

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF NORTH MERCER)	
WATER DISTRICT FOR DEVIATION OF)	CASE NO.
807 KAR 5:006, SECTION 14(1)(b)(1))	2017-00127
RELATING TO OFFICE HOURS)	

ORDER

On March 10, 2017, North Mercer Water District (“North Mercer”) filed an application pursuant to 807 KAR 5:001 Section 22, requesting a deviation from 807 KAR 5:006 Section 14(1)(b)(1), which requires that a utility shall make a designated representative available during the utility’s established working hours not fewer than seven hours per day, five days per week, excluding legal holidays.

North Mercer has requested a deviation allowing it to amend its office hours to Monday through Thursday of each week, from 7:30 a.m. to 5:30 p.m., without closing for a midday meal. The office would close for legal holidays.

The stated reasons for the deviation are the efficiencies involved in a four-day workweek, and providing field workers a longer workday to complete projects and work orders. Customers have also expressed the desire for office hours that extend before and after the typical workday to allow for easier access to the North Mercer office and staff.

Commission Staff issued and North Mercer responded to one round of discovery. There were no intervenors in the case. On October 12, 2017, the Commission ruled that

North Mercer should not be allowed to deviate from the requirements of 807 KAR 5:006, Section 14(1)(b)(1).

One of the grounds for this ruling was the lack of any empirical evidence that the requested change in office hours was supported by customers, beyond a vague claim of many verbal customer complaints and comments.¹ The Commission's Order stated that although the motion for a deviation was being denied, if North Mercer wished to conduct a customer survey regarding the requested office hours and provide the Commission with the results of that survey, the Commission would review its denial of the deviation.²

On January 24, 2018, North Mercer filed with the Commission a document that was titled Responses to Public Service Commission Staff's Request for Information to North Mercer Water District, but is more properly addressed as a Motion to Reconsider.

In its motion, North Mercer states that it conducted a customer survey for all customers who visited the office in person. North Mercer asserts that this would be the most efficient way to conduct the survey because the customers who visit the office in person to pay their bill are the customers who will be most impacted by office hours.³

Out of 175 walk-in customers, 134 filled out a survey, and 104 supported the office hours proposed in the deviation. The remaining 30 customers preferred no change in office hours.⁴

¹ Commission Order of October 11, 2017 at 2.

² *Id.*

³ Responses to Public Service Commission Staff's Request for Information to North Mercer Water District, at 1-2.

⁴ *Id.*

807 KAR 5:001, Section 22, provides that the Commission may grant a deviation from the rules for good cause shown. Based on the evidence of the record, including the supplemental evidence provided by North Mercer in its motion to reconsider, and being otherwise sufficiently advised, the Commission finds that North Mercer should be allowed to deviate from the requirements of 807 KAR 5:006 Section 14(1)(b)(1), to amend their office hours to Monday through Thursday of each week, from 7:30 a.m. to 5:30 p.m., without closing for a midday meal. The office will close for legal holidays. This deviation will allow customers easier access to the office by extending hours beyond a normal workday, is supported by customers who pay their bill in person at the office, and will allow for longer days for field employees to complete projects. The four-day office schedule will not interfere with the requirement for prompt connection of service contained in 807 KAR 5:006 Section 14(4), because North Mercer will have two of its field employees working 7:00 a.m. to 12:00 p.m. on Fridays and Saturdays.

IT IS THEREFORE ORDERED that North Mercer's deviation from the office hours requirements of 807 KAR 5:006 Section 14(1)(b)(1), is approved.

By the Commission



ATTEST:


Executive Director

Case No. 2017-00127

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