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PUBLIC SERVICE
COMMISSION

June 5, 2017

Talina Mathews, Executive Director
Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, KY 40602-0615

Dear Ms. Mathews:

I request that my inquiry as a customer and complainant in an ongoing case of the Martin County Water District (Case No. 2016-00142) be placed before the Commission in that it is relevant to this investigation. In short, I'm not asking for another, separate investigation into this matter because it is an issue in the current case.

My question is this: Am I, as a customer, required to pay for services that don't meet the statutory requirements of safe, potable drinking water? 807 KAR 5:066 stipulates that the Martin County Water District furnish water that complies "with standards set by the Natural Resources Cabinet," which shall supply "water services for human consumption and domestic use" that conforms to ALL legal requirements of the Natural Resources Cabinet" for providing safe, potable water.

Customers in Martin County have not received safe, potable water in decades. My question requires a simple "yes" or "no" answer. As a customer of MCWD, I have a statutory right and expectation to receive water that is fit for human consumption. If I'm not receiving this, please explain why I have to continue paying for services that don't meet guidelines for safe drinking water while continuing to purchase bottled water for consumption?

I simply cannot accept the answer that my refusal to pay for a product that I'm clearly not receiving will place the water district in financial peril. That's not the issue. Whether or not the water district can survive if, all of sudden, customers realize they're not getting what they pay for and choose to refuse payment, is not the issue. If it fails, it fails. The Martin County Fiscal Court has failed to provide adequate supervision of its operation of the water district. The water district has failed to provide a consumable product to its customers.

Are customers required to support and sustain a failing utility while not getting the service they are legally entitled to receive?

Bear in mind that in addition to being a water customer, I am also editor of the weekly newspaper (Mountain Citizen) in Martin County and have an obligation to inform my readers -- of whom many are water customers -- of the Commission's answer on this matter.

If my refusal to pay a bill results in the pulling of my meter, I will consider this a matter that threatens me and my family's personal safety. It is not my fault that the water district continues to put out a product not fit to consume. I believe it is both legally and morally wrong to require me to continue paying for a service that does not meet statutorily mandated guidelines. It is necessary that I have the ability to flush commodes (about the only use this water is suitable for) and things of that nature.

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I would be willing to continue payment of my monthly bills after deducting what I have to spend on bottled water and provide receipts for these purchases to the water district.

Sincerely yours,

A handwritten signature in black ink that reads "Gary Ball". The signature is written in a cursive style with a large, looped "G" and "B".

Gary Ball
MCWD customer
P.O. Box 16
Lovely, KY 41231

