

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RONALD D. MCGINNIS)	
COMPLAINANT)	
V.)	
NORTH MERCER WATER DISTRICT)	CASE NO. 2016-00154
DEFENDANT)	

ORDER

The Commission initiated this case by Order entered April 21, 2016, directing North Mercer Water District (“North Mercer”) to either satisfy the matters set forth in the formal complaint by Ronald D. McGinnis (“Complainant”) or file a written answer within ten days. On May 31, 2016, North Mercer filed a motion for an extension of time to file an answer (“Motion”). In support of its Motion, North Mercer states it “believed it had sufficiently responded to the Commission’s inquiry by its April 8, 2016 Response to the Commission investigator.”

Complainant initially presented his allegations against North Mercer to the Commission as an informal complaint. The Commission’s Consumer Services Division then contacted North Mercer by telephone on April 8, 2016, in an effort to resolve the informal complaint, and the conversation held at that time is the “Response” North Mercer references in its Motion. In that April 8, 2016 Response, North Mercer stated

that there was a pending civil action against Complainant in the Mercer Circuit Court connected to the issues presented herein.

After Complainant filed his formal complaint, the Commission issued an Order to Satisfy or Answer the Complaint on April 21, 2016, and the same was served electronically on North Mercer on that date at the e-mail address nmwd@burginwireless.com.¹ No response was received from North Mercer within ten days as required by that Order. Commission Staff ("Staff") subsequently contacted counsel for North Mercer on May 11, 2016, to inquire as to North Mercer's response, and was informed that counsel had no knowledge of North Mercer's receipt of the Order. A copy of the Order was faxed and mailed to counsel for North Mercer on May 12, 2016, with the suggestion that North Mercer file a motion for an extension of time to file an answer.² North Mercer's Motion was ultimately filed on May 31, 2016.

The Commission, having considered the Motion, finds that North Mercer should be granted an extension of time of ten days from the date of this Order to file an answer to the complaint.

IT IS THEREFORE ORDERED that:

1. North Mercer's motion for an extension of time is granted.
2. North Mercer shall file its Answer to the complaint within ten days of the date of this Order.

¹ Email from Kentucky Public Service Commission to North Mercer Water District, April 21, 2016, attached as Appendix A to this Order.

² Letter from Public Service Commission to Thomas Jones, Esq., May 12, 2016, attached as Appendix B to this Order.

3. North Mercer's answer shall address the allegations set forth in the formal complaint and discuss in detail the issues raised and relief requested in the pending action in the Mercer Circuit Court.

By the Commission

ENTERED
JUN 10 2016
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Acting Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2016-00154 DATED **JUN 10 2016**

From: [KY_PSC Filings](#)
To: nmwd@burginwireless.com; PSC - Electronic Filings Mailbox
Subject: Item Logged For Case: 2016-00154
Date: Thursday, April 21, 2016 11:17:42 AM

Confirmation of Posting.

This notification is sent regarding the recent filing for case# 2016-00154 on 4/21/2016 at 11:17 AM

Filed by: PSC

Date/Time Filed: 4/21/2016 11:17:41 AM

The following Document(s) have been posted to the Case File

Linked below is a document from the Kentucky Public Service Commission from case number 2016-00154. This is an official document and service is rendered based upon this email. Pursuant to KRS 278.380 amended by the Kentucky General Assembly during the 2014 General Session, the electronic delivery of all Kentucky Public Service Commission orders is now allowed. This includes data requests, as well as all other case-related documents. Electronic transmission may include either an electronic version of the order or document or a hyperlink to the order or document on the PSC website. The mailing date of the order or document will be the date of the electronic transmission. Any applicant or party desiring delivery of orders or documents by postal mail may request such delivery on a per case basis from the PSC and demonstrate good cause for the request.

[PSC_ORDER File](#)

You are receiving this message as a member of the service list or participating utility on case: 2016-00154 For more information or if you have problems opening a link received through an electronic notice from the Commission, contact the PSC Division of Filings.

Kentucky Public Service Commission
Address: P.O. Box 615 , 211 Sower Boulevard, Frankfort, Kentucky 40602-0615
Phone: (502) 564-3940, Fax: (502) 564-3460
Office Hours: Monday - Friday 8am - 5pm

SERVICE LIST:

Ronald D McGinnis - - Mailed
North Mercer Water District - nmwd@burginwireless.com
North Mercer Water District North Mercer Water District -
nmwd@burginwireless.com

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2016-00154 DATED **JUN 10 2016**



Matthew G. Bevin
Governor

Charles G. Snaveley
Secretary
Energy and Environment Cabinet

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460
psc.ky.gov

Daniel E. Logsdon Jr.
Vice Chairman

Robert Cicero
Commissioner

May 12, 2016

Sent via fax: (502) 839-6029

Hard copy to follow:

Thomas Jones, Esq.
138 S. Main St.
Lawrenceburg, KY 40342

Re: Ronald D. McGinnis v. North Mercer Water District
Case No. 2016-000154

Dear Mr. Jones:

Per the telephone conversation with Commission Staff on May 11, 2016, attached please find a copy of the Order to Satisfy or Answer ("Order") and the Complaint filed in the matter referenced above. The Order entered by the Commission on April 21, 2016, requires North Mercer Water District ("North Mercer") to satisfy the matters complained of or file a written answer within ten days. The Order was served on North Mercer electronically on April 21, 2016, at the email address nmwd@burginwireless.com. No answer has been received to date and the time period to answer has expired. Therefore, Commission Staff would suggest that North Mercer file a motion for an extension of time to file an answer in this matter.

If you have any questions, please contact Jennifer Fell, Commission Staff attorney, at (502) 782-2585.

Sincerely,

Aaron D. Greenwell
Acting Executive Director

JF/ph

Attachments

cc: Parties of Record

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RONALD D. MCGINNIS)	
COMPLAINANT)	
V.)	
NORTH MERCER WATER DISTRICT)	CASE NO. 2016-00154
DEFENDANT)	

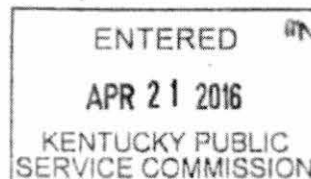
ORDER TO SATISFY OR ANSWER

North Mercer Water District ("North Mercer") is hereby notified that it has been named as defendant in a formal complaint filed on April 7, 2016, a copy of which is attached as the Appendix to this Order.

Pursuant to 807 KAR 5:001, Section 20, North Mercer is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within ten 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.

By the Commission



ATTEST:


Acting Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2016-00154 DATED **APR 21 2016**

COMMONWEALTH OF KENTUCKY

Case No. 2016-00154

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

RONALD D. MCGINNIS)
(Your Full Name))
COMPLAINANT)

VS.)

NORTH MERCER Water District)
(Name of Utility))
DEFENDANT)

RECEIVED
APR 07 2016
PUBLIC SERVICE
COMMISSION

COMPLAINT

The complaint of RONALD D. MCGINNIS respectfully shows:
(Your Full Name)

(a) RONALD D. MCGINNIS
(Your Full Name)

P.O. Box 538 - Harrodsburg Ky. 40330
(Your Address)

None
(Your Email Address)

(b) NORTH MERCER Water Dist. P.O. Box 179
(Name of Utility)

108 Main St Salvise, Ky. 40372
(Address of Utility)

(c) That: Farm house on 244 Cap Bottom Lane Harrodsburg, Ky. 40330
(Describe here, attaching additional sheets if necessary,

on May 21, 2015 I requested service be shut off (in my name)
the specific act, fully and clearly, or facts that are the reason

on June 03, 2015 I again called them because service (water)
and basis for the complaint.)

was visibly on (out faucet); was told by Tommy[†] or Bobbi[†]

Continued on Next Page

Formal Complaint

Ronald D McGinnis vs. North Mercer Water District

Page 2 of 2

Water was off + locked, but renter (Kriston Young) + (David Jones) may have broken lock + were using service. No further communication until early March 2016 when the next renter requested service + is being denied until \$250.17 + \$702.00 new deposit + re-connect fee is paid. (see enclosed phone call list)

Wherefore, complainant asks I was disabled, live alone + (Specifically state the relief desired.)

was unable to visibly see or check in a 3-foot hole the meter status (Nov. 20²⁰¹⁵ had hip replacement + am 90% healed) I was told field personnel physically checked all meters every 6 mos. (would've been late Nov. or Dec. 2015, not March 2016. I pd final bill (15 days)

Dated at Harradsburg, Kentucky, this 17th day 2015 ^{20 shown} _{July 07} 1709

of April, 20 16
(Month)

Ronald D McGinnis
(Your Signature*)

N/A
(Name and address of attorney, if any)

April 07, 2016
Date

*Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

Off 244 Cap Bottom Lane

2 WAF

Called on Monday

Letter called

for sheet off

5/15/2015 2:49 PM	WD		HARRODSBG KY	\$0.00	16.0 min	0000 P
5/16/2015 2:27 AM	MW		HARRODSBG KY	\$0.00	1.0 min	0000 M
5/16/2015 3:42 PM	WW		HARRODSBG KY	\$0.00	30.0 min	0000 N
5/16/2015 4:13 PM	WW		HARRODSBG KY	\$0.00	17.0 min	0000 N
5/18/2015 1:20 PM	WD		TOLL FREE	\$0.00	5.0 min	0000 P
5/18/2015 1:27 PM	WD		SALVISA KY	\$0.00	1.0 min	0000 P
5/18/2015 4:01 PM	WD		HARRODSBG KY	\$0.00	6.0 min	0000 P
5/19/2015 12:18 PM	WD		HARRODSBG KY	\$0.00	1.0 min	0000 P
5/19/2015 4:35 PM	WD		HARRODSBG KY	\$0.00	3.0 min	0000 P
5/21/2015 12:56 PM	WD		HARRODSBG KY	\$0.00	1.0 min	0000 P
5/21/2015 3:27 PM	WD		TOLL FREE	\$0.00	4.0 min	0000 P
5/21/2015 4:02 PM	WD		SALVISA KY	\$0.00	2.0 min	0000 P
5/23/2015 4:46 AM	MW		HARRODSBG KY	\$0.00	2.0 min	0000 M
5/23/2015 3:39 PM	WW		HARRODSBG KY	\$0.00	35.0 min	0000 N
5/24/2015 3:44 PM	WW		HARRODSBG KY	\$0.00	2.0 min	0000 N
5/24/2015 4:19 PM	WW		HARRODSBG KY	\$0.00	25.0 min	0000 N
5/24/2015 7:27 PM	WW		HARRODSBG KY	\$0.00	2.0 min	0000 N
5/25/2015 5:16 PM	WD		HARRODSBG KY	\$0.00	1.0 min	0000 P

Hungry Electric

NO. Mercr Util.

NORTH MERCER WATER DISTRICT
 108 MAIN ST
 P. O. BOX 78
 SALVISA, KY 40370

MERCER CO. PH: 859-652-2292
 ANDERSON, BOYLE & WASHINGTON COUNTIES
 CALL COLLECT 859-655-2100

RATES AVAILABLE UPON REQUEST

ACCOUNT [REDACTED] 05/13/15 TO 05/27/15

SERVICE AT 244 Cap Bottom Lane (15 day bill)

TYPE	PRESENT	PREVIOUS	USAGE	CHARGES
WAF	41790	40920	870	16.59
LT	Mercer School Tax			0.50

Final Bill from Farm

GO TO OUR WEBSITE TO VIEW
 OUR WATER QUALITY REPORT
 OR TO PAY YOUR BILL
 WWW.NDRT.MERCERWATER.ORG

CLASS	AMOUNT DUE AFTER DUE DATE	DUE DATE	AMOUNT DUE ON OVERDUE DATE
R01	18.75	07/10/15	17.08

A 1% PENALTY APPLIED ON 15TH OF MONTH ALL DELINQUENT ACCOUNTS ARE SUBJECT TO DISCONNECTION ANYTIME AFTER THE 25TH OF EACH MONTH RECONNECTION FEE \$30.00

NORTH MERCER WATER DISTRICT
 108 MAIN ST
 P. O. BOX 78
 SALVISA, KY 40370

MERCER CO. PH: 859-652-2292
 ANDERSON, BOYLE & WASHINGTON COUNTIES
 CALL COLLECT 859-655-2100

RATES AVAILABLE UPON REQUEST

ACCOUNT [REDACTED] 05/27/15 TO 03/11/16

SERVICE AT 244 Cap Bottom Lane #4764

TYPE	PRESENT	PREVIOUS	USAGE	CHARGES
BF	Balance Forward			111.74
WAF	62290	41790	20500	134.40
LT	Mercer School Tax			4.03

NON-PAYMENT CUT OFF 4/27/2016

CHECK OUT OUR WEBSITE
 www.northmercerwater.org

CLASS	AMOUNT DUE AFTER DUE DATE	DUE DATE	AMOUNT DUE ON OVERDUE DATE
R01	263.61	04/10/16	250.17

A 1% PENALTY APPLIED AFTER THE 15TH OF MONTH ALL DELINQUENT ACCOUNTS ARE SUBJECT TO DISCONNECTION ANYTIME AFTER THE 25TH OF EACH MONTH RECONNECTION FEE \$30.00

FORWARDING & ADDRESS CORRECTION REQUESTED

PREVIOUS PAST DUES U.S. POSTAGE WILL BE PAID BY ADDRESSEE

** FINAL BILL **

ACCOUNT	TRUE DATE
[REDACTED]	04/10/16

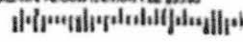
AMOUNT DUE ON OVERDUE DATE	SAVE THIS	AMOUNT DUE AFTER DUE DATE
250.17	13.44	263.6

PLEASE RETURN THIS SLIP WITH PAYMENT

AUTO 5-D
 RON MCGINNIS
 PO BOX 538
 HARRODSBURG KY

40330-0538

Printed By:



PAGE 05/05

MAINSOURCE BANV.

8597347671

16:45

04/07/2016

returned calls to both utilities - why was water electric not off
 → wraps → per Tami or Bobbi
 → Renter - Young had pd. Electric Deposit

Usage Viewer Listing

Billing Period: July 2015 Cycle 1

Report Created On: 3/31/2016 3:08:38 PM

Date	Time	Day	Account	City	State	Amount	Duration	Rate	Category	Usage	Unit
6/2/2015	10:22 PM	WN	[REDACTED]	NO SUMTER	SC	\$0.00	1.0 min	0000	N		
6/3/2015	3:53 PM	WD	[REDACTED]	TOLL FREE	Bluegrass Electric	\$0.00	6.0 min	0000	P		
6/3/2015	4:06 PM	WD	[REDACTED]	SALVISA	KY	\$0.00	4.0 min	0000	P		
6/4/2015	4:58 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	1.0 min	0000	P		
6/4/2015	4:59 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	1.0 min	0000	P		
6/4/2015	5:00 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	2.0 min	0000	P		
6/4/2015	6:42 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	6.0 min	0000	P		
6/4/2015	10:02 PM	WN	[REDACTED]	CHATTNOOGA	TN	\$0.00	1.0 min	0000	N		
6/4/2015	10:03 PM	WN	[REDACTED]	CHATTNOOGA	TN	\$0.00	2.0 min	0000	N		
6/6/2015	2:09 PM	WW	[REDACTED]	HARRODSBG	KY	\$0.00	1.0 min	0000	N		
6/9/2015	2:22 PM	WD	[REDACTED]	DANVILLE	KY	\$0.00	3.0 min	0000	P		
6/9/2015	3:06 PM	MD	[REDACTED]	HARRODSBG	KY	\$0.00	2.0 min	0000	M		
6/9/2015	3:07 PM	WD	[REDACTED]	DANVILLE	KY	\$0.00	7.0 min	0000	P		
6/9/2015	3:27 PM	WD	[REDACTED]	FRANKFORT	KY	\$0.00	4.0 min	0000	P		
6/9/2015	3:31 PM	WD	[REDACTED]	FRANKFORT	KY	\$0.00	5.0 min	0000	P		
6/10/2015	1:32 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	18.0 min	0000	P		
6/10/2015	3:35 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	19.0 min	0000	P		
6/10/2015	7:29 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	40.0 min	0000	NP		
6/11/2015	12:48 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	4.0 min	0000	P		
6/12/2015	5:19 PM	WD	[REDACTED]	HARRODSBG	KY	\$0.00	2.0 min	0000	P		
6/12/2015	9:26 PM	WW	[REDACTED]	HARRODSBG	KY	\$0.00	10.0 min	0000	N		
6/13/2015	12:35 PM	MW	[REDACTED]	HARRODSBG	KY	\$0.00	2.0 min	0000	M		
6/13/2015	2:26 PM	WW	[REDACTED]	HARRODSBG	KY	\$0.00	8.0 min	0000	N		
6/13/2015	10:44 PM	WW	[REDACTED]	HARRODSBG	KY	\$0.00	3.0 min	0000	N		
6/14/2015	9:05 PM	WW	[REDACTED]	HARRODSBG	KY	\$0.00	6.0 min	0000	N		
6/15/2015	1:12 AM	WW	[REDACTED]	HARRODSBG	KY	\$0.00	47.0 min	0000	N		
6/15/2015	2:02 AM	WW	[REDACTED]	HARRODSBG	KY	\$0.00	45.0 min	0000	N		
6/15/2015	12:05 PM	MD	[REDACTED]	HARRODSBG	KY	\$0.00	1.0 min	0000	M		

Printed By:

Ronald D McGinnis
P.O. Box 538
Harrodsburg, KENTUCKY 40330

*North Mercer Water District
P. O. Box 79
Salvisa, KY 40372

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