

FEB 22 2021

PUBLIC SERVICE
COMMISSION

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

**RESPONSE OF JONATHAN CREEK WATER DISTRICT
TO
COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

Defendant Jonathan Creek Water District ("District"), by and through counsel, for its Response to the Commission Staff's First Request for Information, hereby files the attached Declaration of the District's Superintendent, David Lovett, and Schedules attached thereto.



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CERTIFICATE OF FILING

The undersigned hereby certifies that pursuant to the Commission's Order in Case No. 2020-00085 issued March 16, 2020 and March 24, 2020, and the Commission's Orders issued herein on May 22, 2020 and September 8, 2020, the foregoing was filed with the Commission by electronic mail on this 22nd day of February, 2021, at the following address: PSCED@ky.gov.



KIP C. MATHIS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon the following, on this 22nd day of February, 2021, as follows:

By U.S. Postage Prepaid and Email to:

Hon. Robert L. Prince
Prince & Brien, P.S.C.
P.O. Box 466
Benton, KY 42025-0466
Email: bprince51@mac.com
Counsel for Complainant
Lawrence J. Wolter



KIP C. MATHIS

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LAWRENCE J. WOLTER)	
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Complainant.)	
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v.)	
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)	CASE NO.
)	2020-00080
)	
JONATHAN CREEK WATER DISTRICT)	
)	
Defendant.)	
)	
)	

**DECLARATION OF DAVID LOVETT
IN SUPPORT OF JONATHAN CREEK WATER DISTRICT'S
RESPONSE TO
COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION**

The undersigned, David Lovett, being first duly sworn, states and deposes as follows:

1. I am the Superintendent of Jonathan Creek Water District ("District").
2. I have personal knowledge of the matters set forth herein and the answers contained herein are true and accurate to the best of my information, knowledge and belief formed after a reasonable inquiry.
3. I make this Declaration in support of the District's Response to the Commission Staff's First Request for Information dated February 19, 2021 ("Request").
4. Any prior response of mine or the District's which was incorrect when made or, though correct when made, is now incorrect in any material respect, is hereby amended to conform to the representations made in this Declaration.
5. The following sets forth the District's Response to the Request:

Request 1: Provide the exact dates that the meter at issue was read.

Response 1: The following sets forth the exact dates that the meter at issue was read between January 27, 2015 and August 31, 2015, when it was replaced (See Schedule 5(a) attached and Work Orders previously submitted):

Date Meter Read

1/27/2015
3/2/2015
3/26/2015
4/28/2015
5/6/2015
5/11/2015
5/18/2015
5/28/2015
6/29/2015
7/28/2015
8/31/2015

Request 2: Provide the date that David Lovett, superintendent (Mr. Lovett) confirmed that reading.

Response 2: I confirmed the March 26, 2015 routine monthly reading of 1,140,000 gallons on March 26, 2015, immediately after being notified of the leak by the District's operator who made the initial reading.

Request 3: Provide the date that Lawrence J. Wolter (Mr. Wolter) came into the office to sign the payment plan.

Response 3: Mr. Wolter came into the District's office to sign the payment plan on April 7, 2015, not April 15, 2015 as stated in the District's Answer filed June 3, 2020.

Request 4: Confirm that the payment plan was signed on April 7, 2015.

Response 4: I confirm that the payment plan was signed on April 7, 2015.

Request 5: Confirm that the Reading History Report shows the meter was read on February 19, 2015, March 20, 2015, and May 20, 2015.

Response 5: Upon further investigation, the District discovered that, due to its inadvertence, the "Reading History Report" attached as Schedule 1(b) to my Declaration in Support of the District's Response to Commission's Order entered September 8, 2020 filed herein on or about September 16, 2020 ("Posting Report") showed the date the meter readings were **posted for**

billing not read. The District attaches hereto as Schedule 5(a) the Reading History Report showing the actual date the meter was **read** for routine billing purposes (“Reading Report”).

A comparison of the Posting Report and Reading Report shows that the meter reading made on January 27, 2015 (28,100 gallons) was posted on February 19, 2015; the meter reading made on March 2, 2015 (29,200 gallons) was posted on March 20, 2015; and the meter reading made on March 26, 2015 (1,140,000 gallons) was posted on April 20, 2015. In other words, the Posting Report shows the readings for the month prior to the date shown thereon, and the “Trans. Date” shown on the Posting Report shows the date billed, not the date the meter was read. The “Reading Date” on the Reading Report attached hereto shows the dates the meter was read for routine billing purposes.

The District attaches hereto as Schedule 5(b) a copy of the Posting Report previously submitted for the parties’ reference.

Request 6: Confirm that the calls between Mr. Wolter and the utility occurred between the March 20, 2015 and April 20, 2015 readings.

Response 6: The initial calls between Mr. Wolter and the District relating to the leak actually occurred on and after March 26, 2015 once the District initially discovered the leak during its routine monthly meter reading. The District initiated the contact regarding the leak with Mr. Wolter immediately upon its discovery of the leak. According to Mr. Wolter’s letter dated March 31, 2015, Mr. Wolter detected the leak on March 20, 2015, but did not notify the District. (See letter dated March 31, 2015 from Mr. Wolter attached to the District’s Answer filed June 3, 2020).

Request 7: Confirm whether the payment plan was based off of a reading from March 26, 2015.

Response 7: I confirm that the payment plan was based off of a reading from March 26, 2015.

Request 8: Explain why the meter was read on March 26, 2015.

Response 8: The March 26, 2015 reading of the meter was a routine monthly meter reading.

Request 9: Explain whether the reading for April 20, 2015, confirmed the reading taken on March 26, 2015.

Response 9: There was no reading on April 20, 2015. As discussed above, the April 20, 2015 Trans. Date shown on the Posting Report reflects the date the March 26, 2015 reading of 1,140,000 gallons posted to Mr. Wolter’s account. See the Reading Report.

Request 10: Refer to Jonathan Creek District's response filed on June 3, 2020, third paragraph.

- a. Explain how Mr. Wolter was notified by Jonathan Creek District of its findings.
- b. Provide any documentation on how Mr. Wolter was notified.

Response 10:

- a. On March 26, 2015, Christina Mathis, an employee of the District at the time, called Mr. Wolter to notify him of the leak. On March 27, 2015, the following day, Mr. Wolter repaired the leak (See Invoice of Above All Service, LLC d/b/a Gibson Plumbing and Mechanical attached to the Answer of JCWD filed herein on June 3, 2020).
- b. There is no documentation on how Mr. Wolter was notified.

Request 11: Explain whether there has been any further contact between Mr. Wolter and Jonathan Creek District or Mr. Lovett since the letter of February 19, 2020.

- a. If there has been contact, provide how the contact was made and who made the contact.
- b. Provide any documentation concerning any contact between the two parties.

Response 11: There has not been any further contact between Mr. Wolter and Jonathan Creek District or Mr. Lovett since the letter of February 19, 2020, other than the pleadings and filings in this case and the routine billing statements and payments relating to a separate account held by Mr. Wolter.

This the 19th day of February, 2021.

David Lovett
DAVID LOVETT

STATE OF KENTUCKY
COUNTY OF MARSHALL

Subscribed, sworn to and acknowledged before me by David Lovett on this 19th
day of February, 2021.

KYNP4454 Jade Thompson
NOTARY PUBLIC

My commission expires: March 9, 2024

JONATHAN CREEK WATER DISTRICT
Response to the Commission Staff's First Request for Information
Case No. 2020-00080

SCHEDULE
5(a)

Jonathan Creek Water District Reading History Report

Service Type	WA WATER	Starting Date	01/01/2015
Cycle	All Cycles	Ending Date	12/31/2019
Starting Account		Sort Order	Account
Ending Account		Page Break on Account Group	
Print on wide carriage	No	Use Reading Factor	Yes
Date Selection For Report	Reading		All Groups

Reading Date	Service	Rate	Meter Number	Previous Reading	Present Reading	Usage	Reading Type	Deduct Usage	Demand Usage	Change Out
0005-07650-002	01	Wolter, Lawrence J.				16984 Us Hwy 68 East Hardin, KY		42048		
01/27/2015 10:46 AM	WATER	03	52890956	27,600	28,100	500	Read	0		0
03/02/2015 10:42 AM	WATER	03	52890956	28,100	29,200	1,100	Read	0		0
03/26/2015 09:43 AM	WATER	03	52890956	29,200	1,140,000	1,110,800	Read	0		0
04/28/2015 11:00 AM	WATER	03	52890956	1,140,000	40,900	900	Read	0		0
05/28/2015 10:53 AM	WATER	03	52890956	40,900	41,700	800	Read	0		0
06/29/2015 01:22 PM	WATER	03	52890956	41,700	42,400	700	Read	0		0
07/28/2015 12:49 PM	WATER	03	52890956	42,400	43,100	700	Read	0		0
08/31/2015 11:51 AM	WATER	03	52890956	43,100	44,100	1,000	Read	0		0
08/31/2015 11:59 PM	WATER	03	8435899	0	0	0	Read	0		0
09/28/2015 11:28 AM	WATER	03	8435899	0	700	700	Read	0		0
10/28/2015 11:53 AM	WATER	03	8435899	700	1,500	800	Read	0		0
12/01/2015 03:27 PM	WATER	03	8435899	1,500	2,400	900	Read	0		0
01/05/2016 12:52 PM	WATER	03	8435899	2,400	3,100	700	Read	0		0
01/28/2016 09:47 AM	WATER	03	8435899	3,100	3,700	600	Read	0		0
02/26/2016 11:46 AM	WATER	03	8435899	3,700	4,300	600	Read	0		0
03/28/2016 11:00 AM	WATER	03	8435899	4,300	4,800	500	Read	0		0
04/26/2016 11:39 AM	WATER	03	8435899	4,800	5,600	800	Read	0		0
05/26/2016 09:00 AM	WATER	03	8435899	5,600	6,300	700	Read	0		0
06/28/2016 11:37 AM	WATER	03	8435899	6,300	7,100	800	Read	0		0
07/26/2016 02:43 PM	WATER	03	8435899	7,100	7,800	700	Read	0		0
08/30/2016 05:48 PM	WATER	03	8435899	7,800	8,700	900	Read	0		0
09/27/2016 11:41 AM	WATER	03	8435899	8,700	9,400	700	Read	0		0
10/26/2016 08:54 AM	WATER	03	8435899	9,400	10,200	800	Read	0		0
11/29/2016 01:04 PM	WATER	03	8435899	10,200	10,900	700	Read	0		0
12/29/2016 11:12 AM	WATER	03	8435899	10,900	11,400	500	Read	0		0
01/26/2017 09:03 AM	WATER	03	8435899	11,400	12,000	600	Read	0		0
02/27/2017 03:57 PM	WATER	03	8435899	12,000	12,600	600	Read	0		0
03/28/2017 02:18 PM	WATER	03	8435899	12,600	13,100	500	Read	0		0
04/25/2017 09:27 AM	WATER	03	8435899	13,100	13,800	700	Read	0		0
05/31/2017 09:14 AM	WATER	03	8435899	13,800	14,800	1,000	Read	0		0

Reading Date	Service	Rate	Meter Number	Previous Reading	Present Reading	Usage	Reading Type	Deduct Usage	Demand Usage	Change Out
06/27/2017 09:55 AM	WATER	03	8435899	14.800	15.800	1.000	Read	0	0	
07/26/2017 09:21 AM	WATER	03	8435899	15.800	16.500	700	Read	0	0	
08/29/2017 09:48 AM	WATER	03	8435899	16.500	17.300	800	Read	0	0	
09/26/2017 09:18 AM	WATER	03	8435899	17.300	17.900	600	Read	0	0	
10/27/2017 01:59 PM	WATER	03	8435899	17.900	18.600	700	Read	0	0	
11/28/2017 03:59 PM	WATER	03	8435899	18.600	19.200	600	Read	0	0	
12/27/2017 11:41 AM	WATER	03	8435899	19.200	19.700	500	Read	0	0	
01/25/2018 02:45 PM	WATER	03	8435899	19.700	20.700	1.000	Read	0	0	
02/27/2018 01:17 PM	WATER	03	8435899	20.700	20.900	200	Read	0	0	
03/27/2018 01:30 PM	WATER	03	8435899	20.900	21.400	500	Read	0	0	
04/27/2018 01:28 PM	WATER	03	8435899	21.400	21.900	500	Read	0	0	
05/29/2018 01:35 PM	WATER	03	8435899	21.900	22.600	700	Read	0	0	
06/26/2018 09:52 AM	WATER	03	8435899	22.600	23.200	600	Read	0	0	
07/26/2018 08:12 AM	WATER	03	8435899	23.200	23.800	600	Read	0	0	
08/27/2018 03:24 PM	WATER	03	8435899	23.800	23.900	100	Read	0	0	
09/26/2018 03:23 PM	WATER	03	8435899	23.900	23.900	0	Read	0	0	
10/22/2018 08:59 AM	WATER	03	8435899	23.900	23.900	0	Read	0	0	
04/30/2015 02:51 PM	WATER	21		0	0	0	No Reading	0	0	
1 Customers in Route 0005				1,140,400 Route Usage						
1 Customers on Report				1,140,400 Total Usage						

JONATHAN CREEK WATER DISTRICT
Response to the Commission Staff's First Request for Information
Case No. 2020-00080

SCHEDULE
5(b)

Jonathan Creek Water District Reading History Report

Service Type	WA WATER	Starting Date	01/01/2015
Cycle	All Cycles	Ending Date	12/31/2019
Starting Account		Sort Order	Account
Ending Account		Page Break on Account Group	<input type="checkbox"/>
Print on wide carriage	No	Use Reading Factor	Yes
Date Selection For Report	Posting		All Groups

Trans. Date	Service	Rate	Meter Number	Previous Reading	Present Reading	Usage	Reading Type	Deduct Usage	Demand Usage	Change Out
0005-07650-002 01 Wolter, Lawrence J.				16984 Us Hwy 68 East Hardin, KY 42048						
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"/>
07/17/2015 02:05 PM	WATER	03	52890956	41,700	42,400	700	Read	0	0	<input type="checkbox"/>
08/20/2015 10:10 AM	WATER	03	52890956	42,400	43,100	700	Read	0	0	<input type="checkbox"/>
08/31/2015 11:51 AM	WATER	03	52890956	43,100	44,100	1,000	Read	0	0	<input checked="" type="checkbox"/>
09/21/2015 10:47 AM	WATER	03	8435899	0	0	0	Read	0	0	<input type="checkbox"/>
10/19/2015 01:24 PM	WATER	03	8435899	0	700	700	Read	0	0	<input type="checkbox"/>
11/19/2015 02:16 PM	WATER	03	8435899	700	1,500	800	Read	0	0	<input type="checkbox"/>
12/18/2015 10:36 AM	WATER	03	8435899	1,500	2,400	900	Read	0	0	<input type="checkbox"/>
01/19/2016 12:18 PM	WATER	03	8435899	2,400	3,100	700	Read	0	0	<input type="checkbox"/>
02/19/2016 12:22 PM	WATER	03	8435899	3,100	3,700	600	Read	0	0	<input type="checkbox"/>
03/18/2016 10:30 AM	WATER	03	8435899	3,700	4,300	600	Read	0	0	<input type="checkbox"/>
04/19/2016 11:47 AM	WATER	03	8435899	4,300	4,800	500	Read	0	0	<input type="checkbox"/>
05/19/2016 11:10 AM	WATER	03	8435899	4,800	5,600	800	Read	0	0	<input type="checkbox"/>
06/21/2016 02:00 PM	WATER	03	8435899	5,600	6,300	700	Read	0	0	<input type="checkbox"/>
07/19/2016 10:42 AM	WATER	03	8435899	6,300	7,100	800	Read	0	0	<input type="checkbox"/>
08/19/2016 11:12 AM	WATER	03	8435899	7,100	7,800	700	Read	0	0	<input type="checkbox"/>
09/19/2016 01:10 PM	WATER	03	8435899	7,800	8,700	900	Read	0	0	<input type="checkbox"/>
10/19/2016 09:33 AM	WATER	03	8435899	8,700	9,400	700	Read	0	0	<input type="checkbox"/>
11/16/2016 09:41 AM	WATER	03	8435899	9,400	10,200	800	Read	0	0	<input type="checkbox"/>
12/15/2016 12:50 PM	WATER	03	8435899	10,200	10,900	700	Read	0	0	<input type="checkbox"/>
01/17/2017 10:20 AM	WATER	03	8435899	10,900	11,400	500	Read	0	0	<input type="checkbox"/>
02/16/2017 10:33 AM	WATER	03	8435899	11,400	12,000	600	Read	0	0	<input type="checkbox"/>
03/17/2017 01:37 PM	WATER	03	8435899	12,000	12,600	600	Read	0	0	<input type="checkbox"/>
04/19/2017 11:13 AM	WATER	03	8435899	12,600	13,100	500	Read	0	0	<input type="checkbox"/>
05/17/2017 01:44 PM	WATER	03	8435899	13,100	13,800	700	Read	0	0	<input type="checkbox"/>

