

DONNIE E. AND DELORES A. LOWERY
COMPLAINANTS

CASE NO.
2005-0054 4

RECEIVED

JUN 26 2006

PUBLIC SERVICE
COMMISSION

v.

JESSAMINE-SOUTH
WATER DISTRICT
DEFENDANTS

ELKHORN

RESPONSE TO COMMISSIONS FIRST DATA REQUEST

1(a) The line you speak of does not belong to the plaintiffs (Donnie and Delores Lowery). The line in question belongs to Alene Lowery, Donnies' Mother. The line has supposedly been repaired by Roy Don Lowery (our son) and Stevie Stephenson in October 2005.

Mrs. Lowery is 85 years of age and says -it doesn't take too much water for her-she was raised without running water.

1(b) We (the plaintiffs) left the farm in 1987 or 1988. We moved back in March 2005, because of my husband's illness. When we lived here before we had a hook-on at the tobacco barn that ran off the line to Mrs. A. Lowry's home. The line to the trailer has been disconnected for several years-12 years that I know of. Mrs. A. Lowry had it disconnected at the barn.

1(c) The 1500 ft. estimate is from our mobile home to the back of the farm-where the City water lines are located. Donnie says it is not that far -1000 ft. - +. the field where the City lines are is very rocky.

2. I (Delores Lowery) went to the City Water Company and put \$800.00 deposit down (tap on fee) and told them where we were planning to dig. I left and came home, Danny Johnson called after I came home and informed me the City did not own the water line across the road (Chrisman Mill Road) in front of the farm. Mr. Stevie Stephenson (contractor) was here, so he called Mr. Tom Smith and Mr. T. Smith told him that South Elkhorn owned it. Mr. Johnson called Mr. T. Smith and they discussed the water line to be they came to an agreement that the City would furnish a letter releasing the right of way to serve us water, and that I needed to take \$650.00 to the S. E. W. D. Mr. T. Smith called and told me that they were going to serve us water. Upon that statement I told Mr. S. Stephenson to go ahead and dig the line to the mobile home. Mr. Stephenson did and finished digging the next day when he came back the next day he brought the water pipe placed it and almost had it covered - up (as you can see from the pictures). except about 30 ft. Mr. T Smith called and said he was sorry, but they (S.E.W.D.) could not serve us water at this time, because of the tone of his voice, my question to him was "Why, did we do something wrong?" His answer was, "No." That is when I told Mr. Stephenson to stop,

”

2. (continued)The day Mr. Tom Smith told me we could have the water I called S. E. W.D. and talked to a lady about bringing the \$650.00 tap on fee to the office the next day she mentioned an application had to be filled out and said I could fill it out when I brought the fee in . I called my cousin Mr. Stephen C. Keith(POA over my Mother Letty L. Kelly and X State Representative of the 39th District)to send me the monies for the tap on fee. I gave him the phone number and he called the S.E.W.D. office and talked to a lady which in turn she told him I had to have 3 things - \$650.00 – a letter from the City letting them serve us – and a plumbers license. He called me back and told me and was putting a check in the mail right then. I then called the SEWD office and talked to the lady and ask her where I could obtain the plumbers permit. She said I had to go to the Health Department and would cost around \$20.00. The received the \$650.00 the next day -.about 3:00 o'clock pm Mr. T. Smith called and said we could not have the water. Mr. S. Stephenson had to top working .

3 . Mr. Stephen C. Keith has the check . I will try to get in touch with him and tell him to send you a copy Here is the original copy of \$500.00 from my sister – in – law Debra Courtney in Florida she sent for help with the water . The monies given to Mr. S. Stephenson \$100.00 (came by late in the evening) the total that was to be paid in full (\$1400.00) has not been paid . Mr. Stephenson said we did not owe him if they did not give us the water. This in my opinion is not right.

4. We have not lived here for 15 years+ . There were people who rented the old mobile home, the old mobile home has not been rented for years,and the water has been disconnected for several years. Mrs. A. Lowry has lived on this farm for over 25 years. I have no idea how long she has been without water or how long the water has been disconnected. Her daughter says around 3 years. Mrs. A. Lowry had fell and fractured her hip and was in the hospital and at her house for a few weeks when they shut the water off.

5. We (the plaintiffs) have a 500 gallon water tank and 2 water troughs. We get Lloyd Cobb to bring us water from the City in his truck. The troughs are used for laundry , cleaning and animals - the tank is for drinking. , cooking and bathing.

6. WE do not own the farm. The farm belongs to Donnies' parents , Roy E.(deceased) and Alene Lowry , The farm has always been promised to Donnie, at their deaths. The 2002 Mobile Home belongs to Donnie, Roy Don (son) and I (Delores Lowery).

7. I know you ask for a map . Do not have one but I hope the pictures will tell the story,

Signed _____

Date: _____

The address on the receipt is 1775 Shakespeare Lane
Danville, Ky 40422 - former address on my identification,
Mr. Stephen C. Keith's phone number is (606) 598-6535 the
is now the caretaker of my Mother's Estate & Director for me.

Diana Courtney phone is - 407-733-1072.

Thank you.

I do apologize for being so late
I know the papers are not perfect
But I did the best I could. Sorry
for any inconvenience.

Belma
Courtney

RECEIPT

gave \$100.00
to Stephenson
did not get receipt

5468624423 10/26/2005
 170 NN \$500.00
 50528121001210 23
 EMPLOYEE

0005/005 (01/7) 865

KEEP THIS STUB FOR YOUR RECORDS

54686244239



RECEIVE/RECIBO

CUSTOMER USE / PARA USO DEL CLIENTE

REFERENCE NUMBER
 NÚMERO DE REFERENCIA 69700939

RECEIVER'S NAME:
 LA PERSONA QUE RECIBE:
 Dolores A Lowery
 First Name / Primer Nombre Middle Initial / Inicial Last Name / Apellido(s)

1770 Henderson Lane
 Street / Calle

Danville KY 40422
 City Ciudad State Estado Zip C.P. Home Phone Teléfono

SENDER'S PHONE NUMBER:
 NÚMERO DE TELÉFONO DE LA PERSONA QUE ENVIÁ: ()

SENDER'S NAME:
 LA PERSONA QUE ENVIÁ: Deborah Courtney

AMOUNT EXPECTED:
 CANTIDAD QUE ESPERA: \$ 500.00

Agent must complete the reverse side of this form for transactions of \$3000.00 or more.
 El Agente tiene que llenar el otro lado de este documento para transacciones de \$3000.00 o más.

What city and state was transaction sent from?
 ¿Desde que ciudad y estado se envió la transacción?

RECEIVER'S SIGNATURE:
 FIRMA DE LA PERSONA QUE RECIBE:

Date / Fecha

AGENT USE / PARA USO DEL AGENTE

RECEIVER GOVERNMENT ISSUED ID# AND TYPE:
 NÚMERO IDENTIFICACIÓN EMITIDO POR EL GOBIERNO, DE LA PERSONA QUE RECIBE Y TIPO:

TEST QUESTION:
 PREGUNTA DE PRUEBA:

Test Question / Pregunta de prueba

Test Answer / Respuesta de prueba

MESSAGE / MENSAJE:

CHECK NUMBER:
 NÚMERO DE CHEQUE:

Check #1 Agent Check / Cheque del Agente
 Check #2 Customer Check / Cheque del Cliente

CHECK AMOUNT:
 CANTIDAD DE CHEQUE: \$ 500.00

AUTHORIZATION:
 AUTORIZACIÓN:

Agent Employee Name / Nombre del empleado del Agente
 MoneyGram Operator # / Número de operador de MoneyGram

Customer Copy

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CUSTOMER COPY/COPIA DEL CLIENTE

WAL-MART #1210

1024 N MAIN STREET
 NICHOLSVILLE, KENTUCKY 40356
 606-94653299

MONEYGRAM (K) RECEIVE/RECIBO

30038002121080003504
 Date/fecha: 10/26/2005 Time/Hora: 05:06 PM

Receiver Information
 Información de la persona que recibe

DOLORES LOWERY
 1770 HENDERSON LANE
 DANVILLE, KY 40422
 Phone/Teléfono: 8594923760

Sender Information
 Información de la persona envía
 DEBORAH COURTNEY

Message from Sender/Mensaje

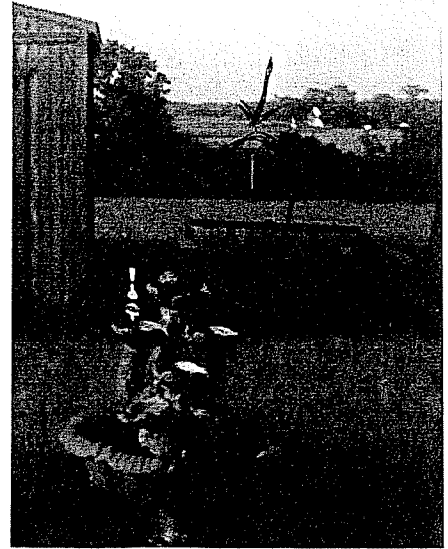
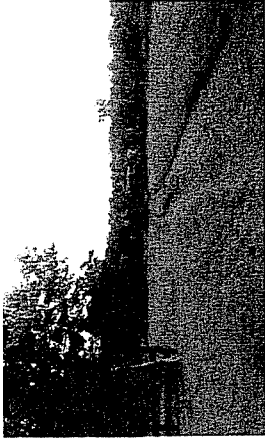
Reference/Referencia# 69700939
 Amount Received/Cantidad que Recibirán \$500.00
 Receive/Cantidad que Recibirán 500.00 USD

This Transaction is subject to the MoneyGram receipt holder. / Esta Transacción está sujeta a los terminos y condiciones que vienen en la forma de recibo.

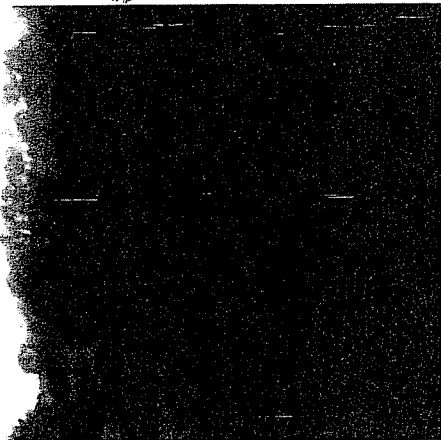
Please keep your MoneyGram stub/receipt should you need to reference it.
 Favor de conservar su recibo de envío de dinero. Este es un recibo que necesitara posteriormente como referencia.

Gravel Drive to
Christmas Mill Rd.

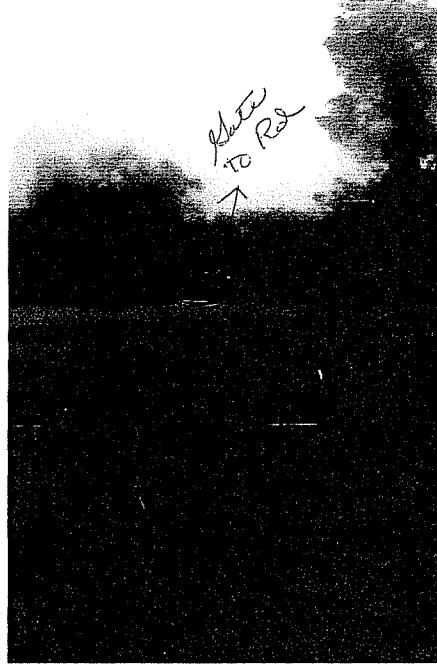
Gravel drive
to front gate
Christmas Rd



Arrows pointing at telephone pole
in back of property - City Water
lines

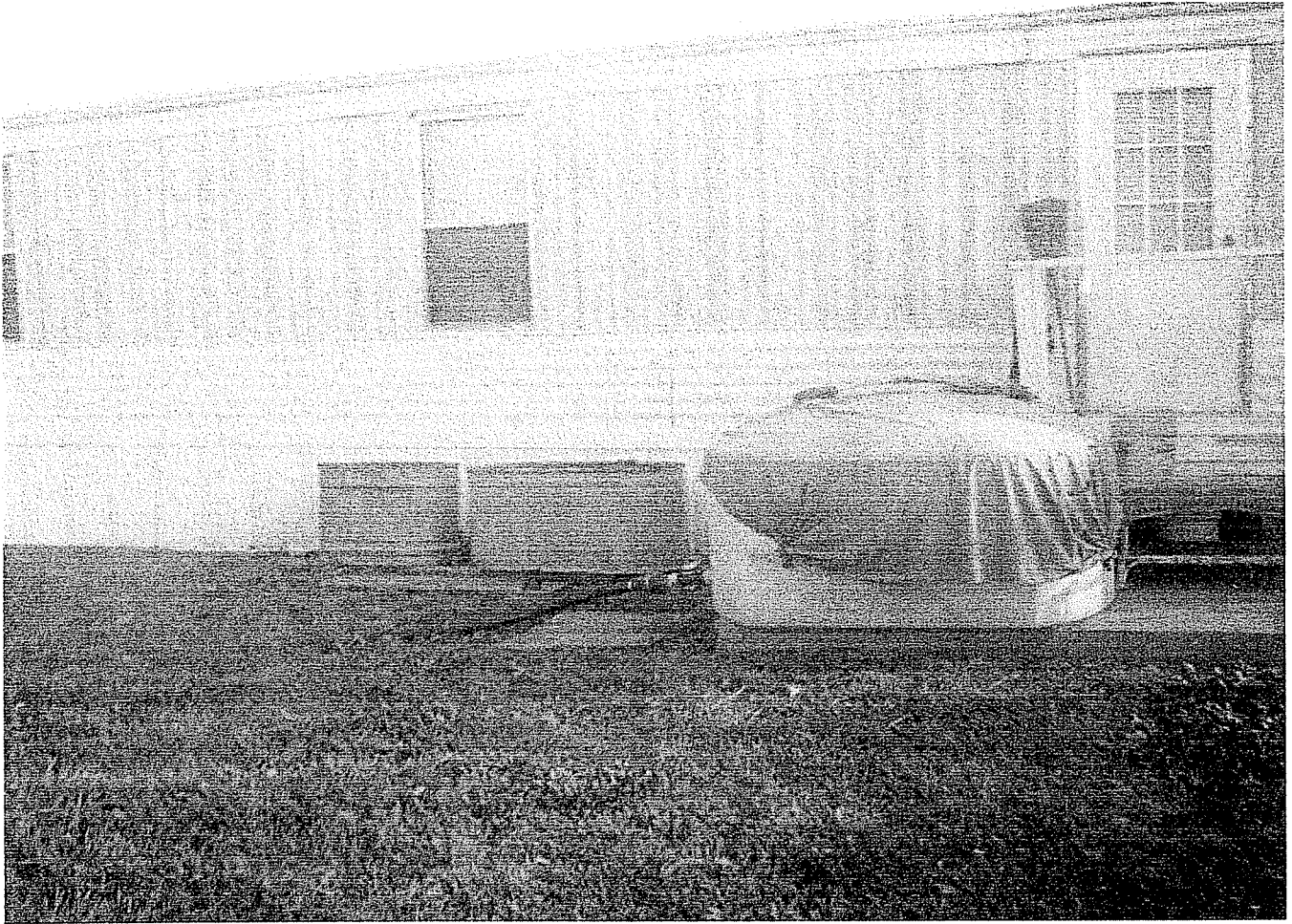


Full grass - new water line
made by Mr. Stephenson to
Road - to trailer.



front gate road
Christmas Mill S.E.W.D.
line is across road.

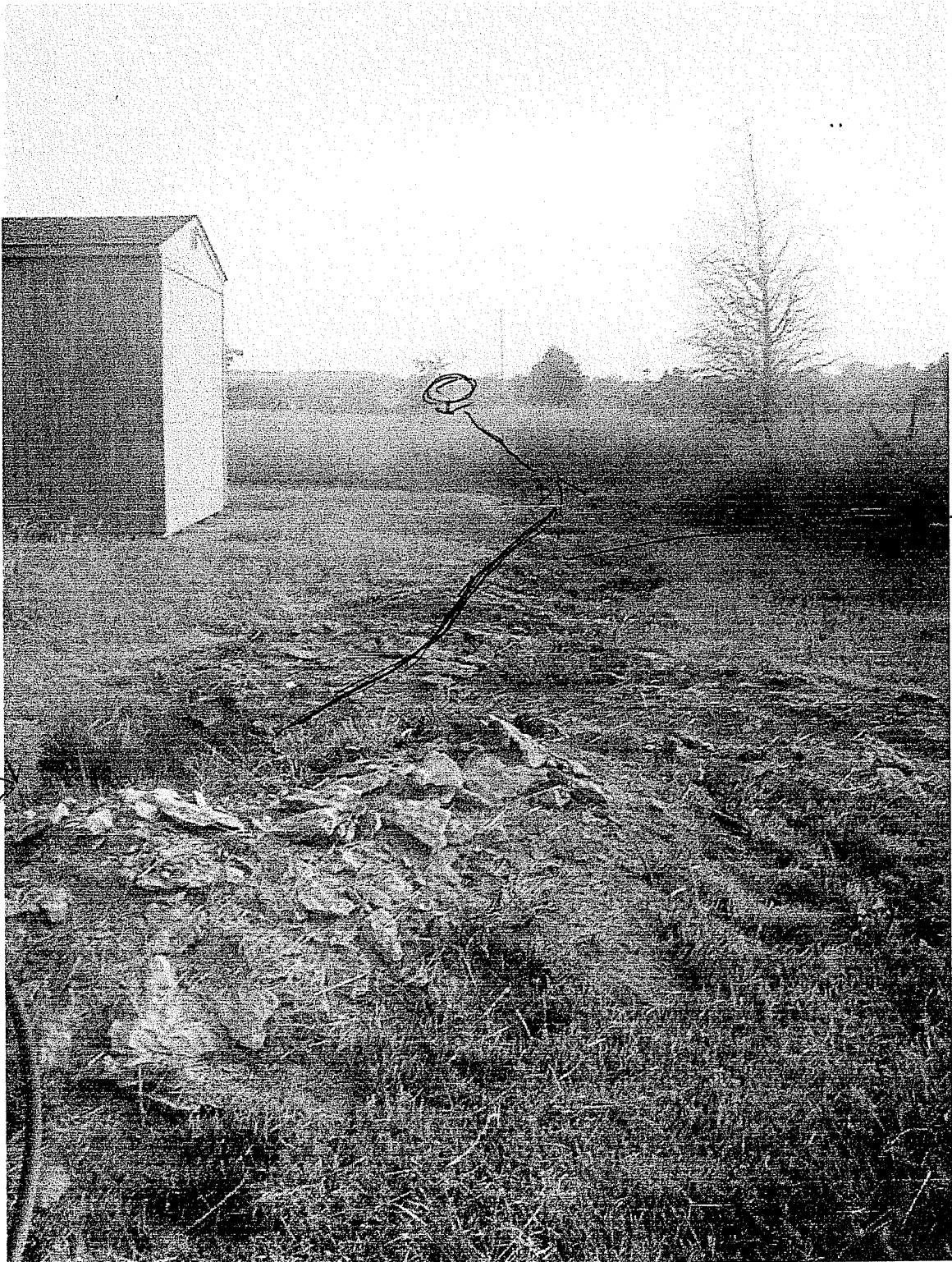
open way-cut



450 gallon Water tank
2 water troughs

Back of Lowery
Mobile Home

DONNIE + DELORES LOWERY
2625 Chrisman M: 11 Rd
Nicholasville, Ky 40356



Garage →

Open ditch →

→ Covered ditch with waterline to Christmas Mill Rd.
Before Day Cut

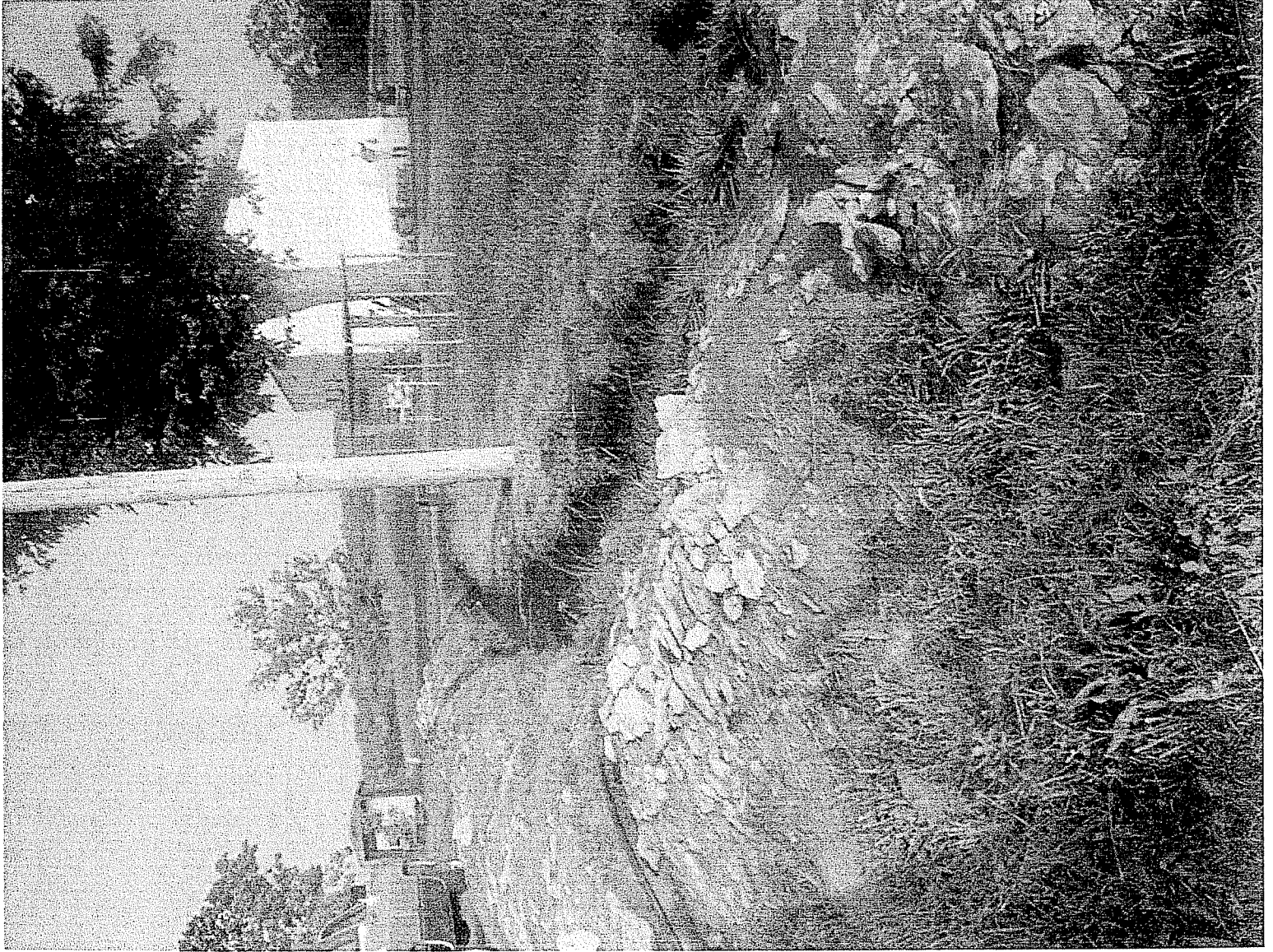
Ditch &
water line
access
from
mobile home



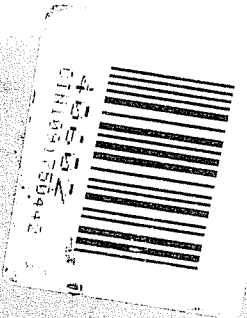
Water line
Ditch

Dug by Stephenson
to Mobile Home
the part that
has not been
covered up.

across
Gravel drive
to trailer
has not been
ditched but
line is in
ditch.



Thomas & Delores Sawyer
2625 Chiswick Mill Rd.
Nicholasville, Ky 40356



Public Service Commission

P.O. Box 615

Frankfort, Ky. 40602

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