

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JACLYN HUFF	)	
	)	CASE NO.
COMPLAINANT	)	2015-00050
V.	)	
	)	
KENTUCKY-AMERICAN WATER COMPANY	)	
	)	
DEFENDANT	)	

ORDER

Kentucky-American Water Company ("Kentucky-American") is hereby notified that it has been named as defendant in a formal complaint filed on February 9, 2015, a copy of which is attached hereto as Appendix A.

IT IS THEREFORE ORDERED that:

1. Kentucky-American, pursuant to 807 KAR 5:001, Section 20, is to satisfy the matters complained of or file a written answer to the complaint within ten days of this Order.
2. Staff from the Commission's Meter Standards Laboratory shall pick up the meter at issue in this proceeding from Kentucky-American to conduct a test of the meter. The meter shall be secured and maintained by the Commission's Meter Standards Laboratory until this proceeding is resolved. The Complainant, Jaclyn Huff, and Kentucky-American shall be given notice of the date and time that the meter is to be tested and shall have the right to attend.

3. a. Kentucky-American, pursuant to 807 KAR 5:001, is to file with the Commission the original and five copies of the information requested in Appendix B to this Order, with a copy to all parties of record. The information requested is due within ten days of the date of this Order. Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the questions related to the information provided.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

e. When filing a paper containing personal information, Kentucky-American shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

4. 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

ENTERED  
FEB 13 2015  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST

*Stephanie Bell for DD*

Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2015-00050 DATED **FEB 13 2015**

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RECEIVED

FEB 09 2015

PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Jacklyn Huff  
(Your Full Name)  
COMPLAINANT

VS.

American Water  
(Name of Utility)  
DEFENDANT

Case No. 2015-00050

COMPLAINT

The complaint of Jacklyn Huff (Your Full Name) respectfully shows:

(a) Jacklyn Huff  
(Your Full Name)

193 St. Margaret Dr. Lexington, Ky 40502  
(Your Address)

jhuff@tenmast.com  
(Your Email Address)

(b) American Water  
(Name of Utility)

2300 Richmond Rd. Lexington, Ky 40502  
(Address of Utility)

(c) That: In October and November 2014 our bill was  
(Describe here, attaching additional sheets if necessary,

astronomically high, going from an average of under \$40/month  
the specific act, fully and clearly, or facts that are the reason

to almost \$400. American Water told us we most likely  
and basis for the complaint.)

had a leak. We consulted with several plumbers about the leak,

Continued on Next Page

Formal Complaint

vs.

Page 2 of 2

all of whom stated they could not find a leak and contacted the water company again to have our meter tested. (See attachment for conclusion) "Part C Continued"

Wherefore, complainant asks American Water to  
(Specifically state the relief desired.)

adjust or remove the hundreds of dollars that resulted from the incorrect reading of a faulty RF device in October and November from our bill.

Dated at Lexington, Kentucky, this 3 day  
(Your City)

of February, 2015.  
(Month)

Janeyne Huff  
(Your Signature\*)

2-3-15

(Name and address of attorney, if any)

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.

- (1) **Contents of complaint.** Each complaint shall be headed "Before the Public Service Commission," shall establish the names of the complainant and the name of the defendant, and shall state:
  - (a) The full name and post office address of the complainant;
  - (b) The full name and post office address of the defendant; and
  - (c) Fully, clearly, and with reasonable certainty, the act or thing done or omitted to be done, of which complaint is made, with a reference, if practicable, to the law, order, or administrative regulation section and subsection, of which a violation is claimed, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall specifically establish the relief desired.
- (2) **Signature.** The complaint shall be signed by the complainant or his or her attorney, if applicable, and if signed by an attorney, shall show the attorney's post office address. **A complaint by a corporation, association, or another organization with the right to file a complaint, shall be signed by the entity's attorney.**
- (3) **Number of copies required.** When the complainant files his or her original complaint, the complainant shall also file two (2) more copies than the number of persons or corporations to be served.
- (4) **Procedure on filing of complaint.**
  - (a) Upon the filing of a complaint, the commission shall immediately examine the same to ascertain if it establishes a prima facie case and conforms to this administrative regulation.
    1. If the commission is of the opinion that the complaint does not establish a prima facie case or does not conform to this administrative regulation, the commission shall notify the complainant or his or her attorney to that effect, and opportunity shall be given to amend the complaint within a specified time.
    2. If the complaint is not amended within the time or the extension as the commission, for good cause shown, shall grant, the complaint shall be dismissed.
  - (b) If the complaint, either as originally filed or as amended, establishes a prima facie case and conforms to this administrative regulation, the commission shall serve an order upon the person complained of, accompanied by a copy of the complaint, directed to the person complained of and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of the order, provided that the commission may, in particular cases, require the answer to be filed within a shorter or longer period.
- (5) **Satisfaction of the complaint.** If the defendant desires to satisfy the complaint, he or she shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which the defendant is willing to give. Upon the acceptance of this offer by the complainant and with the approval of the commission, further proceedings shall not be taken.
- (6) **Answer to complaint.** If the complainant is not satisfied with the relief offered, the person complained of shall file an answer to the complaint, with certificate of service on other endorsed parties, within the time specified in the order or the extension as the commission, for good cause shown, shall grant.
  - (a) The answer shall contain a specific denial of the material allegations of the complaint as controverted by the defendant and also a statement of new matter constituting a defense.
  - (b) If the answering party does not have information sufficient to enable him or her to answer an allegation of the complaint, the answering party may so state in the answer and place the denial upon that ground.

Part C Continued:

We asked American Water to pull the old meter and have it tested for any malfunctions. The individual who inspected the water meter at American Water told us that water flowed through the meter fine, but the RF device on the meter was corrupt and not sending the proper water usage reading back to the water company for billing. (See attachment A for final results that we received from the individual at American Water who tested the meter. RF device is referred to as "Register" on this document which states that this part of the meter was "bad".) We then received a letter from American Water that stated our meter registration was "accurate" but never mentioned anything about the faulty register (See Attachment B for American Water's response about the meter testing).

Since the meter was replaced our water bill has gone back to normal and we have not had any work done to fix a (nonexistent) leak. We have paid our normal monthly bill that is back to approximately \$40/month. We believe that the corrupted RF device sent the wrong reading to the water company causing our bill to rise astronomically in October and November. The water company is attempting to pass this cost onto us and refuses to even mention the fact that the meter's RF device was broken.



Attachment A

Kentucky-American Water Company

Customer Name Jaclyn Huff Account # [REDACTED]  
Service Address 1935T Margaret Dr Premise# [REDACTED]  
Meter Size 5/8 Make J Number [REDACTED] Date 11-17-14

Readings

	GPM	Begin	End	% of Accuracy	Required Accuracy
Low flow	<u>1/4</u>	<u>5100</u>	<u>5199</u>	<u>99</u>	<u>95%-101%</u>
Intermediate flow	<u>2</u>	<u>5199</u>	<u>5300</u>	<u>101</u>	<u>98.5%-101.5%</u>
Maximum flow	<u>15</u>	<u>5300</u>	<u>6304</u>	<u>100.4</u>	<u>98.5%-101.5%</u>

IF ANY OF THE TESTS ABOVE ARE NOT WITHIN THE REQUIRED ACCURACY LIMITS THEN FURTHER TESTING IS REQUIRED BELOW.

Readings

Flow Rate %  
Of Capacity

	GPM	Begin	End	% of Accuracy
25%	_____	_____	_____	_____
50%	_____	_____	_____	_____
75%	_____	_____	_____	_____

Average of first test 100.13 Average of second test \_\_\_\_\_

Less Standard: 100%

Equal % of Error: \_\_\_\_\_ Fast \_\_\_\_\_ Slow \_\_\_\_\_  
Before Test Reading: 0384.50 after Test Reading 0384.63

Customer Witness? Yes \_\_\_\_\_ No  Customer declined to witness

IF PERCENT OF ERROR IS GREATER THAN 2% THEN COMPLETE THE APPROPRIATE SECTION BELOW.

Length of time error is known to have existed \_\_\_\_\_

FAST METER basis for refund \_\_\_\_\_ Amount of refund \_\_\_\_\_

SLOW METER basis for additional Bill \_\_\_\_\_ Amount of additional Bill \_\_\_\_\_

Comments Meter passed test, Register had has H's in reading will not return to inventory, will Regs meter license

Copy to : \_\_\_\_\_

Disputes : Patricia Hightower Meter Tech. : Tony F. Richardson

Order generated by JOHNSON



Attachment B

11/17/2014

JACLYN M. HUFF  
193 SAINT MARGARET DR  
LEXINGTON, KY 40502-1161

**For Service To:**  
Account Number: [REDACTED]  
Service Address: 193 St Margaret Dr  
Lexington, KY

Dear Jaclyn M. Huff,

On November 17, 2014, your water meter was tested at a low, intermediate and a full flow of water.

The testing indicated that your meter was registering 100.4 percent at the full flow, 101 percent at the intermediate flow, and 99 percent at the low flow. According to regulations set by the Kentucky Public Service Commission, a meter is considered operating in a satisfactory manner if it records water use between 98.5 percent and 101.5 percent of actual usage. Therefore, this meter's registration is considered accurate.

We recognize the added financial burden that may have been placed on you due to a higher than normal bill or a leak in your home. If you would like to discuss a possible payment arrangement for your account or have other questions, please contact our customer service center at the phone number listed below. Please call when it is convenient for you. Our representatives are available 24 hours a day, 7 days a week.

Your effort to conserve water -- a precious natural resource, and using water wisely, will help manage your future water cost. Thanks for making this a priority. For water saving ideas and leak detection tips, please visit [www.amwater.com](http://www.amwater.com).

Sincerely,

American Water Customer Service

Questions: Call our 24 hour Customer Service Center: 1-800-678-6301

[www.kentuckyamwater.com](http://www.kentuckyamwater.com)

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2015-00050 DATED **FEB 13 2015**

1. Provide monthly billing statements for water service at 193 St. Margaret Drive, Lexington, Kentucky from January 1, 2013 through the current date.
2. Provide documentation for any daily billing edit and/or billing exception report generated pursuant to 807 KAR 5:006, Section 11(3), and Kentucky-American Tariff Rule 20(K) between January 1, 2013 and the current date for water service at 193 St. Margaret Drive, Lexington, Kentucky.

\*Jaclyn Huff  
193 St. Margaret Drive  
Lexington, KENTUCKY 40502

\*Kentucky-American Water Company aka  
2300 Richmond Road  
Lexington, KY 40502

\*Cheryl D Norton  
President  
Kentucky-American Water Company aka Kentucky  
2300 Richmond Road  
Lexington, KY 40502