

NOV 05 2019

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BENT TREE CONDOMINIUM ASSOCIATION)
COMPLAINANT)

V.)

CASE NO. 2019-00133

KENTUCKY-AMERICAN WATER COMPANY)
DEFENDANT)

BENT TREE'S MOTION FOR LEAVE TO FILE REQUESTS FOR INFORMATION
TO KENTUCKY-AMERICAN WATER COMPANY

Comes now the Complainant, Bent Tree Condominium Association ("Bent Tree"), by and through counsel, and moves the Commission for leave to file the attached Requests for Information to Kentucky-American Water Company ("KAWC" or "the Company") in the instant action. As grounds for this motion, Complainant states the following:

The record in this case has not been sufficiently developed to enable Bent Tree to demonstrate the extremes it has taken to resolve the dispute at hand and the obfuscation undertaken by KAWC in its attempt to deter Bent Tree from its satisfactory closure to a complaint now a year old. For example, in response to PSC Staff DR 1-3 inquiring "whether any in-person meetings took place between the parties to attempt to settle the billing issue", KAWC states a "meeting occurred between the parties at Kentucky-American Water's Offices at 2300 Richmond Road in Lexington, Kentucky on 9/19/2018." Incredulously, KAWC fails to note that other meetings took place, one as

early as October 2017 as the attached discovery will demonstrate if permitted to be filed. Moreover, in the same response, KAWC states “no specific notes or agendas were created” for the 9/9/2018 meeting. Regardless of which meeting or meetings took place between Bent Tree and KAWC, the Complainant would hope common sense would prevail upon a utility to take the complaint seriously and properly record the substance of same if it is to be thoroughly investigated. Indeed, some rudimentary note taking by KAWC during the meetings in 2017 could have aided KAWC in preventing the later confusion by the Company as to what meter or meters were suspected of leaking.

To conclude, and in light of just one example of the need for further development of the record, and notwithstanding any subsequent evidentiary hearing, Bent Tree should be entitled to file the attached requests for information if it is to be afforded procedural and substantive due process in resolving its complaint.

WHEREFORE, Bent Tree respectfully moves the Commission for leave to file the attached Requests for Information to KAWC.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that this MOTION FOR LEAVE TO FILE REQUESTS FOR INFORMATION is a true and accurate copy of the document being filed with the Commission in paper medium; that the individuals below were mailed a true and accurate copy of same; and that an original and ten copies of the filing in paper medium are being hand delivered to the Commission all on this 5th day of November 2019.



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