, Ky. 40502
(Address of Utility)

(c) That: On Friday, September 6, 1996, Martin Lowry, Manager of Spears
(Describe here, attaching additional sheets if
was called to the property of John Ragland, 3533 Walnut Hill Road to investigate the
possibility of duplication of service.

necessary, the specific act, fully and clearly, or facts
Mr. Lowry discovered Dix and Associates, a pipeline construction company had been con-
tracted by Kentucky-American Water Company to install a meter at this location on Walnut

that are the reason and basis for the complaint.)
Hill Road and to remove Spears Water company, Inc. meter from service. This is a
flagrant attempt to duplicate service.

Formal Complaint

Spears Water Company, Inc. VS Kentucky-American Water Company
(Your Name) (Utility Name)

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This property and the Walnut Hill Road area have been served by Spears Water Company, Inc. for over twenty (20) years. Spears Water Company, Inc. is serving 70 customers in the area and derives 15-20% of its revenue from this area.

We understand that active solicitation by Kentucky-American Water Company of Spears Water Company's customers in this area has been conducted for the past several weeks. Spears is a customer of Kentucky-American Water Company which prohibits competitive pricing by Spears. This activity, if permitted, will seriously affect Spears Water Company, Inc. and its customers.

This action is contrary to statements made to the Commission by Officials of Kentucky-American Water Company. See Attachment

Wherefore, complainant asks that Public Service Commission prohibit (Specifically state the

Kentucky-American Water Company from serving Spears existing relief desired.)

customers and from soliciting any of Spears existing customers for

water service. Kentucky-American Water Company be instructed to

refrain from providing service to any of Spears existing customers, including John Ragland, until this matter is resolved.

Dated at Nicholasville, Kentucky, this 11th day
(Your City)

of September, 19 96.
(Month)

Spears Water Company & Co
by: William M. Lewis, PMS
(Your Signature)

(Name and address of attorney, if any)

orange line, again tying in at Clays Mills Road, continuing on across the Harrodsburg Road and, again, back to Fayette County. This line here generally follows an existing utility easement in that particular area.

Q 63 The application pending of Kentucky-American Water Company does not contain a request, does it, for the construction of any facilities west of Nicholasville Road?

A That is correct. It stops right here, right here is where the application ends at this time.

Q 64 Are you willing to make the same commitment with respect to service to Spears Water Company that you just made to Jessamine County Water District Number 1?

A No, I am not.

Q 65 Does Spears Water Company have a defined service territory?

A No, it does not.

Q 66 Will Kentucky-American Water Company solicit the existing customers of Spears Water Company if the Commission grants the Certificate as requested?

A No, it will not.

Q 67 Does Kentucky-American Water Company plan to