

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PEGGY S. ROSE	)	
	)	
COMPLAINANT	)	CASE NO.
	)	2017-00164
V.	)	
	)	
CENTER RIDGE WATER DISTRICT NO. 2	)	
	)	
DEFENDANT	)	

ORDER

This matter arises on the Complaint of Peggy S. Rose against Center Ridge Water District No. 2 (“Center Ridge”), in which she alleges that Center Ridge billed her unauthorized late fees of \$35.19, and did not give her a credit earned on her account through an overpayment of \$1.61. Ms. Rose filed her complaint on April 5, 2017. On April 18, 2017, the Commission entered an Order to Satisfy or Answer (“Order”) directing Center Ridge to either satisfy the matters complained of therein or file a written answer within ten days. The Order was served on Center Ridge electronically and no response was received.

The Executive Director subsequently sent a certified letter to Center Ridge on June 20, 2017, requesting that Center Ridge file its response, as well as a motion for an extension to file a late response. The return receipt indicates that the letter was delivered on June 23, 2017. No answer has been received from Center Ridge to date.

Having reviewed the record and being otherwise sufficiently advised, the Commission finds that Ms. Rose's allegations that she was incorrectly charged a late fee of \$35.19, and that her account was not credited for a \$1.61 overpayment is unrefuted in the record. Ms. Rose has presented a *prima facie* case, and because Center Ridge has neither satisfied nor answered Ms. Rose's complaint, the Commission finds that Center Ridge should provide Ms. Rose the requested relief. Should Center Ridge fail to provide the relief ordered herein, the Commission will initiate an investigation in which Center Ridge will be required to show cause as to why it should not be subject to the penalties enumerated in KRS 278.990 for violation of a Commission Order.

Based on the foregoing, it is HEREBY ORDERED that:

1. Within ten days of the date of service of this Order, Center Ridge shall pay to Peggy S. Rose the amount of \$36.80.
2. On or before January 31, 2018, Center Ridge will provide written proof to the Commission that it has made the required refund to Peggy S. Rose.
3. If Center Ridge does not provide the relief as prescribed in ordering paragraph number 1, the Commission shall initiate an investigation in which Center Ridge will be required to show cause as to why it should not be subject to the penalties enumerated in KRS 278.990 for violation of a Commission Order.
4. This case is closed and removed from the Commission docket.

By the Commission

ENTERED  
JAN 10 2018  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
Executive Director

Case No. 2017-00164

Peggy S Rose  
210 Midgett Dr  
New Concord, KENTUCKY 42076

\*Center Ridge Water District No. 2  
69 Marguerite Blvd  
New Concord, KY 42076

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New Concord, KY 42076