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BRUCE E. SMITH  
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September 20, 2006

**VIA FACSIMILE: (502) 564-3460**  
**AND FIRST CLASS MAIL**

Ms. Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602-0615

**RECEIVED**  
SEP 25 2006  
PUBLIC SERVICE  
COMMISSION

Re: Case No. 2005-00544  
Informal Conference Memorandum Comment

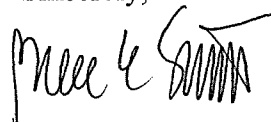
Dear Ms. O'Donnell:

As you will recall, the event which precipitated the above referenced dispute was the termination of the Complainants' water service by the City of Nicholasville based on their failure to pay their water bill and to repair their service line. Although no tangible proof was offered at the Informal Conference, it was disclosed by my client at that time that the bill in arrears had already been paid by a third party.

Upon further investigation after the Informal Conference, my client discovered that not only had the bill been paid, but the service line has been repaired and the water service was restored to the property by the City of Nicholasville on June 16, 2006. Enclosed is an e-mail from the City of Nicholasville's Director of Utilities, Tom Calkins, which verifies the foregoing information and a repair bill which Mr. Calkins had in his file verifying the extent and cost of the repairs to the service line.

This new information further supports my client's refusal to provide service to the Complainants and it appears that it obviates the need for the Commission to proceed further.

Sincerely,

  
Bruce E. Smith

Enclosure

CC: David S. Samford, Esq.

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**Bruce E. Smith**

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**From:** Tom Calkins [tom\_calkins@nicholasville.org]  
**Sent:** Tuesday, September 05, 2006 4:40 PM  
**To:** Bruce E. Smith  
**Subject:** Lowry et al

Bruce:

The arrearages on the Lowry account were paid on 10/24/05....Service was reinstated on June 16, 2006 following the repair of leaks on their service line.....(See attached).....

Let me know if you have any Q's.....

Thomas P. Calkins  
Director of Public Utilities  
City of Nicholasville  
859-885-1121 (V)  
859-881-0750 (F)

9/5/2006

DUNAWAY PLUMBING  
 165 HANDYS BEND ROAD  
 WILMORE, KY. 40390  
 (859)-887-2353 (859)-887-3135

# Invoice

DATE	INVOICE NO.
6/17/2006	7089

**BILL TO**  
 AILENE LOWRY  
 110 EDGEWOOD PLAZA  
 NICHOLASVILLE, KY. 40356  
 C/O PRESS VEAL

**JOB LOCATION**  
 REPAIRED WATER LEAKS IN SERVICE LINE  
 INSTALLED PRESSURE REDUCING VALVE

DESCRIPTION	QTY	RATE	TERMS	
			Due on receipt	AMOUNT
1" CTS X 1" IPS BRASS ADAPT	2	48.27		96.54
ZURN-WILKINS PRESSURE REDUCING VALVE	1	66.39		66.39
3/4 X 6 BRASS NIPPLE	1	9.95		9.95
3/4 CTS X 3/4 IPM ADPT	2	15.79		31.58
1 CTS SS INSERT	2	2.98		5.96
3/4 CAP	1	2.45		2.45
SS CLAMP	1	1.68		1.68
1" CTS 200 PSI PLASTIC PIPE	10	0.92		9.20
1 X LONG RP COUPLING	2	12.19		24.38
1 X 3/4 ELL	1	4.62		4.62
3/4 X 1/2 BUSHING	1	3.12		3.12
1/2 GALV PIPE	2	2.59		5.18
1/2 COUPLING	1	2.43		2.43
1/2 BOILER DRAIN	1	6.26		6.26
FLUIDMASTER SEAL	1	3.19		3.19
1 X 4 NIPPLE	1	2.86		2.86
1 X 3/4 REDUCER	1	4.59		4.59
3/4 L. SOFT COPPER	3	5.59		16.77
1" BLACK PIPE	2	2.66		5.32
HOURS OF LABOR	18	70.00		1,260.00

*PAST DUE  
 AS OF SEPT. 5, 2006*

**TOTAL DUE** \$1,562.47

ATTN: Tom CAULKINS