

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION  
CASE NUMBER 2004-00348

RECEIVED  
JUL - 5 2005  
PUBLIC SERVICE  
COMMISSION

IN THE MATTER OF:

HOWARD B. KEEN

COMPLAINANT

V.

CARROLL COUNTY WATER DISTRICT

DEFENDANT

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DISCLOSURE OF HOWARD B. KEEN

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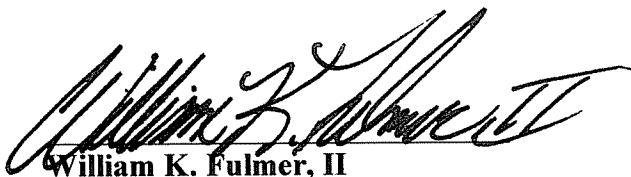
Now comes Howard B. Keen, by counsel, and hereby makes the following disclosure:

1. The crux of Mr. Keen's complaint against the Carroll County Water District is the District's contention that he be charged additional funds to install a meter and run a water line to his property because he refused to grant an easement to the district to install the main water line for Clay Lick road on his property. The Water District never had to cross Clay Lick to avoid Mr. Keen's property, therefore, the additional bore back costs that the District is trying to assess Mr. Keen are not justified.
2. On or about April 13, 2004, Mr. Keen, by counsel pointed out, via letter, to the Water District that the bore back regulation did not apply to him. The Water District, contrary to its own regulations, did not answer the letter.
3. Mr. Keen has very good cause for refusing to give or otherwise grant the Water District an easement to run a water line on his property, to wit: There is a well (which is not acknowledged on the Water District's plans) located in

close proximity (at the intersection of Clay Lick and Fairview) to the former proposed water line route and he has significant soil subsidence issues in the fields adjacent to Clay Lick Road. In sum, Mr. Keen did not want to destroy his well and he did not want to risk adding to the sink holes that already exist on his property.

4. In addition to the above testimony, Mr. Keen would rely upon the disclosures to him and to the Commission made by the Water District. Those disclosures will be provided to the Commission under cover of this pleading.
5. Mr. Keen specifically reserves the right to amend this document as the premises indicate.

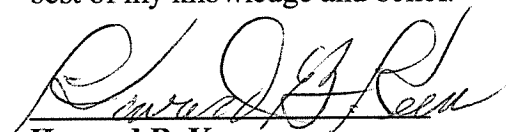
Respectfully submitted,



**William K. Fulmer, II**  
Attorney at Law (K.B.A. 84145)  
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#### **VERIFICATION**

I have read the foregoing and the facts stated therein are true and correct to the best of my knowledge and belief.

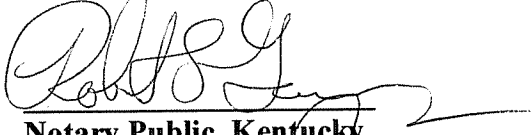


**Howard B. Keen**

**COMMONWEALTH OF KENTUCKY  
COUNTY OF BOONE**

Subscribed and sworn to before me this the 1 day of July, 2005, by  
Howard B. Keen.

MY COMMISSION EXPIRES:

  
**Notary Public, Kentucky  
Commonwealth-at-Large**

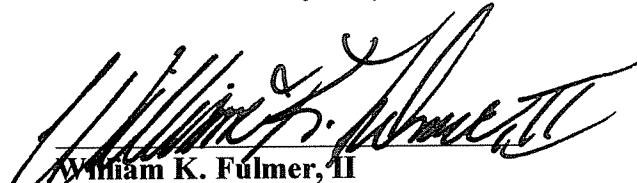
**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing document has been served via the  
United States Postal Service, first-class, postage pre-paid to the following:

Hon. Ruth H. Baxter  
Crawford & Baxter, P.S.C.  
523 Highland Avenue  
P.O. Box 353  
Carrollton, Kentucky 41008

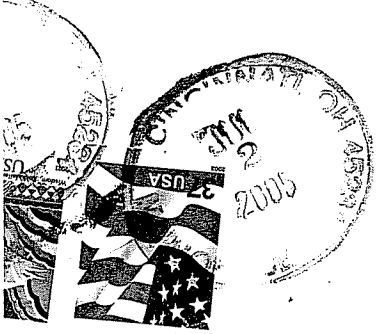
Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, Kentucky 40602-0615

Date: Friday, July 01, 2005

  
**William K. Fulmer, II**  
Attorney for Complainant

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