

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LAWRENCE J. WOLTER)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2020-00080
)	
JONATHAN CREEK WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

Jonathan Creek Water District (Jonathan Creek District) is hereby notified that it has been named as Defendant in a formal complaint (Complaint) filed on March 12, 2020, a copy of which is attached to this Order.

The Complainant, Lawrence J. Wolter, alleges in the Complaint that he was issued an incorrect bill based upon a misread meter, and he asked for a correction. Mr. Wolter claims Jonathan Creek District continues to charge him the incorrect amount and threatens to discontinue service. Based upon a review of the Complaint, the Commission finds there is insufficient information upon which to determine whether Mr. Wolter has established a prima facie case. Upon the parties filing the additional information requested below, the Commission will determine what further action to take in this matter.

IT IS THEREFORE ORDERED that:

1. Pursuant to 807 KAR 5:001, Section 20, Jonathan Creek District is to file a written answer to the Complaint within ten days from the date of entry of this Order.

2. Within ten days of the date of service of this Order, Jonathan Creek District shall file copies of bills rendered for Mr. Wolter for 2015 through 2019; copies of any work orders associated with 7564 U.S. Highway 68 E, Benton, Kentucky 42025, for 2015 through 2019; and copies of any communications with Lawrence J. Wolter or other residents at the same address.

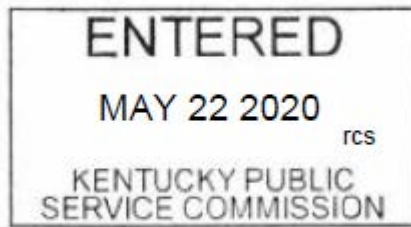
3. Documents of any kind filed with the Commission in the course of this proceeding shall also be served on all parties of record.

4. All documents shall be filed by electronic mail at the following address: PSCED@ky.gov.

5. Pursuant to the Commission's Order in Case No. 2020-00085, issued March 16, 2020, Jonathan Creek District SHALL NOT FILE the original paper copy of all requested information at this time, but rather will file original paper copies within 30 days of the lifting of the current state of emergency. All responses shall be appropriately bound, tabbed, and indexed.

6. If any document filed contains personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the filing so that personal information cannot be read.

By the Commission



ATTEST:

A handwritten signature in blue ink, consisting of stylized initials and a surname, positioned above a horizontal line.

Executive Director

Case No. 2020-00080

ATTACHMENT

ATTACHMENT TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00080 DATED MAY 22 2020

[SIX PAGES TO FOLLOW]

PRINCE AND BRIEN, P.S.C.

ATTORNEYS AT LAW
P. O. BOX 466 · 1005 MAIN STREET
BENTON, KENTUCKY 42025

ROBERT L. PRINCE
CHARLES W. BRIEN (Of Counsel)

Phone: (270) 527-8612
Fax: (270) 527-0916

RECEIVED

MAR 12 2020

PUBLIC SERVICE
COMMISSION

March 11, 2020

Public Service Commission
211 Sower Blvd.
Frankfort, KY 40602

RE: Lawrence J. Wolter vs. Jonathan Creek Water District

Dear PSC:

Enclosed herewith is an original and three copies of a formal complaint by our client, Lawrence J. Wolter, against Jonathan Creek Water District. Please advise if you require anything further to process this Complaint.

Sincerely,

PRINCE & BRIEN, P.S.C.



Jill A. Denton
Legal Assistant

/jad

Enclosures

*Courtesy copies: - Martin W. Johnson, Esq.
- Jonathan Creek Water District*

MAR 12 2020

PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

LAWRENCE J. WOLTER)
_____)
(Your Full Name))
COMPLAINANT)
VS.)
)
JONATHAN CREEK WATER DISTRICT)
_____)
(Name of Utility))
DEFENDANT)

COMPLAINT

The complaint of Lawrence J. Wolter respectfully shows:
(Your Full Name)

(a) Lawrence J. Wolter
(Your Full Name)
16984 US Hwy 68 E, Hardin, KY 42048
(Your Address)

(b) Jonathan Creek Water District
(Name of Utility)
7564 US Hwy. 68 E, P.O. Box 414, Benton, KY 42025
(Address of Utility)

(c) That: Jonathan Creek Water District billed me for one-million, one-
(Describe here, attaching additional sheets if necessary,
hundred-ten thousand, eight-hundred (1,110,800) gallons of water,
the specific act, fully and clearly, or facts that are the reason
allegedly used the month of March 2015. However, the district's
and basis for the complaint.)
billing history reveals that the meter was mis-read in that the

Continued on Next Page



Formal Complaint

LAWRENCE J. WOLTER

vs.

JONATHAN CREEK WATER DISTRICT

Page 2 of 2

following month's reading was over 1.1 million gallons less. Testing of the meter showed that the meter worked properly and, therefore, it is safe to assume the meter did not roll backwards. The district has made no allegations of fraud or theft against me. The district continues to bill me for this and threatens to discontinue service to my home.

This complaint is made pursuant to 807 KAR 5:006 § 11.

Wherefore, complainant asks that the billing for account number
(Specifically state the relief desired.)

[REDACTED] for the time period 03/02/15 to 03/26/15 be adjusted to correct the erroneous over-billing.

Dated at Benton, Kentucky, this 11th day
(Your City)

of March, 2020.
(Month)

Robert L. Prince
Prince & Brien, PSC
P.O. Box 466
Benton, KY 42025
(270) 527-8612

Lawrence J. Wolter
(Your Signature*)

(Name and address of attorney, if any)

3-11-2020
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.

JONATHAN CREEK WATER DIST.

P.O. BOX 414 • BENTON, KY 42025 • (270) 354-8474

Ch 1597 4-24-15

ACCOUNT		03/02/15 TO 03/26/15		
SERVICE AT 16984 Us Hwy 68 East				
TYPE	PRESENT	PREVIOUS	USAGE	CHARGES
AR	Arrears			-100.00
WA	1140000	29200	1110800	6,398.93
SC	Marshall Co. Sch Tax			191.97
Please have your bill with you in order to pay. Thank you. Online & Bank Drafts available AFTER HOURS # 270-354-8474				
CLASS	AMOUNT DUE AFTER DUE DATE	DUE DATE		AMOUNT DUE ON OR BEFORE DUE DATE
R01	7,139.99	05/05/15		6,490.90



Jonathan Creek Water District Reading History Report

Service Type	WA WATER	Starting Date	06/01/2014
Cycle	All Cycles	Ending Date	06/26/2015
Starting Account	██████████	Sort Order	Account
Ending Account	██████████	Use Reading Factor	Yes
Print on wide carriage	No		All Groups
Date Selection For Report	Posting		

Trans. Date	Service	Rate	Meter Number	Previous Reading	Present Reading	Usage	Reading Type	Deduct Usage	Demand Usage	Change Out
0005-07850-002 01 Wolter, Lawrence J.				18984 Us Hwy 88 East Hardin, KY 42048						
06/20/2014 02:14 PM	WATER	03	52890956	20,600	21,200	600	Read	0	0	<input type="checkbox"/>
07/18/2014 02:20 PM	WATER	03	52890956	21,200	22,800	1,600	Read	0	0	<input type="checkbox"/>
08/19/2014 08:08 AM	WATER	03	52890956	22,800	23,600	700	Read	0	0	<input type="checkbox"/>
09/19/2014 02:49 PM	WATER	03	52890956	23,500	24,400	900	Read	0	0	<input type="checkbox"/>
10/20/2014 10:58 AM	WATER	03	52890956	24,400	25,300	900	Read	0	0	<input type="checkbox"/>
11/18/2014 12:06 PM	WATER	03	52890956	25,300	25,900	600	Read	0	0	<input type="checkbox"/>
12/22/2014 11:53 AM	WATER	03	52890956	25,900	26,900	1,000	Read	0	0	<input type="checkbox"/>
01/19/2015 05:32 PM	WATER	03	52890956	26,900	27,600	700	Read	0	0	<input type="checkbox"/>
02/19/2015 02:25 PM	WATER	03	52890956	27,600	28,100	500	Read	0	0	<input type="checkbox"/>
03/20/2015 09:51 AM	WATER	03	52890956	28,100	29,200	1,100	Read	0	0	<input type="checkbox"/>
04/20/2015 03:30 PM	WATER	03	52890956	29,200	1,140,000	1,110,800	Read	0	0	<input type="checkbox"/>
05/20/2015 10:19 AM	WATER	03	52890956	1,140,000	40,900	900	Read	0	0	<input type="checkbox"/>
06/19/2015 09:44 AM	WATER	03	52890956	40,900	41,700	800	Read	0	0	<input type="checkbox"/>
05/20/2015 10:19 AM	WATER	21		0	0	0	No Reading	0	0	<input type="checkbox"/>
06/19/2015 09:44 AM	WATER	21		0	0	0	No Reading	0	0	<input type="checkbox"/>

1 Customers in Route 0005 1,121,100 Route Usage

1 Customers on Report 1,121,100 Total Usage

JONATHAN CREEK WATER DIST.
 P.O. BOX 414
 BENTON, KY 42025 PHONE (270) 354-8474

3-9-20

FIRST CLASS MAIL
 U.S. POSTAGE PAID
 BENTON, KY 42025
 PERMIT NO. 15

ADDRESS CORRECTION REQUESTED

MAIL THIS STUB WITH PAYMENT

ACCOUNT	CUT-OFF DATE
[REDACTED]	03/16/20
DUE DATE	TOTAL AMOUNT DUE
03/16/20	\$35.00
SERVICE AT 16984 Us Hwy 68 East	

ACCOUNT	CUT-OFF DATE
[REDACTED]	03/16/20
DUE DATE	TOTAL AMOUNT DUE
03/16/20	\$35.00

IMPORTANT

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS OVERDUE AND UNPAID. TO AVOID TERMINATION OF SERVICE PLEASE PAY THIS AMOUNT.

SERVICE WILL BE DISCONTINUED IF PAYMENT IS NOT RECEIVED BEFORE 4:00 P.M. ON THE DUE DATE SHOWN ABOVE.

IF SERVICE IS TERMINATED, A \$70 RECONNECT FEE & THE ENTIRE BILL WILL BE PAID BEFORE SERVICE IS RECONNECTED. FAILURE TO RECEIVE THIS NOTICE OR BILL DOES NOT RELEASE YOU FROM THIS OBLIGATION.

ONLINE PAYMENT AVAILABLE

www.commercialpayments.com/jcw.htm

IF PAYMENT HAS BEEN MADE PLEASE DISREGARD THE NOTICE AND ACCEPT OUR THANKS.

SNGLP MAIL TO

Lawrence J. Wotter
 16984 Us Hwy 68 East
 Hardin, KY
 42048

PLEASE BRING ENTIRE BILL TO OFFICE
 OR MAIL'S US WITH PAYMENT



Lawrence J. Wolter
16984 U.S. Highway 68 E
Hardin, KENTUCKY 42048

*Honorable Robert L Prince
Attorney at Law
Prince & Brien, P.S.C.
P. O. Box 466
Benton, KENTUCKY 42025-0466

*Jonathan Creek Water District
7564 U. S. Highway 68E
P. O. Box 414
Benton, KY 42025