

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

CASE NO, 2021-00307

LARRY RAYOMND BAILEY
COMPLAINANTV. **MOTION TO RECONSIDER FINAL ORDER**WEST LAUREL WATER ASSOCIATION, INC.
DEFENDANT

Comes Now, Larry Bailey requesting the Kentucky Public Service Commission (PSC) to reconsider its final order dismissing my complaint.

Pursuant to KRS § 13B.140(2) a party must exhaust all remedies available within the agency before filing a petition for judicial review.

ISSUES FOR RECONSIDERATION

In its final order the PSC asserts that I failed to cite any specific statute or other authority requiring West Laurel Water Association (WLWA) to provide notice of its reinstatement of late fees. (See page 5). That assertion is incorrect.

In my amended complaint I specifically cited the Kentucky Administrative Code 807 KAR 5:006 Section 5 (1)(b) and Section 7 (1)(a) 9. (See pages 3-4). Not only should WLWA have notified its customers of the reinstatement of late fees, it should have also notified the changes when they began.

The PSC states WLWA did not notify customers of late fee changes due to costs. (See pages 2-3). However, neither WLWA nor the PSC cites any authority allowing a utility to waive those requirements due to costs.

As I have previously discussed in my pleadings this issue is unprecedented in Kentucky because of a national crisis resulting in Executive Orders (EO's) enacted by the governor. However, WLWA was not the only utility company effected by the EO's so the PSC should look at processes used by other utilities in the state for guidance before issuing an order.

CONCLUSION

The PSC should reconsider its final order with the rules that I cited in my amended complaint.

RESPECTFULLY SUBMITTED,

Larry Raymond Bailey
181 Ben Bailey Road
London Kentucky, 40744

CERTIFICATE OF SERVICE

I certify that a copy of this pleading was delivered on November 22, 2021 to,

The Kentucky Public Service Commission
psced@ky.gov

And

Larry G. Bryson 318 West Dixie Street
London Kentucky 40741

