

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AMY J. CATUDAL)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2020-00055
)	
NICHOLAS COUNTY WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

On February 26, 2020, Amy J. Catudal tendered a formal complaint with the Commission against Nicholas County Water District (Nicholas District) alleging that she was overcharged for the reconnection of her water service following a disconnection. Ms. Catudal states that her water service was disconnected and that she was charged a \$55.00 disconnect fee and a \$55.00 reconnect fee, despite the fact the back of the bill she received indicated the fee to have water service reconnected following a disconnection was \$25.00. Ms. Catudal is asking for an \$85.00 credit to be applied to her account with Nicholas District reflecting the difference in the \$110.00 she was charged to have her service restored following the disconnection and the \$25.00 reconnection fee as listed on her bill. In addition she is asking to have a late charge of \$7.08 removed from her account. The total amount for which she seeks a credit is \$92.08.

Pursuant to Commission regulations in 807 KAR 5:001, Section 20(4)(a), upon receipt of a formal complaint, the Commission must determine whether the complaint

establishes a prima facie case. A complaint establishes a prima facie case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant to the requested relief. If a complaint fails to establish a prima facie case, it may be dismissed.

Based upon a review of the tendered complaint, the Commission is unable to determine at this time whether the complaint establishes a prima facie case, but the allegations support our further investigation into the merits of the complaint. For example, Ms. Catudal states her water service was disconnected for nonpayment of a \$66.17 bill. However, the bill included with her complaint lists a balance forward of \$98.02, and under "Pay This Amount" \$35.04 is listed on the bill. In addition, the complaint includes no evidence of the \$7.08 late fee referenced by Ms. Catudal. Finally, a change to Nicholas District's tariff went into effect December 27, 2019, and established a disconnect fee of \$55.00 and a reconnect fee of \$55.00. However, the back of the bill submitted with this complaint indicates a reconnect fee of \$25.00 and is silent as to a disconnect fee. That bill was for a period of service from December 1, 2019, to December 31, 2019. It was due January 31, 2020, and it is unknown when it was mailed.

Based on the foregoing, the Commission finds that copies of the bills, both first and second notices and front and back, for Ms. Catudal's account that were issued between December 1, 2019, and the current date are needed to assist the Commission in making a determination whether the complaint establishes a prima facie case. Because the necessary bills are in possession of Nicholas District, we find that a copy of this Order should be served upon Nicholas District for the sole purpose of requesting

documents. A copy of Ms. Catudal's complaint is attached to this Order so that Nicholas District can identify her account and the subject of her complaint.

IT IS THEREFORE ORDERED that:

1. A copy of this Order shall be served upon Nicholas District for the sole purpose of requesting necessary documents to assist the Commission in determining whether the complaint establishes a prima facie case.

2. Within ten days of the date of this Order, Nicholas District shall file copies of the bills (first and second notices, front and back) issued between December 1, 2019, and the current date for Ms. Catudal's account. Pursuant to the Commission's Order in Case No. 2020-00085, Nicholas District shall file the requested information with the Commission by sending electronic copies to PSCED@ky.gov.

By the Commission

ENTERED
MAR 23 2020 rCS
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Case No. 2020-00055

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00055 DATED MAR 23 2020

FIVE PAGES TO FOLLOW

RECEIVED

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

FEB 25 2020

PUBLIC SERVICE
COMMISSION

In the matter of:

Amy J. Catudal)
(Your Full Name))
COMPLAINANT)

VS.

Nicholas County Water)
(Name of Utility))
DEFENDANT)

COMPLAINT

The complaint of Amy J. Catudal respectfully shows:
(Your Full Name)

(a) Amy J. Catudal
(Your Full Name)

3770 Crooked Creek Rd. Carlisle, KY 40311
(Your Address)

(b) Nicholas County Water
(Name of Utility)

11639 Old Paris Rd. Carlisle, KY 40311
(Address of Utility)

(c) That: The enclosed bill was mailed out on 1/16/20 and the
(Describe here, attaching additional sheets if necessary,

back of the bill clearly states a \$25 reconnect fee, not
the specific act, fully and clearly, or facts that are the reason

the \$55 disconnect and \$55 reconnect fee that they charged
and basis for the complaint.)

me to have my water turned back on after shutting me off

Continued on Next Page

Formal Complaint

Amy J. Catudal vs. Nicholas County Water

Page 2 of 2

for a \$66.17 late bill, I recieved no notice of any rate change:
at all. The Public Service Commission contacted them on 1/20/20
and they stated they would credit my account \$85 of the \$110
that I paid. Nicholas County Water is now refusing to credit
my account and tells me that the Public Service Commission
contacted them again and told them not to credit my account.

Wherefore, complainant asks I am asking for a \$85.00
(Specifically state the relief desired.)

Credit plus a \$7.08 new late charge for a
total of \$92.08

Dated at Carlisle, Kentucky, this 24th day
(Your City)

of February, 2026.
(Month)

Amy Catudal
(Your Signature*)

(Name and address of attorney, if any)

2/24/20
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.

Nicholas County Water District Tel: (859) 289-3157
 1639 Old Paris Road • Carlisle, Kentucky 40311

PRESORTED
 FIRST CLASS MAIL
 U.S. Postage Paid
 Carlisle, KY 40311
 PERMIT NO. 21

2nd NOTICE

ACCOUNT	[REDACTED]			12/1/19 - 12/31/19
SERVICE AT 3770 CROOKED CREEK RD				
CODE	PRESENT	PREVIOUS	USAGE	CHARGES
ARR	BAL FORWARD			98.02
ADJ	ADJUSTMENT TO ACCOUNT			110.00
	PAYMENT			-176.17
TF	LATE CHARGE			3.19
2nd NOTICE				
SERVICE WILL BE SCHEDULED FOR CUT-OFF IF BILL NOT PAID IN FULL BY LAST BUSINESS DAY OF MONTH.				
BILL IS DUE UPON RECEIPT		DUE DATE	PAY THIS AMOUNT	
		1/31/20	35.04	

ACCOUNT	DISCONNECT DATE
[REDACTED]	1/31/20
THIS BILL IS DUE UPON RECEIPT	PAY THIS AMOUNT
	35.04
10-0775	
PLEASE RETURN THIS STUB WITH PAYMENT	

AMY CATUDAL
 3770 CROOKED CREEK RD
 CARLISLE KY 40311

40311-933970



Make check payable and remit to:

NICHOLAS COUNTY WATER DISTRICT
1639 Old Paris Road
Carlisle, Kentucky 40311

Please make checks payable to:

Nicholas County Water District
1639 Old Paris Road ♦ Carlisle, KY 40311
Phone: (859) 289-3157 Fax: (859) 289-8131

CODE EXPLANATION

WAT	-	Water Charge
TXU	-	Utility Tax (School)
MSC	-	Miscellaneous
LTF	-	Late Fee
ARR	-	Arrears
ADJ	-	Adjustment
OP	-	Over Payment
DPA	-	Deposit Applied
SC	-	Service Charge
CB	-	Credit Balance

OFFICE HOURS

7:30AM to 4:00PM Monday thru Friday
Closed Weekends and Holidays

THERE IS A 10% PENALTY ADDED AFTER DUE DATE

Unpaid accounts will be disconnected on the last business day of the month. The original bill plus a \$25.00 reconnect fee must be paid in order to restore service.

***RATES ARE FURNISHED UPON REQUEST**

RETURN THIS PORTION WITH YOUR PAYMENT

FAILURE TO RECEIVE BILL IS NO EXCUSE FOR NON-PAYMENT

PLEASE KEEP THIS STUB FOR YOUR RECORDS

Amy Catudal
3770 Crooked Creek Rd.
Carlisle, KY 40311

LEXINGTON KY 405

24 FEB 2020 PM 3 L



Kentucky Public Service Commission
P.O. Box 615
211 Sower Blvd.
Frankfort, Kentucky 40602-0615

40602-0615



Amy J. Catudal
3770 Crooked Creek Road
Carlisle, KENTUCKY 40311

*Nicholas County Water District
1639 Old Paris Road
Carlisle, KY 40311