COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LAWRENCE J. WOLTER COMPLAINANT V. JONATHAN CREEK WATER DISTRICT

DEFENDANT

CASE NO. 2020-00080

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<u>ORDER</u>

On March 12, 2020, Lawrence J. Wolter filed a formal complaint against Jonathan Creek Water District (Jonathan Creek District) in which he alleged that he was issued an incorrect bill based upon a misread meter, and he asked for a correction. Mr. Wolter claimed Jonathan Creek District continued to charge him the incorrect amount and threatens to discontinue service. The Commission's September 8, 2020 Order requested further information upon which to base a determination of whether Mr. Wolter had established a prima facie case. Mr. Wolter and Jonathan Creek District each responded to the Commission's request. Commission Staff (Staff) issued a request for information on February 18, 2021, to which Jonathan Creek District responded on February 22, 2021.

LEGAL STANDARD

As 807 KAR 5:001, Section 20(4)(b), states:

If the complaint, either as originally filed or as amended, establishes a prima facie case and conforms to this administrative regulation, the commission shall serve an order upon the person complained of, accompanied by a copy of the complaint, directed to the person complained of and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of the order, provided that the commission may require the answer to be filed within a shorter period if the complaint involves an emergency situation or otherwise would be detrimental to the public interest.

<u>FINDINGS</u>

The Commission finds that a complaint was first filed with the Commission in 2015. The facts in the record are that on March 26, 2015, Jonathan Creek District initially discovered the leak during its routine monthly meter reading. The utility initiated the contact regarding the leak with Mr. Wolter immediately upon its discovery of the leak. According to Mr. Walter's letter dated March 31, 2015, Mr. Wolter detected the leak on March 20, 2015, but did not notify Jonathan Creek District. Mr. Wolter had the leak repaired and then sent a letter requesting a payment plan. Based upon the record, Mr. Wolter was told he had a leak and the bill was in excess of \$6,000. He requested a payment plan and made three payments of \$540 per month in 2015. He filed an informal complaint with the Pubic Service Commission and requested the meter be tested. It was tested and passed. That complaint was closed. In February 2020, the utility contacted the Commission about beginning collections again and found the case had been closed. When Jonathan Creek District contacted Mr. Wolter, he filed this formal complaint. The Commission requested information to clarify the actions on the part of the utility and can find no indications of wrongdoing. The Commission is concerned about the amount of the monthly payments, as it seems rather high and would suggest it could be renegotiated. Mr. Wolter signed the agreement and filed a letter admitting to the leak. He has admitted owing the money and began repayment on the contract. Based upon its review of the record, the Commission finds that Mr. Wolter's complaint and

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supporting documents do not present prima facie evidence of any wrongdoing on the part of Jonathan Creek District. Accordingly, the complaint should be dismissed and this case closed.

IT IS THEREFORE ORDERED that:

- 1. Lawrence J. Wolter's formal complaint is dismissed.
- 2. This case is closed and removed from the Commission's docket.

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By the Commission



ATTEST:

Bidwell

Executive Director

Case No. 2020-00080

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