PUBLIC SERVICE COMMISSION
INTER-AGENCY MEMORANDUM

TO: File

FROM: Joe Greenwell
Water Utility Investigator
Division of Engineering

DATE: October 22, 2003

CASE: No. 2002-00414

SUBJECT: Dathan Lee Lane vs. Garrard County Water Association, Inc.

On October 22, 2003, I met with Mr. Colby Ward, president of the Garrard County Water Association, Inc. to confirm placement of water meters that the complainant, Mr. Dathan Lee Lane had brought up at an informal conference held on April 24, 2003. Mr. Lane had raised the issue of whether Garrard Water had installed water meters on property not owned by the customers served by those meters. Specifically, he mentioned the Kenneth Todd water meter, the Montgomery property on Lewis – Ward Road and the Saylor property on High Bridge Road where Nancy and Ronnie Saylor have a water meter. All of the water meters were at the site mentioned in the letter from Damon R. Tally, Attorney for the Garrard County Water Association, Inc. dated August 22, 2003 (Response of Garrard County Water Association, Inc. for the information requested by Commission Staff.) However, only one is on property owned by Nancy and Ronnie Saylor on High Bridge Road. The other (2) two are not on the owner's property. This is explained in the letter of August 22, 2003, which is attached along with pictures of the meters in question.

cc: J.E.B. Penney, Team Leader
George Wakim
Carolyn Jones
Jason Green
Jeff Cline

DAMON R. TALLEY, P.S.C.

112 N. LINCOLN BLVD.
P.O. BOX 150
HODGENVILLE, KENTUCKY 42748

TEL (270) 358-3187
FAX (270) 358-9560

DAMON R. TALLEY
ATTORNEY AT LAW

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PUBLIC SERVICE COMMISSION

August 22, 2003

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Mr. Thomas M. Dorman
Executive Director
Public Service Commission
P.O. Box 615
Frankfort, KY 40602

RE: Dathan Lee Lane Complaint
Garrard County Water Association, Inc.
Case No. 2002-00414

Dear Mr. Dorman:

Enclosed for filing are the original and ten (10) copies of the Response of Garrard County Water Association, Inc. to the information requested by Commission Staff.

Yours truly,
DAMON R. TALLEY, P.S.C.

Damon R. Talley

DAMON R. TALLEY, ATTORNEY FOR
GARRARD COUNTY WATER
ASSOCIATION, INC.

DRT:ln

Enclosures

cc: Garrard County Water Association, Inc.
Dathan Lee Lane

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

DATHAN LEE LANE	)	
	)	
COMPLAINANT	)	
	)	
VS.	)	CASE NO. 2002-00414
	)	
GARRARD COUNTY WATER ASSOCIATION, INC.	)	
	)	
DEFENDANT	)	

RESPONSE OF
GARRARD COUNTY WATER ASSOCIATION, INC.
TO INFORMATION REQUEST

Comes the Garrard County Water Association, Inc. ("Garrard Water"), by Counsel, and for its Response to the Information Request made by Commission Staff at the Informal Conference states as follows:

1. **Introduction.** At the Informal Conference held on April 24, 2003, Dathan Lee Lane ("Lane") raised the issue of whether Garrard Water had installed water meters on property not owned by the customers served by those meters. In

essence, Mr. Lane alleged that Garrard Water was violating its own policy as set forth in its tariff. Specifically, he mentioned the following:

a. Kenneth Todd Meter;

b. Montgomery Property on Lewis-Ward Road; and

c. Saylor Property on High Bridge Road.

2. **Kenneth Todd Meter.** The water line and meter servicing Mr. Todd's property were installed in 1996 as part of a project financed by Rural Development ("RD"). Mr. Todd's meter is not located on the Todd property. It is located on the opposite side of a creek (the East Fork of Back Creek) from the Todd property. Garrard Water's water distribution line runs along Hurt Lane. There is a narrow strip of land between Hurt Lane (a county road) and the creek. The water meter is located on the narrow strip. The narrow strip of land is either part of the county road right-of-way or it is owned by Bradley Barnes. In any event, RD personnel strongly "suggested" that the meter be located so that Garrard Water would not incur the initial expense of running a service line across the creek. By doing so, Garrard Water also avoided the monthly chore of having to cross the creek to read the meter.

3. **Montgomery Property on Lewis-Ward Road.** The meter is question is **now** located on property other than that served. In 1996 when the water line and meters were initially installed along Lewis-Ward Road, however, all meters were

properly located. Each meter was located on property owned by the customer served by that meter (See the map attached hereto as **Exhibit A**). Since Mr. Lane raised the issue about improperly located meters on Lewis-Ward Road, Garrard Water's staff has gone to the Garrard County Courthouse to investigate. This research indicates that there have been numerous real estate transfers along Lewis-Ward Road since the meters were initially installed. As a result, the property ownership and boundary lines are now different from what existed in 1996.

4. **Saylor Property on High Bridge Road.** There are four (4) households of the Saylor family living on various properties along High Bridge Road. Mr. Lane specifically mentioned that the meter for Nancy and Ronnie Saylor was not located on their property. This information is **incorrect**. The meter for Nancy and Ronnie Saylor **is located** on their property. Nancy and Ronnie Saylor own an access strip of land 15 feet in width which extends from High Bridge Road to their five (5) acre parcel of land where their house is located. The water meter for Nancy and Ronnie Saylor is located on their access strip adjacent to High Bridge Road. In addition, a field investigation made by Garrard Water's staff confirms that all meters located along this portion of High Bridge Road are properly located on property owned by the customer served by that particular meter.

5. **Recent Short Water Line Extensions.** Attached as **Exhibit B** is a list of short water line extensions that have been constructed within the past few years. These water lines were constructed pursuant to Garrard Water's Rules and Regulations which are consistent with the Commission's regulations, 807KAR5:066, Section 11 pertaining to water line extensions. These short water line extensions were necessary so that each customer's water meter would be located on his or her own property. This demonstrates that Garrard Water is serious about complying with its own rules and regulations and consistently enforces these policies.

Respectfully Submitted,

DAMON R. TALLEY, P.S.C.

Damon R. Talley

DAMON R. TALLEY
P. O. BOX 150
HODGENVILLE KY 42748
(270) 358-3187 FAX (270) 358-9560
ATTORNEY FOR GARRARD COUNTY WATER ASSOCIATION, INC.

CERTIFICATE OF SERVICE

This is to certify that I have mailed a true copy of the foregoing Response this 22d day of August, 2003, to the following:

Dathan Lee Lane
325 Stiendorf Lane
Lancaster, KY 40444

Harold C. Ward
Garrard County Water Association, Inc.
P. O. Box 670
Lancaster KY 40444-0670

Damon R. Talley
DAMON R. TALLEY

Are ~~100% of the~~ meters
99%

ORIGINAL CONSTRUCTION OF WATER LINES AND METERS ALONG LEWIS-WARD ROAD WITH PROPERTY BOUNDARY LINES SHOWN

Property lines on Lewis Ward Road - Original Construction

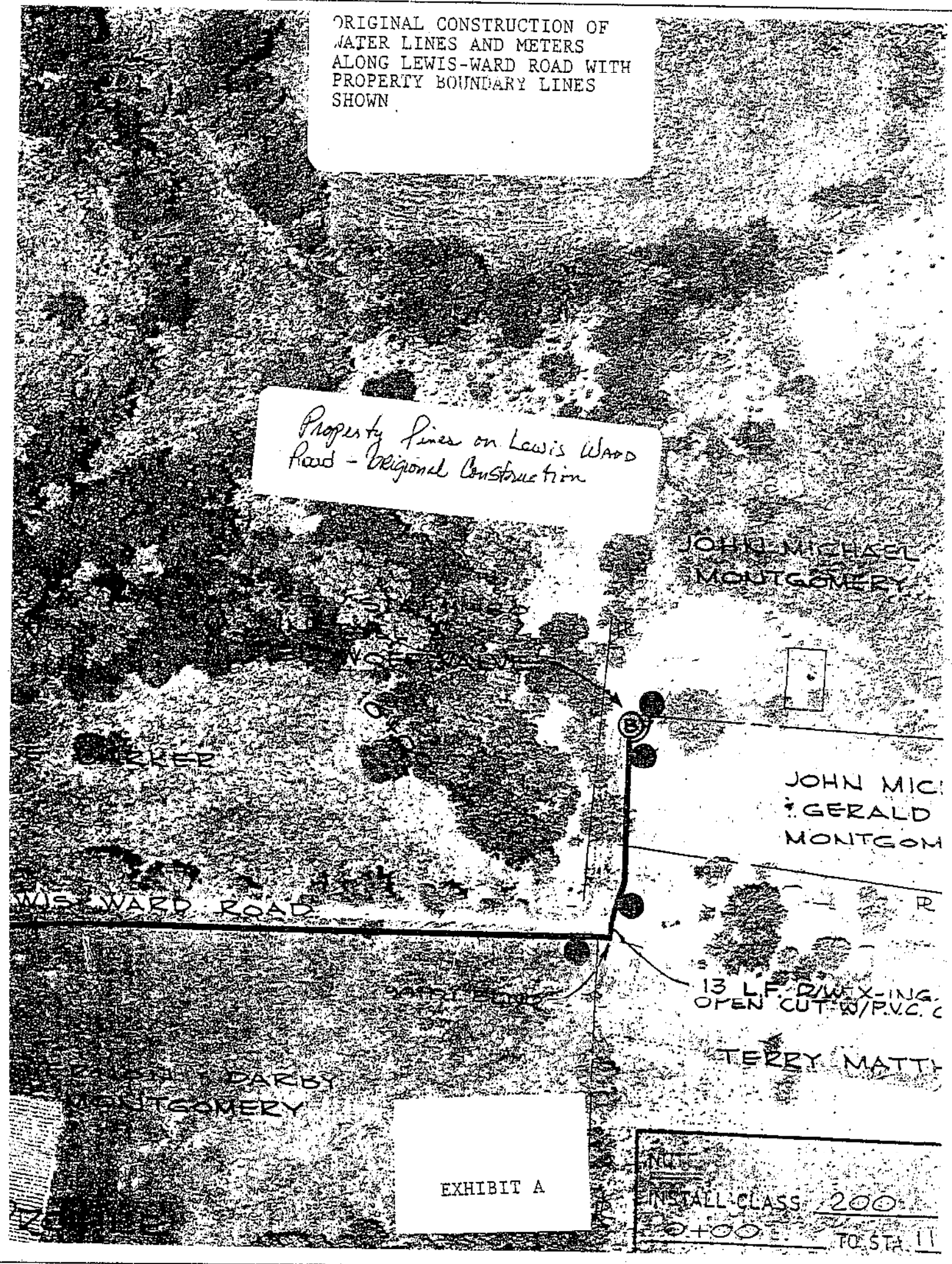


EXHIBIT A

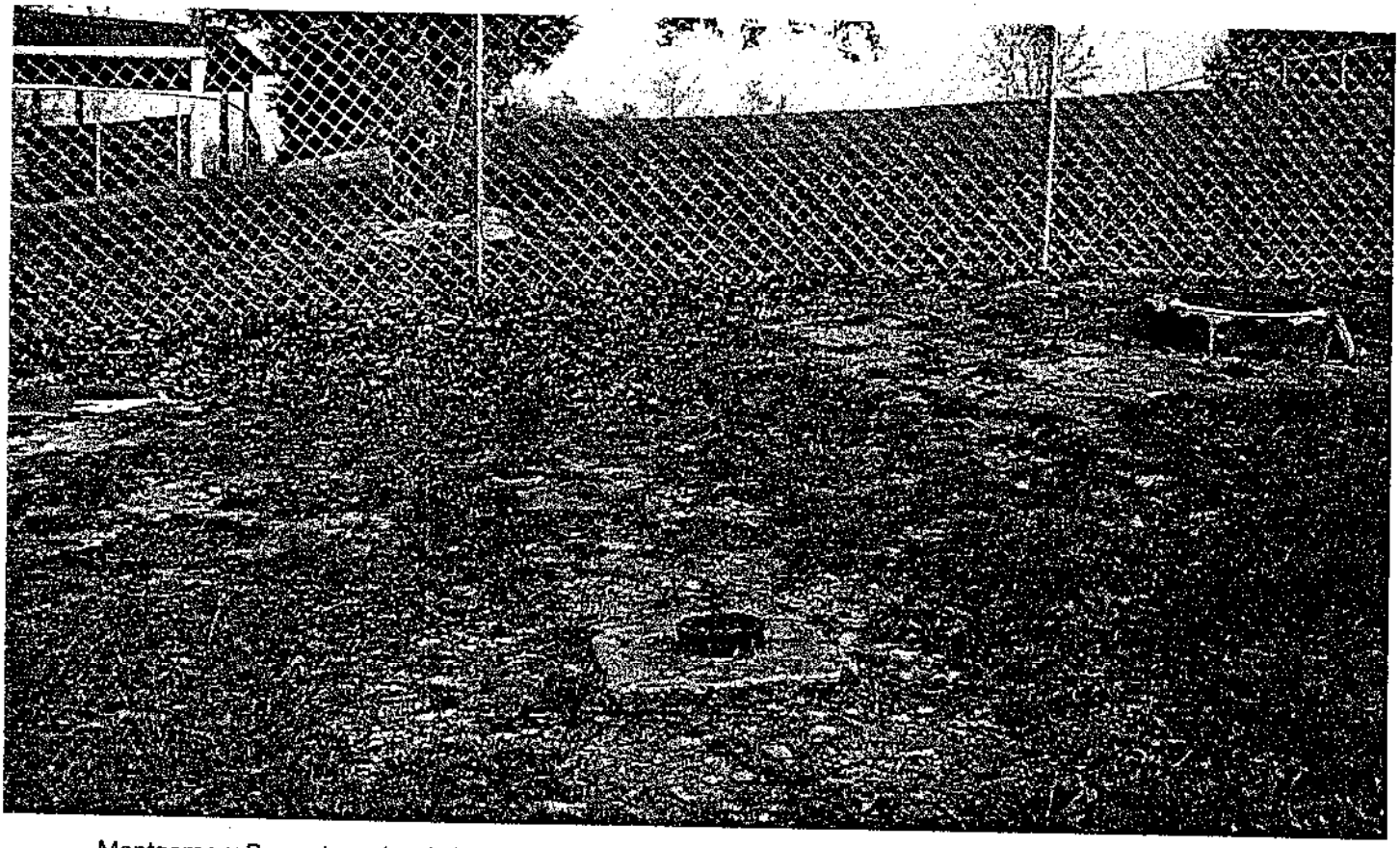
RECENT SHORT WATER LINE EXTENSIONS

1. Prewitt Property – Manse Road – 460 feet of distribution line – subdivided property to be served – 2003
2. Rogers Property – One tenth of a mile east of Paint Lick – 420 feet of distribution line – house and small farm having no frontage on Highway 52 where existing water main is located – 2002.
3. Hampton Property – Sea Cadet Road – extension of 280 feet required to serve property as subdivided – 2002.
4. Four families on Fuzzy Duck Road – extension of 380 feet required to serve these properties – 2002
5. Osborne Property – Sunset Lodge Road – after subdividing the property extension of 180 feet required to relocate water meter so that it is now located on the property served – 2001
6. Anderson Property – Lane Road – purchased property 260 feet west of Highway 1972 where existing water main is located – 260 foot extension required - 2002

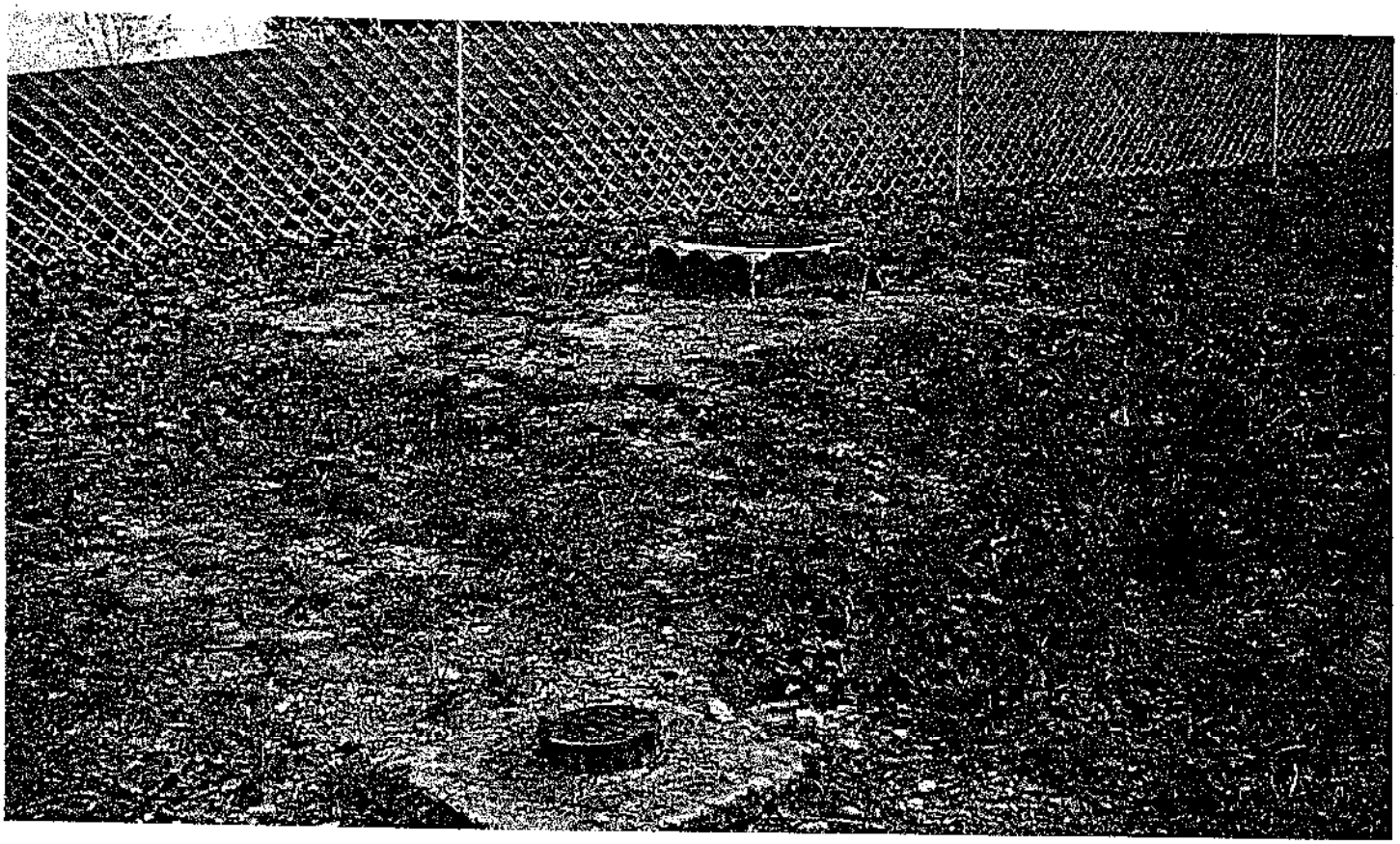
Additionally, there are four more such situations for the year 2000, three for 1999, one for 1998, one for 1997 and four in 1992.

EXHIBIT B

Kenneth Todd water meter on the opposite side of the East Fork of Black Creek from the Todd property.



Montgomery Property on Lewis-Ward Road. The blowoff in front of the meters was installed in 1994 on the original property line.



There have been numerous real estate transfers in this area and as a result, the property ownership and boundary lines are now different from what existed in 1996.

The meter for Nancy and ronnie Saylor on the 15 ft. acess strip which they own