

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

ORDER

Center Ridge Water District No. 2 (“Center Ridge”) is hereby notified that it has been named as defendant in a formal complaint filed on April 5, 2017, a copy of which is attached as the Appendix to this Order.

Pursuant to 807 KAR 5:001, Section 20, Center Ridge is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within ten days from the date of service of this Order.

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

By the Commission

ENTERED
APR 18 2017
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2017-00164 DATED **APR 18 2017**

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the matter of:

PEGGY S ROSE

(Your Full Name)

COMPLAINANT

APR 5 2017

Public Service
Commission

VS.

CENTER RIDGE WATER DIST

(Name of Utility)

DEFENDANT

Case No. 2017-00164

COMPLAINT

The complaint of PEGGY S ROSE respectfully shows:
(Your Full Name)

(a) PEGGY S ROSE
(Your Full Name)

210 MIDGETT DR, NEW CONCORD KY 42026
(Your Address)

(b) CENTER RIDGE WATER DIST
(Name of Utility)

1980 BUFFALO RD NEW CONCORD, KY 42026
(Address of Utility)

(c) That: CRWD DID SINGLE OUT AND BILL
(Describe here, attaching additional sheets if necessary,

PEGGY ROSE LATE FEES IN THE AMOUNT OF \$35.19
the specific act, fully and clearly, or facts that are the reason

STATING THEY WERE BACK TO DATING 2/2014.
and basis for the complaint.)

MAILED ON 3/10/17 WITH A TAREAT OF DISCONELT

Continued on Next Page

vs.

Page 2 of 2 ON 3/15/17 WITH A RECONNECT FEE OF \$350 :-
 IF NOT PAID LATE FEE OF \$35¹⁹ I HAVE NEVER
~~RECEIVED A MONTHLY BILL OR STATEMENT~~
~~SHOWING ANY BALANCES DUE ON MY ACCOUNT~~
~~COMPANY WILL SEND A THREAT OF DISCONNECT~~
~~IF PAYMENT HAS NOT BEEN RECEIVED BY THE 1ST~~
~~SHOWING A \$2³⁰ LATE FEE STATES MONTHLY SERVICE~~
~~IS \$22.96 ON 1ST NO GRACE PERIOD AND AS STATED NO~~
~~BILL SENT OUT. HOWEVER IF YOU DO NOT PAY THE~~
~~LATE FEE YOU ARE NOT DISCONNECTED - NOT BILLED~~
~~OR ANYTHING FOR THE "LATE FEE" - I AM THE ONLY PERSON~~
~~MR DUNCAN HAS BACK CHARGED LATE FEES~~

Wherefore, complainant asks

(Specifically state the relief desired.)

REFUND ALL LATE FEE'S PAID IN THE
AMOUNT OF \$35¹⁹ IN ADDITION TO THE AMOUNT
OF \$16¹ WHICH WAS A CREDIT ON MY ACCOUNT
IN ADDITION I REQUEST A MONTHLY BILL SENT
OUT A MINIMUM OF 7 DAYS PRIOR TO DUE DATE
OF THE BILL -

Dated at NEW CONCORD, Kentucky, this 30TH day
 (Your City)

of MARCH, 20 17.
 (Month)

Peggy R. R. R.
 (Your Signature*)

(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.

NO DATE / *[initials]*
Center Ridge Water District

C.R.W.D
1980 BUFFALO RD
NEWCONCORD, KY 42075

*PYMT
PUT IN
DROP BOX
3/9/17 KAD*

To All Center Ridge Water Customers:

All water payments are due on or before the first of the month. If your payment is not in my office by the 1st of the month it is considered late and you will be charged a late fee of \$2.30. If you do not pay this late fee by the 15th of that month your service will be disconnected for non-payment. If your service is disconnected there will be a \$350 reconnection fee, plus your past due bill, before service is restored. The water bill is **\$22.96**/mo due on the 1st of every month. After the first of the month the water bill is **\$25.25** with the late fee. **If your bill is not paid, in full, by the 15th of that month your service will be disconnected.**

Center Ridge Water District
William Duncan

Balance 2.95 ←

WHAT IS THIS NUMBER?

*I received your Payment of 23.00 dollars On 3-4-17
you owe 2.25 late fee to prevent disconnection please pay
by 3-15-17*

#1

March 9 2017

William Duncan
Center Ridge Water Company

In regards to your request for a late fee of \$2.25 on my account for the month of March, my payment was put in your company drop box on 3/3 so I am enclosing for you .09 cents. I arrived and this figure because every month for the past 54 months since I have had your services I have paid my water bill in the amount of \$23.00. That comes to a total of \$2.16 that I have as a credit on my account. So if I deduct my credit amount (to keep you from having to go to the expense of sending me a refund) of \$2.16 from your "late charge" of \$2.25 it comes to .09 cents that I owe you.

I am also notifying you that from this day forward I will deduct .38 cents from your bill for every block of time up to 12 hours and .76 cents for every block of time from 12 to 24 hours that we are without water due to improper, lack of or no maintenance from your company on our water system from my monthly bill. When my power is out I do not pay for service that I do not receive from them since there is no usage so I will apply the same logic to the water service when it is out I do not use any water

Since it is your belief that you should charge a 10% late fee on monthly service with no grace period at all, it is our belief that we should not have to pay for services that we are not receiving in a months' time as well. I also would like a copy of the signed water agreement that shows your company policy on payment and late fees mailed to me as well.

Thank you

Peggy Rose
210 Midgett Dr
New Concord KY 42076

#2

3-10-17 → MAILED 3/11/17 PW
Peggy Rose

after receiving your letter, I checked your payment history. your first payment was 2-7-2014 which by the way was late. you have been late 16 times. enclosed is a copy of your payment history, and a copy of Rules and Regulations

16 late FEES	36.80
38 credits X .04	1.52
Credit you typed to your letter	<u>.09</u>
Balance	35.19
due on or before	<u>3-15-17</u>

if payment is not received no later than 3-15-17 your service will be disconnected
THREAT AGAIN PW

I am also notifying you from this day forward everyone paying late will pay a late fee, and if not paid by the 15th of each month will be disconnected. if your service is disconnected there is a 350.00 reconnection fee that has to be paid plus outstanding balance before service can be reconnected. Thank you for bringing this to my attention.

EXTR
Amount
PW

Center Ridge Water
William Duncan

#3

NONE OF THESE BINDING
ARE CONTRACT OR WERE
AGREEMENTS - NOR WERE
THY SIGNED BY ME INDICATING
I WAS AWARE OF ANY OF
THSE CHARGES *FLD*

P.S.C. KY. NO. _____ 1

CANCELLING P.S.C. KY. NO. _____

CENTER RIDGE WATER DISTRICT, INC.

OF

1980 Buffalo Rd
New Concord, Ky 42076
(270) 486-6804

RATES & CHARGES

AND

RULES & REGULATIONS

FOR FURNISHING

WATER SERVICE

AT

CENTER RIDGE LAKE PROPERTIES
ROUTE 6
MURRAY KENTUCKY, 42071

FILED WITH THE

PUBLIC SERVICE COMMISSION

OF

KENTUCKY

DATE OF ISSUE _____
Month Date Year

DATE EFFECTIVE _____

ISSUED BY William M. Duncan
Month Date Year
(Signature of Officer)

TITLE Owner & operator

FOR Center Ridge Lake Properties
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 4

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

Center Ridge Water System
(Name of Utility)

RULES AND REGULATIONS

The following are the rules and regulations of the Center Ridge Water System. The schedule of rates prescribed herein will be uniformly charged to all customers of the utility. No one will receive or be entitled to free service by the utility. No employee or individual commissioner of the utility is permitted to make an exception to these rates, rules, or regulations. These rules and regulations are subject to change by the utility at any time, subject to the approval of the Public Service Commission.

1. All connections will be at the customer's property line, and must have a shutoff valve at said point. The shutoff valve will be installed at the customer's expense.
2. A Tap-on/Connection Charge shall be assessed for new service connections. The amount of said charge will be set forth in the rates and charges section of this tariff. This charge will only be made when a new connection is made to the system. A current connection that has a change of ownership will not be assessed the charge.
3. All leaks must be reported immediately. Due to the fact that service is un-metered, there is no incentive for customers repair leaks. Therefore, water service may be disconnected if the customer fails to repair the leak on their side of the property line within forty-eight (48) hours of notification.
4. Each connection will be charged for service, and a single connection can serve no more than one residential or commercial unit.
5. Under no circumstances will a customer be allowed to resell or give away water except under the terms of a special contract executed by the utility and approved by the Public Service Commission. Due to the fact that service is un-metered, failure to comply with this rule will constitute grounds for disconnection of service.
6. All water lines must be underground and not exposed.

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY William W. Duncan
(Signature of Officer)

TITLE Director & operator

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

77
NO INFORMATION
ms

FOR Center Ridge Lake Properties
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 5

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

Center Ridge Water System
(Name of Utility)

RULES AND REGULATIONS

- 7. All costs associated with lines, leaks, repairs, maintenance, etc., on the customer's property will be the responsibility of the customer.
- 8. The water must be shut off and lines drained prior to freezing weather on any dwelling left unoccupied for more than 72 hours.
- 9. Service can be disconnected due to non-payment, misuse, or non-compliance with the utility's or PSC rules. Due to the fact that service is un-metered, a disconnection of service requires the customer's water line to be physically separated from the system. Before service can be restored, a re-connection fee, in addition to any other fees owed to the utility, must be paid in full. The amount of the reconnection charge is set forth in the rates and charges section of this tariff.
- 10. The shut off valves outside the water system building are there for the customer's convenience. Tampering with any of the system's property can result in termination of service.
- 11. If a customer sells the property upon which water service is provided, or if a customer moves to a new address, proper notification must be given to the utility.

Customers may choose to pay \$275.50 for the entire upcoming year's water usage at once. Otherwise, \$22.96 will be due on the 1st day of each month. If payment has not been received by the 1st day of the month, a delinquency notice will be sent informing the customer that service will be disconnected on the 15th day of the month if payment has not been received by then. In addition, a late payment penalty will be assessed. The amount of said penalty will be set forth in the rates and charges section of this tariff. The bill and the late payment penalty must be paid by the 15th day of the month to avoid disconnection. If water service is disconnected, the bill, the late payment penalty, and the reconnection charge must be paid before service can be restored.

If any of the above rules are not followed, proper notice will be given, and water service will be disconnected.

275.50
Yearly
22.96
Monthly

ALTERED CHARGES PK

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY William M Duncan
(Signature of Officer)

TITLE Owner & operator

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

#6

FOR Southeast Calloway County, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

First Revised SHEET NO. 2

CANCELLING P.S.C. KY. NO. _____

Original Sheet SHEET NO. 2

Center Ridge Water District #3
(Name of Utility)

RATES AND CHARGES

A. RATE:

All Connections

Flat Monthly Rate 22.96

NOTE - Customers may choose to pay 275.50 for the entire year.

ALTERED AMOUNT PMA

B. DEPOSITS:

No deposit is collected at this time.

C. METER CONNECTION/TAP-ON CHARGES:

Connection Charge

\$350.00 Per Connection

NOTE—Meters are not installed on this water system.

D. SPECIAL NON-RECURRING CHARGES:

Re-connection Charge

Late Payment Penalty

Returned Check Charge

EXTREMELY LARGE AMOUNT
\$350.00
- 10%
20.00

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY William M. Hinson
(Signature of Officer)

TITLE Owner & operator

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. _____ DATED _____



#7

16 times you were late and didn't pay late fee

PEGGY ROSE

District: 2

Service Address:

210 Midgett dr
Newconcord, ky 42076

Date Paid:	Date From:	Date To:	No Months Paid:	Check Number:	Amount Paid:	Comments:
12/27/2004	1/1/2005	1/1/2006	12	5053	\$230.40	12 MO
12/27/2004				5053	\$350.00	RECONNECT
12/1/2005	1/1/2006	1/1/2007	12	5304	\$230.40	12 MO
11/30/2006	1/1/2007	1/1/2008	12	5173	\$230.64	12 MO
12/2/2007	1/1/2008	1/1/2009	12	2069479014	\$230.64	12 mo
11/14/2008	1/1/2009	1/1/2010	12	1106	\$230.64	12 mo
1/1/2010	1/1/2010	1/1/2011	12	2169843765	\$230.64	12 mo
12/23/2010	1/1/2011	1/1/2012	12	2207860151	\$230.64	12 mo
5/23/2011				5940	\$60.88	increase
1/1/2012	1/1/2012	2/1/2012	1		\$30.96	1 mo cr used ++ 8.00 cr left
1/29/2012	2/1/2012	2/1/2013	12	2252779779	\$267.50	12 mo + used cr
1/14/2013	2/1/2013	2/1/2014	12	2295148822	\$275.50	12 mo
2/7/2014	2/1/2014	3/1/2014	1	1071	\$23.00	1 mo
3/1/2014	3/1/2014	4/1/2014	1	1077	\$23.00	1 mo
4/5/2014	4/1/2014	5/1/2014	1	1084	\$23.00	1 mo + 2.25 short
4/30/2014	5/1/2014	6/1/2014	1	1085	\$23.00	1 mo
6/1/2014	6/1/2014	7/1/2014	1	1122	\$23.00	1 mo
7/22/2014	7/1/2014	9/1/2014	2	1133	\$46.00	2 mo
8/30/2014	9/1/2014	10/1/2014	1	1141	\$23.00	1 mo
10/6/2014	10/1/2014	11/1/2014	1	1142	\$23.00	1 mo
11/4/2014	11/1/2014	12/1/2014	1	1143	\$23.00	1 mo
12/1/2014	12/1/2014	1/1/2015	1	1147	\$23.00	1 mo
1/1/2015	1/1/2015	2/1/2015	1	1149	\$23.00	1 mo
2/5/2015	2/1/2015	3/1/2015	1	1150	\$23.00	1 mo
3/1/2015	3/1/2015	4/1/2015	1	1153	\$23.00	1 mo
4/1/2015	4/1/2015	5/1/2015	1	1159	\$23.00	1 mo
5/4/2015	5/1/2015	6/1/2015	1	1161	\$23.00	1 mo
6/2/2015	6/1/2015	7/1/2015	1	1163	\$23.00	1 mo
7/9/2015	7/1/2015	8/1/2015	1	1167	\$23.00	1 mo
7/31/2015	8/1/2015	9/1/2015	1	1168	\$23.00	1 mo
8/29/2015	9/1/2015	10/1/2015	1	1171	\$23.00	1 mo
10/6/2015	10/1/2015	11/1/2015	1	1176	\$23.00	1 mo
11/1/2015	11/1/2015	12/1/2015	1	1177	\$23.00	1 mo
12/1/2015	12/1/2015	1/1/2016	1	1180	\$23.00	1 mo
1/1/2016	1/1/2016	2/1/2016	1	1212	\$23.00	1 mo
1/29/2016	2/1/2016	3/1/2016	1	1214	\$23.00	1 mo
3/1/2016	3/1/2016	4/1/2016	1	1218	\$23.00	1 mo
4/1/2016	4/1/2016	5/1/2016	1	1221	\$23.00	1 mo 1.00 cr
4/30/2016	5/1/2016	6/1/2016	1	1227	\$23.00	1 mo
6/1/2016	6/1/2016	7/1/2016	1	1231	\$23.00	1 mo
6/30/2016	7/1/2016	8/1/2016	1	1239	\$23.00	1 mo
8/9/2016	8/1/2016	9/1/2016	1	1185	\$23.00	1 mo
9/3/2016	9/1/2016	10/1/2016	1	1189	\$23.00	1 mo
10/4/2016	10/1/2016	11/1/2016	1	1192	\$23.00	1 mo

NONE OF THESE SHOW A BALANCE
OWING THAT HAS BEEN CALCULATED FORWARD
9 PJP

11/1/2016	11/1/2016	12/1/2016	1	1193	\$23.00	1 mo
12/2/2016	12/1/2016	1/1/2017	1	1197	\$23.00	1 mo
1/19/2017	1/1/2017	3/1/2017	2	1204	\$46.00	2 mo
3/4/2017	3/1/2017	4/1/2017	1	1241	\$23.00	1 mo
Comments: rees groce sold out to peggy rose 1/15/2014				Total:	\$3,472.84	

9

March 15 2017,

CENTER RIDGE WATER DISTRICT INC.

William M Duncan owner/operator

*Sent to
Mr Duncan
3/15/2017
Three Mail*

Mr. Duncan,

I trust that you took the payment of \$35.19 out of your drop box yesterday 3/14/2017. This I believe to be an illegal action on your part. I also have reported this action to the Kentucky Public Works. I however was advised to pay the charges you stated I owed and further stated that I had only 2 days to pay this or my services would be discounted. This will be investigated by them.

I know for a fact that you are not performing the same billing process as you have done with me to your other customers and this is a discriminatory process. I believe that you are discriminating against me because I asked for the late fee reduction from the overpayments that you had received in the past 3 years I have paid your monthly charge. I have NEVER been asked for "back due balance" on late fees. I am glad that you included a copy of my payment history with your other useless documents that you sent me. The payment history in fact reflects that you have never carried any type of balance owing on my account. Therefore rendering this a paid in full each month account with no previous balance due or collectable. I have submitted in fact all of the documents that you sent to me, even the useless copies of the Rules and Regulations. I assume you sent this to me in place of my request for a document which was signed by me indicating that I was aware of you billing processes. What you sent is not what I asked you for and therefore useless. You have nothing to substantiate that I had any idea about your billing process when in fact I did not. Especially since there was not any issues ever with not paying on the 1st, if a late charge notice was sent it always came after my payment had been put into the payment box. And then never was requested again.

I want you to understand Mr. Duncan I never purposely did not paid you – I missed one payment which I promptly paid not only my missed payment but the next month payment as well. If you notice that was January of 2017. It shows that my payment was receive on 1/19/2017..very strange that I received only 1 late notice from your company—did not pay that late notice and never received another one and was not disconnected either. That happened on each and every month that you state that I was late. I however also know that there were many times that your company did not visit the drop box and collect the payments on a daily basis. So how can you possible count us late if you do not collect payments? You cannot.

Here is a hint for you....SEND A MONTHLY STATEMENT!! Send a statement that says it is due on the fist if payment is not received by the 5th you have charged a late fee in the amount of \$2.30... If you do not get the payment and late charge by the 10th send them a statement that shows total amount due and tell them they are discounted as of the 15th if payment is not received. Then if they were late and did not pay the late fee but just the normal monthly charge ADD THE LATE FEE ONTO the next month bill...if

#10

they failed to pay by the 15th you need to be prepared to disconnect customers. Empty threats are just that nothing!! This process is not all that difficult to conceive of.

Be like a NORMAL company. I have always found it sketchy that you are able to run your company without having a proper billing system Mr. Duncan or proper notice if you are shutting down water, proper notice if the water needs to be boiled after it has been off due to bacteria issues – we personally DO NOT drink the water you provide, but some people do. I pay my bills every month to the companies that bill me and I typically pay them early—but without a bill that comes in my mailbox each month it tends to slip not only my mind but most of the customers you have as well. Your water company is not what is on my mind 24/7 by any means, so chances of recalling the monthly bill which never comes in the mail, the odds are not good.

You can use the \$35.19 I sent you on your trumped up late fee charges and use it to get yours self a cheap billing software—QuickBooks for DUMMIES is not expensive and you can use it.

I await the response from the Public Service Commission on their findings in this case. Of course if the ruling after checking your company "books" indicates that in fact you did discriminate and you cannot charge me for items that you do not show I owe—as well as not having charged anyone else then I will expect a full refund of the charge I sent to you of \$35.19—plus the amount of \$1.61 which should have been showing as a credit on my account as well.

Rest assured the next payment of my water will be on 4/14 in the amount of \$25.26. Well within your billing process per you Rates and Charges that you sent. And the date will be tracked since it is your prerogative to go or not to go out to collect your payments each day.

Thank you,

Peggy Rose

//

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