

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TOBIANNA W. HUDDLESTON	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 99-416
	)	
LAKE VILLAGE WATER ASSOCIATION, INC.	)	
	)	
DEFENDANT	)	

O R D E R

On October 1, 1999, the Complainant, Dr. Tobianna Huddleston, filed a formal complaint against the Lake Village Water Association, Inc., ("Lake Village"). Dr. Huddleston alleged in her complaint that Lake Village failed to repair a leak she reported to them and that this failure to repair said leak resulted in damage to personal and real property. Dr. Huddleston also alleged that the meter on the property was inaccurate and this caused Lake Village to overcharge for her actual water use. Dr. Huddleston requested that Lake Village replace the allegedly malfunctioning meter and repair the alleged leak in the pipes. Dr. Huddleston, in additional written correspondence with the Commission, further requested compensation for property damage caused by the alleged leak.

In its answer dated October 27, 1999, Lake Village specifically denied that a leak existed at the location referenced by Dr. Huddleston and further denied that it had

overcharged Dr. Huddleston for actual water usage measured through the allegedly malfunctioning meter. Lake Village further claimed that it had examined the property for the alleged leak several times, each time finding no leak. Lake Village also claimed that it had tested the disputed meter and had in fact replaced the meter in Dr. Huddleston's property three times prior to the filing of this formal complaint, testing all removed meters for accuracy. Lake Village claims that all of the tests resulted in finding that all three meters fell within the prescribed requirements promulgated by the Commission.

Pursuant to procedure, the Commission entered a procedural order ordering a discovery schedule and a hearing on the matter scheduled for April 7, 2000 at 9:00 a.m., Eastern Daylight Time, in the Commission's offices located at 211 Sower Boulevard in Frankfort, Kentucky.

On March 2, 2000, the Commission received a letter from Dr. Huddleston requesting that her complaint be dismissed upon her own motion. In this letter, Dr Huddleston states that she had been informed by a third party that the Commission does not have the jurisdiction to grant the relief she sought, to wit, compensation for damages allegedly caused by Lake Village's negligence.

The Commission, having reviewed the evidence of record and having been otherwise sufficiently advised, **HEREBY ORDERS** that the Complainant's motion is granted and the complaint herein is dismissed.

Done at Frankfort, Kentucky, this 10<sup>th</sup> day of March, 2000.

By the Commission

ATTEST:

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Executive Director