

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ROBERT D. PETERS	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 2006-00534
	)	
WESTERN ROCKCASTLE COUNTY	)	
WATER ASSOCIATION	)	
	)	
DEFENDANT	)	

ORDER TO SATISFY OR ANSWER

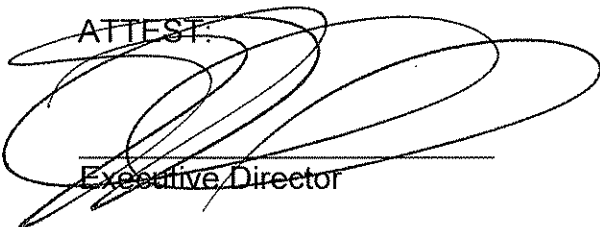
Western Rockcastle County Water Association ("Western Rockcastle") is hereby notified that it has been named as defendant in a formal complaint filed on December 4, 2006, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Western Rockcastle is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

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

Done at Frankfort, Kentucky, this 12th day of December, 2006.

ATTEST:



Executive Director

By the Commission

95

RECEIVED  
DEC - 4 2006  
COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Robert D. Peters  
(Your Full Name)

COMPLAINANT

VS.

Western Rockcastle Co Water Association  
(Name of Utility)

DEFENDANT

RECEIVED  
DEC 4 2006  
PUBLIC SERVICE  
COMMISSION

Case No. 2006-00534

COMPLAINT

The complaint of Robert D. Peters respectfully shows:  
(Your Full Name)

(a) Robert D. Peters  
(Your Full Name)

395 Lone Oak Road, Mt. Vernon Ky. 40456  
(Your Address)

(b) Western Rockcastle Co. Water Association  
(Name of Utility)

P.O. Box 627, Mt. Vernon Ky. 40456  
(Address of Utility)

(c) That: I have been lied to for over 20 yrs about  
(Describe here, attaching additional sheets if necessary,

our low water pressure. It has never met the minimum  
the specific act, fully and clearly, or facts that are the reason

30 psig Required by law. Enclosed is a copy of the  
and basis for the complaint.)

Report I gave to the water co. and sent to Matt Rody CPSC  
on July 12, 2006. Also I'm sending a copy of the complaint

Continued on Next Page

Formal Complaint

Robert D. Peters vs. Western Rockcastle Co Water Ass.

Page 2 of 2

Report # 2006-01532 by Jim R. Adcock, (W.U.I) on August  
7, 2006. At the time Jim Adcock did his Report we  
had the best water pressure in 20 yrs of service.  
Since then our pressure has dropped another  
5-10. Pounds

Wherefore, complainant asks We Request Above Minimum Water  
(Specifically state the relief desired.)

Pressure at all times. We also Request 50% of all water  
bill payments made for 20 yrs. be reimbursed to help pay  
for the price of pumps and holding tank, pump house, and the  
cost of electric to pump water and heat pump house, and all other problem

Dated at Mt. Vernon, Kentucky, this 30 day  
(Your City)

of November, ~~th~~ 2006  
(Month)

Robert Peters

(Your Signature)

(Name and address of attorney, if any)

July 12, 2006

To whom it may concern,

I'm sending a copy of the history of our water problem, and a copy of what we are doing and the people we have talked to.

Also I have a daily pressure reading from our water faucet at the garden, which is sixteen feet higher in elevation than our water meter so you can see the difference in our water pressure day by day.

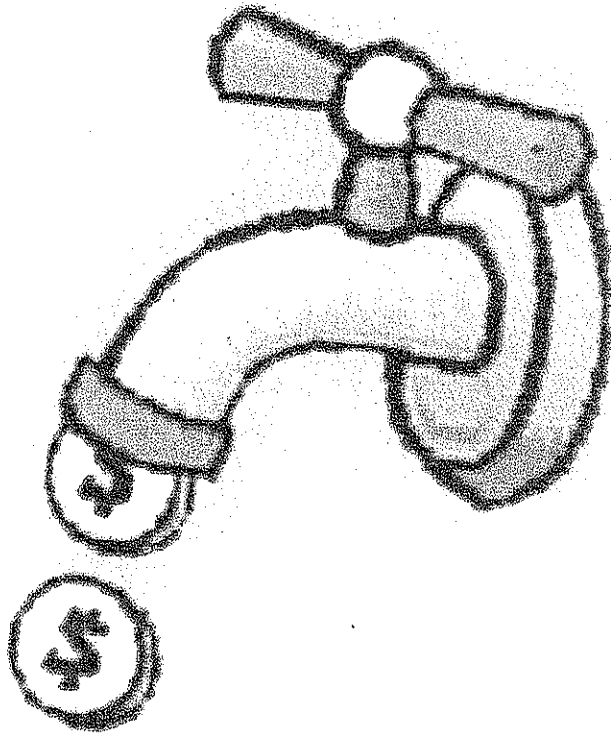
I'm sending a copy of a petition for years of low water pressure and very poor service from the residents in our area. Twenty six out of thirty people signed it, two didn't want to sign, and the other two, I couldn't speak to because of a difference in work schedules.

I attended the Water Board meeting on July 12, 2006, I explained our years of problems and gave them a copy of our petition. They said a Water Engineer would look at our problem, and get in contact with me very soon. Also attending the meeting was; Charles D. Burton, President of the water co., Eddie Hamm, Board member, James Purcell, Board member, and Jerry Cox, Lawyer.

If you have any questions or advice please contact me.

Robert Peters  
Rt.1 Box 492  
Mt. Vernon, Ky.  
40456  
606-256-9607

# WATER PROBLEMS



## HISTORY OF WATER PROBLEMS

We built and moved into our house about 22 years ago, right a way we had water problems, we only had a very small stream of water coming out of the faucet. I checked for leaks but couldn't find any problem. We talked to the water co. and were told we had the proper amount at the meter, but we were losing all the pressure because we lived on a hill. We would be completely out of water for days at a time, almost every Friday afternoon the water would go off, we would call the water co. all weekend long and leave messages but still no water. Monday morning we would call and speak to somebody and tell them our water was off again, and then sometime Monday evening we would get water again. We only had three other neighbors at the time; we asked if they had water problems, and they said the water very seldom goes all the way off, but the pressure gets low. None of them lives on a hill, when there's would get low ours would be off. We would try to save up water when we had it for times it was off, but a lot of the time we couldn't even get enough to use. When we would run out we would have to go to the spring and carry water to use. My wife would start my bath water two or three hours before I got off work, sometimes I still wouldn't have enough water to get wet. Of the winter we would melt snow to flush the toilet, so we wouldn't have to use the water we had saved.

After about three years I put in a frost free water faucet at our garden, which is about one third of the way from the meter to our house. The water would still go off as it always did, but now we could get water at the garden most of the time and carry it to the house. A lot of times, we would carry half or more water we used. We had a new washing machine, but still had to go the laundry mat to wash clothes, or carry water to fill up an automatic washer.

About fifteen years ago we decided we had to do something about this problem, so I bought a water pump and holding tank. We didn't have room for it in the house so I had to build a pump house outside. We finally had water. For the first time in seven years we could take a shower. This worked good most of the time, but still at any time, you might turn on the water and get nothing, we would go outside and find the pump screaming, or it would be so hot it had kicked the breaker because it didn't have any water. Here is a list of the costs we now have:

The cost of the water.

The cost of electric to pump water.

The cost to heat the pump house in the winter.

The cost to replace pumps, due to weather or the motor burnt up.

The cost to replace water heater elements, due to lack of water.

With more and more people building houses and moving into the area, our problems just keep getting worse. We started talking to our neighbors again about the water and found out that a lot are having the same problems we are. Even the people that don't live on a hill say there water pressure goes very low at times, and the quality of our water is very poor.

# SOMETHING MUST BE DONE

I started doing some research, and found out water pressure drops one pound every 2.3 feet in height. Our house sits 38 feet above the water meter. If we were getting the minimum, 30 pound of pressure like we were told all these years, we would never be out of water.

I found out we had been **cheated** and **lied** to for 22 years, so this is what we have done.

# WATER PROBLEMS

1. May 9 2006, Talked to Buzz Carloftis (County Judge-Executive) about water problems.
2. May 15 2006, Received call from Tom Partin (Rural Development Regional Office), explained problem to him, he gave me the number for Public Service Commission in Frankfort.
3. May 15 2006, Called P.S.C. office, talked to Matt Rhody, explained problem to him, he said he would request a pressure reading at my water meter from Denver Burton.
4. May 17 2006, Water Co. replaced my meter with a gauge to record pressure.
5. May 22 2006, Talked to Denver Burton, he said they was going to run another water line from James Kidwell's to join with our water line.
6. June 19 2006, Called Matt Rhody (P.S.C.), asked if he had gotten any results back from the water co. he said that Denver Burton had told him that he found the problem and it had been fixed. Denver told him I had 105 lb pressure at my meter. I told him Denver was lying, he said that he would request another pressure reading at my meter and this time send him the results.
7. June 26 2006, Talked to Buzz Carloftis again and told him what was going on, I told him he should contact Matt Rhody at P.S.C., and speak to him about what I was told, he said he would.
8. July 3 2006, Talked to Denver Burton, he said they had put the pressure recorder back on my meter that Matt Rhody had requested, I told Denver, I had checked every day since I talked to Matt Rhody on June 26 and nothing had been placed on my meter.
9. July 4 2006, I started a petition against Western Rockcastle Water Co. for years of low pressure and very poor service.
10. July 11 2006, Attend water meeting, explain problem that had been going on for years, Present petition to water co., Also send a copy to Buzz Carloftis (County Judge-Executive), Tom Partin (Rural Development Regional Office), Matt Rhody (P.S.C.), and who-ever until we get some results.



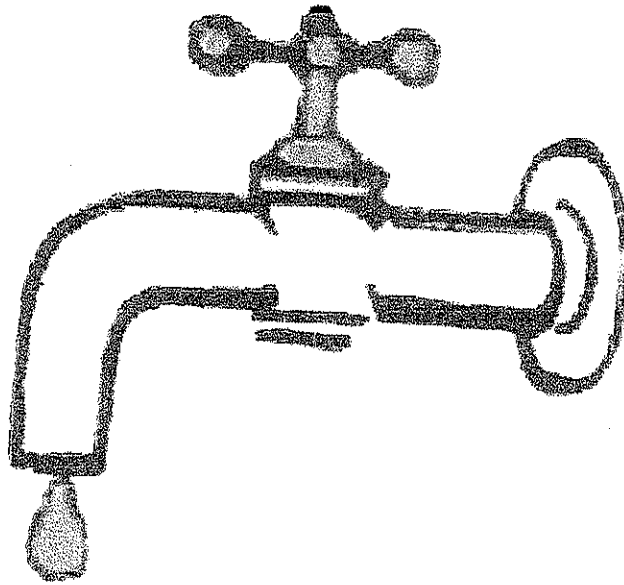
# DAILY WATER PRESSURE FROM WATER FAUCET AT GARDEN

Daily Water Pressure	
6/24/2006	5.5 lb
6/25/2006	10.5 lb
6/26/2006	9 lb
6/27/2006	0 lb
6/28/2006	8.5 lb
6/29/2006	15 lb
6/30/2006	20 lb
7/1/2006	15 lb
7/2/2006	12 lb
7/3/2006	10 lb
7/4/2006	13.5 lb
7/5/2006	16 lb
7/6/2006	16.5 lb
7/7/2006	20.5 lb
7/8/2006	17 lb
7/9/2006	18 lb
7/10/2006	16 lb

ALL PRESSURE READINGS TAKEN BETWEEN 10-11 AM EVERY DAY

# WATER PETITION

FOR YEARS OF LOW WATER PRESSURE AND  
VERY POOR SERVICE.



July 4 2006

We the people of Cromer sub-division, Rocky Top trailer park, and the surrounding area; file this petition against Western Rockcastle Water Company, for years of low water pressure and very poor service.

Name	Address	Phone No.	Signature
Robert Peters	Rt 1 Box 492	256-9607	Robert Peters
CLAYTON HAMMOND	Rt 1 Box 497	256-4145	Clayton Hammond
Serra Mills	Rt 1 Box 496	256-9889	Serra Mills
JOHN POYNTER	Rt 1 Box 495	256-4928	John Poynter
Roger H McFarren	Rt #1 Box 489	313-0262 (513)	Roger H McFarren
David Osborn	Rt 1-Box 490-A	256-9880	David Osborn
Arvid McFerrin	Rt 1 Box 494		Arvid McFerrin
Danell Johnson	Rt 1 Box 494 B Mt Vernon Ky		
David Rankin	Rt 1 Box 491 D Mt Vernon Ky 40456		
Carl Van	Rt 1 Box 491 F Mt Vernon Ky 40456		Carl Van
Ethan Eversh	Rt 1 Box 491 E Mt. Vernon Ky 40456		Ethan Eversh
Carl Coffey			Carl Coffey
Ameynda Bishop	Rocky Top		
Shirley Pye Cople			
Benda Hall	Rt 1 Box 490-P Mt. Vernon Ky, 40456		Benda Hall
Jornis - 903 Bennett			
Vicky Adams	Rte. 1 Box 488 Mt. Vernon, Ky 40456		
Charles Marlow	Rte 1 Box 488 Mt. Vernon, Ky 40456		

July 4 2006

We the people of Cromer sub-division, Rocky Top trailer park, and the surrounding area; file this petition against Western Rockcastle Water Company, for years of low water pressure and very poor service.

Name	Address	Phone No.	Signature
HAROLD REYNOLDS	PO BOX 559 DROOHEAD	606 256-0256	Harold Reynolds
Donna Milburn	P.O. Box 1533 MT. VERNON	404 254-0687	Donna Milburn
Karen Gachel	PO BOX 164 MT VERNON	606 256 9377	Karen Gachel
Lisa Duncan	MT VERNON	256-9948	Lisa Duncan
Gilbert VanWinkle	MT VERNON P.O. Box 161	256-8309	Gilbert VanWinkle
Charles E. Hunt	PO BOX 824 MT VERNON	-	Charles E. Hunt
Leon Nicholas	PO BOX 962 MT VERNON	256-8948	Leon Nicholas
Shawn Osborne	Rt 1 Box 4900 MOUNTAIN VIEW	606-256-4725	Shawn Osborne

DAILY WATER PRESSURE REPORT FROM FAUCET AT GARDEN

Daily Water Pressure	
6/24/2006	5.5 lb
6/25/2006	10.5 lb
6/26/2006	9 lb
6/27/2006	0 lb
6/28/2006	8.5
6/29/2006	15 lb
6/30/2006	20 lb
7/1/2006	15 lb
7/2/2006	12 lb
7/3/2006	10 lb
7/4/2006	13.5 lb
7/5/2006	16 lb
7/6/2006	16.5 lb
7/7/2006	20.5 lb
7/8/2006	17 lb
7/9/2006	18 lb
7/10/2006	16 lb
7/11/2006	14 lb
7/12/2006	18.5 lb
7/13/2006	16 lb
7/14/2006	17 lb
7/15/2006	16 lb
7/16/2006	16.5 lb
7/17/2006	16.5 lb
7/18/2006	15 lb
7/19/2006	13.5 lb
7/20/2006	14 lb
7/21/2006	19 lb
7/22/2006	20 lb
7/23/2006	21 lb
7/24/2006	21 lb
7/25/2006	20.5 lb
7/26/2006	20 lb
7/27/2006	20.5 lb
7/28/2006	20.5 lb
7/29/2006	21 lb
7/30/2006	17 lb
7/31/2006	20 lb
8/1/2006	19 lb
8/2/2006	18 lb
8/3/2006	19 lb
8/4/2006	20 lb
8/5/2006	20.5 lb
8/6/2006	20 lb
8/7/2006	19 lb
8/8/2006	19.5 lb

All readings taken between 10 and 11 p.m.

DAILY WATER PRESSURE REPORT FROM FAUCET AT GARDEN

Daily Water Pressure	
10/1/2006	14.5 lb
10/2/2006	16 lb
10/3/2006	17 lb
10/4/2006	16.5 lb
10/5/2006	15.5 lb
10/6/2006	14.5 lb
10/7/2006	15 lb
10/8/2006	15 lb
10/9/2006	16.5 lb
10/10/2006	16 lb
10/11/2006	16.5 lb
10/12/2006	17 lb
10/13/2006	16 lb
10/14/2006	15.5 lb
10/15/2006	16.5 lb
10/16/2006	16 lb
10/17/2006	16 lb
10/18/2006	15 lb
10/19/2006	16.5 lb
10/20/2006	16 lb
10/21/2006	15.5 lb
10/22/2006	14 lb
10/23/2006	13.5 lb
10/24/2006	14 lb
10/25/2006	12.5 lb
10/26/2006	14 lb
10/27/2006	15 lb
10/28/2006	14.5 lb
10/29/2006	13.5 lb
10/30/2006	14.5

All readings taken between 10 and 11 p.m.



Ernie Fletcher  
Governor

LaJuana S. Wilcher, Secretary  
Environmental and Public  
Protection Cabinet

Christopher L. Lilly  
Commissioner  
Department of Public Protection

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

Mark David Goss  
Chairman

Teresa J. Hill  
Vice Chairman

**INTERNAL MEMORANDUM**

TO: Ginny Smith, Director  
Consumer Services

FROM: Jim R. Adcock, Water Utility Investigator *JRA*  
Water and Sewer Branch

DATE: August 7, 2006

SUBJECT: Complaint Investigation Report  
Complaint #2006-01532

As requested, attached please find the investigation report on Western Rockcastle Water Association prompted by a hotline telephone inquiry from Robert Peters.

If you have any questions or need additional information, please feel free to contact me.

Attachments

c Jim A. Welch  
George Wakim

Mr. Robert Peters of 395 Lone Oak Road and David Osborne, 343 Lone Oak Road have been customers of Western Rockcastle Water Association for many years. Both homes appear to be a distance of approximately 120' – 140' feet away from Lone Oak Road and approximately 17' – 20' feet higher in elevation than the ground level of the meter box. Both complainants stated that the water pressure has been very low since moving into their homes. This problem increased with warmer weather and increased usage of water on the distribution system.

When I met with Mr. Peters, he gave me a letter about the problem, a Water Petition containing 26 signatures about the low water pressure and a handout entitled "Water Problems" that explained the history of the alleged problems. I have attached these for your review. I have also attached a copy of a map highlighting the affected area (Broadhead area, old Highway 461), given to me by Deron Byrne, P.E., Monarch Engineering. The water distribution line is a 3" pvc scheduled 165 psi. It has approximately 26 customers on the line. The tank that feeds this area is a 44,000 gallon glass-lined Standpipe tank on Highway 461 and Highway 1125. The elevation of this tank is 1,238 feet. There is a pressure reducer on the line before you get to Mr. Peter's house (see attached picture).

Mr. Byrne stated that there are dead spots in the undersized 3" distribution line that have a low class pipe rated 165 psi. However, he stated that he has an application for a Rural Development Loan, awaiting PSC approval, to upgrade the two areas and tie in the lines. He said that this will increase the water pressure by 7 psi.



On the morning of Friday, July 28, 2006, I set two recorders. Recorder 1 was at Mr. Robert Peters home, 395 Lone Oak Road, and Recorder 2 at Mr. & Mrs. Dave Osborne's home, 343 Lone Oak Road. I left these recorders for six days. On the morning of Thursday, August 3, 2006, I removed both recorders from Lone Oak Road. Both of these charts show that the customers averaged only 25 psi for this 6-day period. I have attached these pressure recorder charts for your information.

### **Conclusion**

These charts show the water pressure experienced by the Complainants averaged 25 psi. Western Rockcastle Water Association was not meeting the minimum pressure requirements of 807 KAR 5:066, Section 5, which requires a minimum of 30 psig. Therefore, Western Rockcastle was in violation of this requirement during this time period. (Both customers commented that this was the best water pressure that they've had in years).

### **Recommendations**


As indicated by the readings from the recorders, the Complainants are not receiving continuous water pressure of 30 psig at the meter box as required by KRS 278.010, 807 KAR 5:066, Section 5(1), 807 KAR 5:066, Section 5(2), and 807 KAR 5:066, Section 3(2c).

Western Rockcastle County Water Association should provide the Complainants a continuous source of water pressure of 30 psig at the meter as required by statute and should not fall below 30 psig at any time. The regulations state this very clearly. Therefore, the utility needs to come up with a solution to provide the Complainants adequate service at the meter box. I believe that since the utility is working with the

Kentucky Rural Water Association and Monarch Engineering to alleviate this problem,  
that they are definitely headed in the right direction.

Submitted,

August 7, 2006

  
\_\_\_\_\_  
Jim R. Adcock  
Investigator

**PSC Consumer Inquiry System**

9/25/2006

<b>Complaint:</b> 2006-01532	<b>Entry Date:</b> 5/15/2006	<b>Closed Date:</b> 5/16/2006	<b>Contact Type:</b> Hotline
<b>Name:</b> Peters, Robert	<b>Utility:</b> Western Rockcastle Water		
<b>Address:</b> Rt. 1, Box 492 Disputanta, KY 40456	<b>Utility Nbr:</b> 36400	<b>Location:</b> Residence	
<b>County:</b> Rockcastle	<b>Utility Type:</b> Water		
<b>Home:</b> (606) 256-9607	<b>Work:</b>	<b>Reason:</b> Service quality/repair ( Water pressure ) (none) ( none )	
<b>Fax:</b>	<b>CBR Nbr:</b>	<b>Complaint referred by:</b>	
<b>Cell:</b>	<b>Email:</b>		
<b>Contacted Utility?</b> <input checked="" type="checkbox"/>	<b>Spoke with:</b> Customer service		
	<b>Cust Relations:</b> Failed To Correct Problem		
<b>Utility Contact:</b> Denver Burton	<b>Contact's</b> (606) 256-8283		
<b>Preliminary Description:</b> Low water pressure	<b>Other Contacts:</b>		
<b>Processor:</b> MATT.RHODY			
<b>See File</b> <input checked="" type="checkbox"/>	<b>Case Related</b> <input type="checkbox"/>	<b>Staff Referral</b> <input checked="" type="checkbox"/>	<b>Confidential</b> <input type="checkbox"/>
<b>Info Only</b> <input type="checkbox"/>	<b>Formal Forms</b> <input checked="" type="checkbox"/>	<b>Ref to Util</b> <input checked="" type="checkbox"/>	<b>Customer Satisfied</b> Yes <input type="radio"/> No <input checked="" type="radio"/>

**PSC Narratives:**

**Investigator: MATT.RHODY**

**Date:** 5/15/2006 12:28:47 PM

Customer says that he has very low pressure. Customer wants Western Rockcastle to put a pressure recorder on his meter for one week.

**Utility Response:**

**Date:** 5/16/2006 10:24:12 AM

Western Rockcastle was working on the line which caused the customer to lose service. Western Rockcastle says there is 105 psi at the meter but the customer lives 250 feet above the meter so he could be losing pressure by the time the water gets to him.

**Date:** 7/21/2006 1:41:44 PM

Western Rockcastle says they now have the pressure recording and that the psi at the meter is usually lower than the 30 psi requirement. Western Rockcastle did not give any details or commitments on when or if the problem will be corrected.

**Date:** 7/25/2006 9:11:51 AM

July 25, 2006

Mr. Robert Peters  
Route 1, Box 492  
Disputanta, KY 40456

Dear Mr. Peters:

Enclosed is a copy of the Commission's administrative regulations outlining the procedures for filing a formal complaint, as requested in your conversation with Matt. Please complete the forms and return them to the above-listed address.

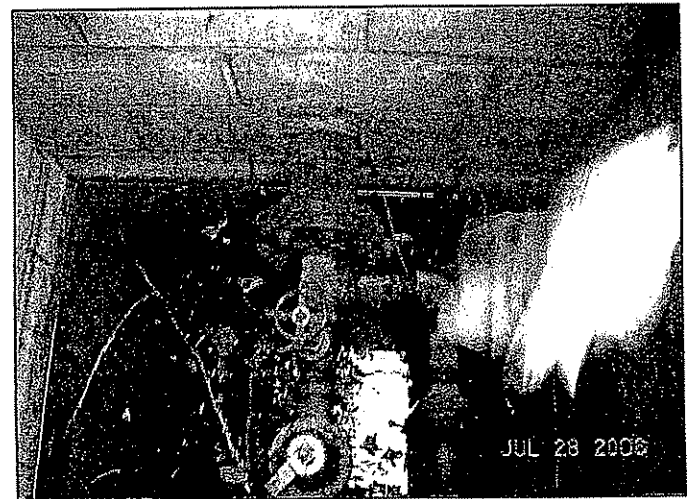
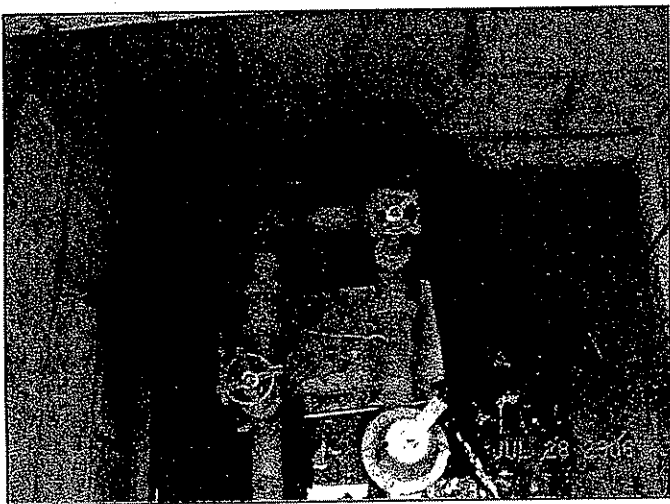
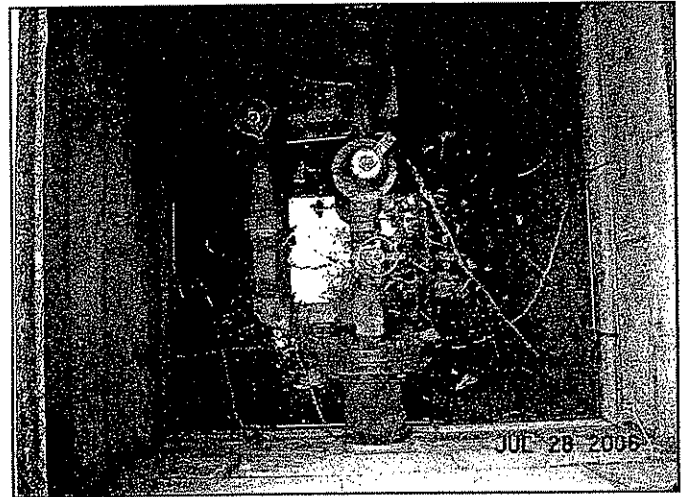
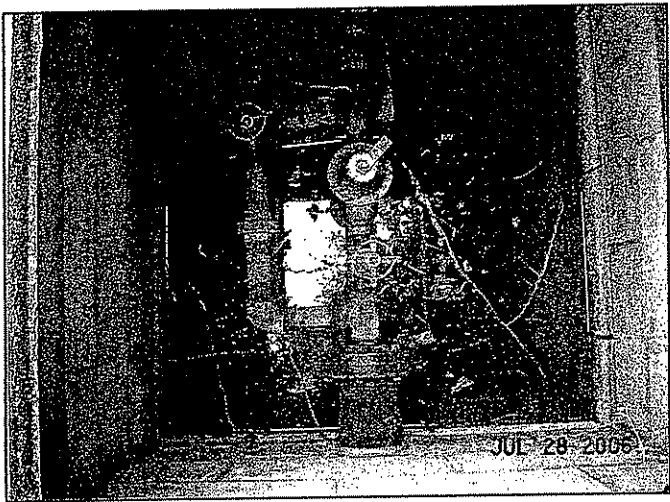
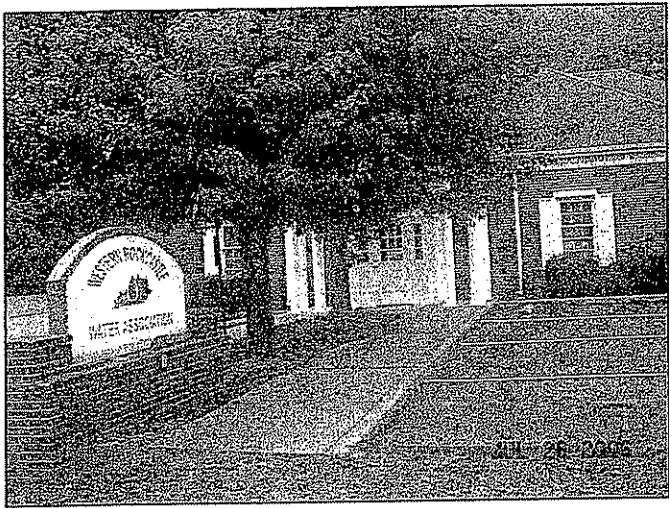
**2006-01532 (Continued)**

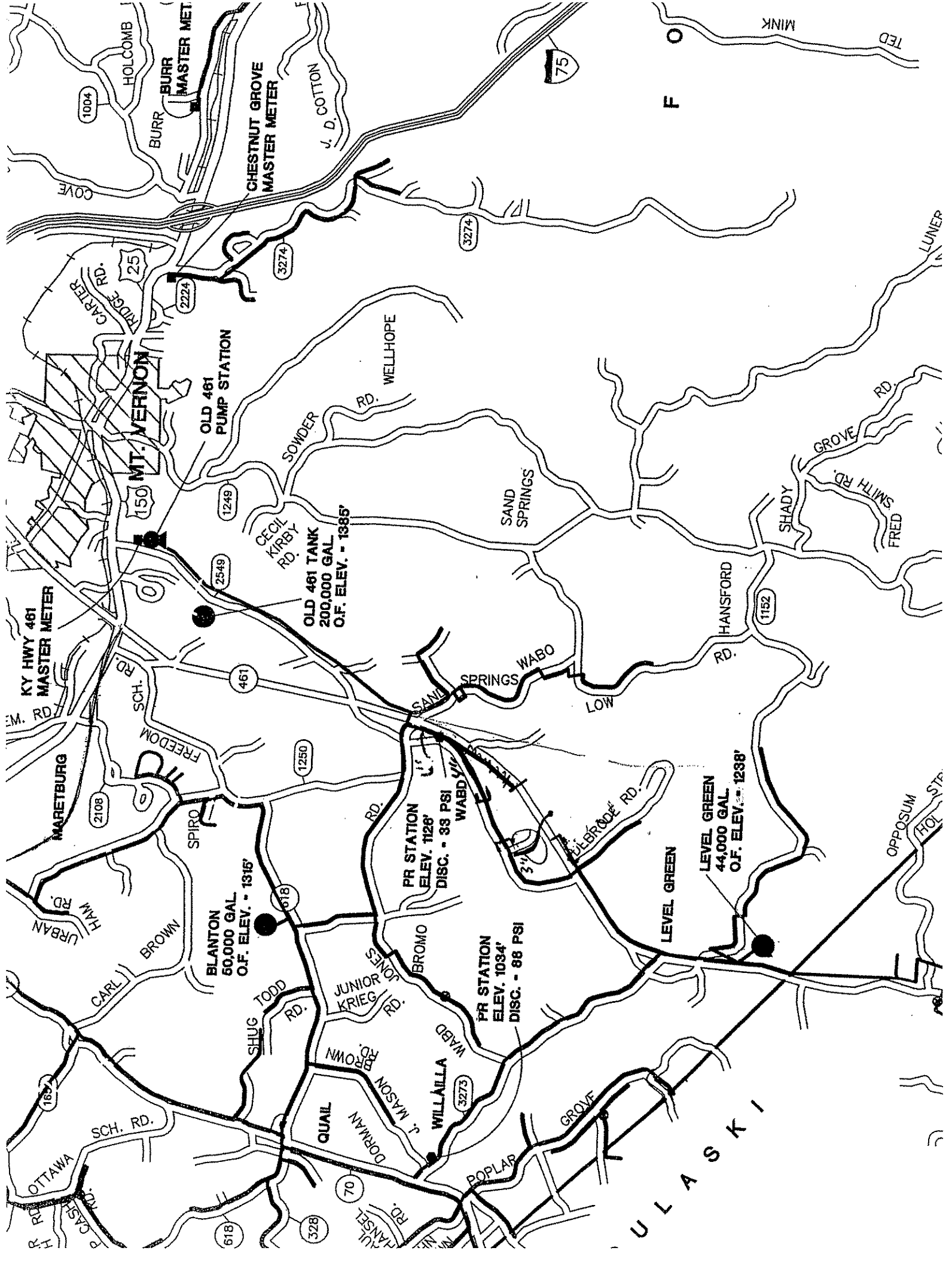
You can call our hotline at 1-800-772-4636 with any questions.

Sincerely,

Ginny Smith, Director  
Division of Consumer Services

Enclosure





F O

150 MT. VERNON

OLD 461 TANK  
200,000 GAL.  
O.F. ELEV. - 1385'

BLANTON  
60,000 GAL.  
O.F. ELEV. - 1316'

PR STATION  
ELEV. 1128'  
DISC. - 33 PSI

PR STATION  
ELEV. 1034'  
DISC. - 88 PSI

LEVEL GREEN  
44,000 GAL.  
O.F. ELEV. - 1238'

LEVEL GREEN

ULASKI

KY HWY 461  
MASTER METER

CHESTNUT GROVE  
MASTER METER

BURR  
MASTER MET.

HOLCOMB

J. D. COTTON

OLD 461  
PUMP STATION

SOJDER  
RD.

WELLHOPE  
RD.

CECIL  
KIRBY  
RD.

SAND  
SPRINGS

WABO  
SPRINGS

HANSFORD  
RD.

SHADY  
GROVE  
RD.

SMITH  
RD.

FRED

LUNER

MARETBURG

FREEDOM  
SCH.

SPIRO

HAM  
RD.

CARL  
BROWN

SHUG  
TODD  
RD.

JUNIOR  
KRIEG  
RD.

BROMO

WABDY

WABO

OPPOSUM  
RD.

SCH. RD.

DORMAN  
RD.

J. MASON  
RD.

WILLAILLA

POPLAR  
GROVE

OTTAWA  
RD.

SCH. RD.

QUAIL

J. MASON  
RD.

WILLAILLA

POPLAR  
GROVE

OPPOSUM  
RD.

1004

2224

3274

3274

1248

2549

461

1250

618

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328

70

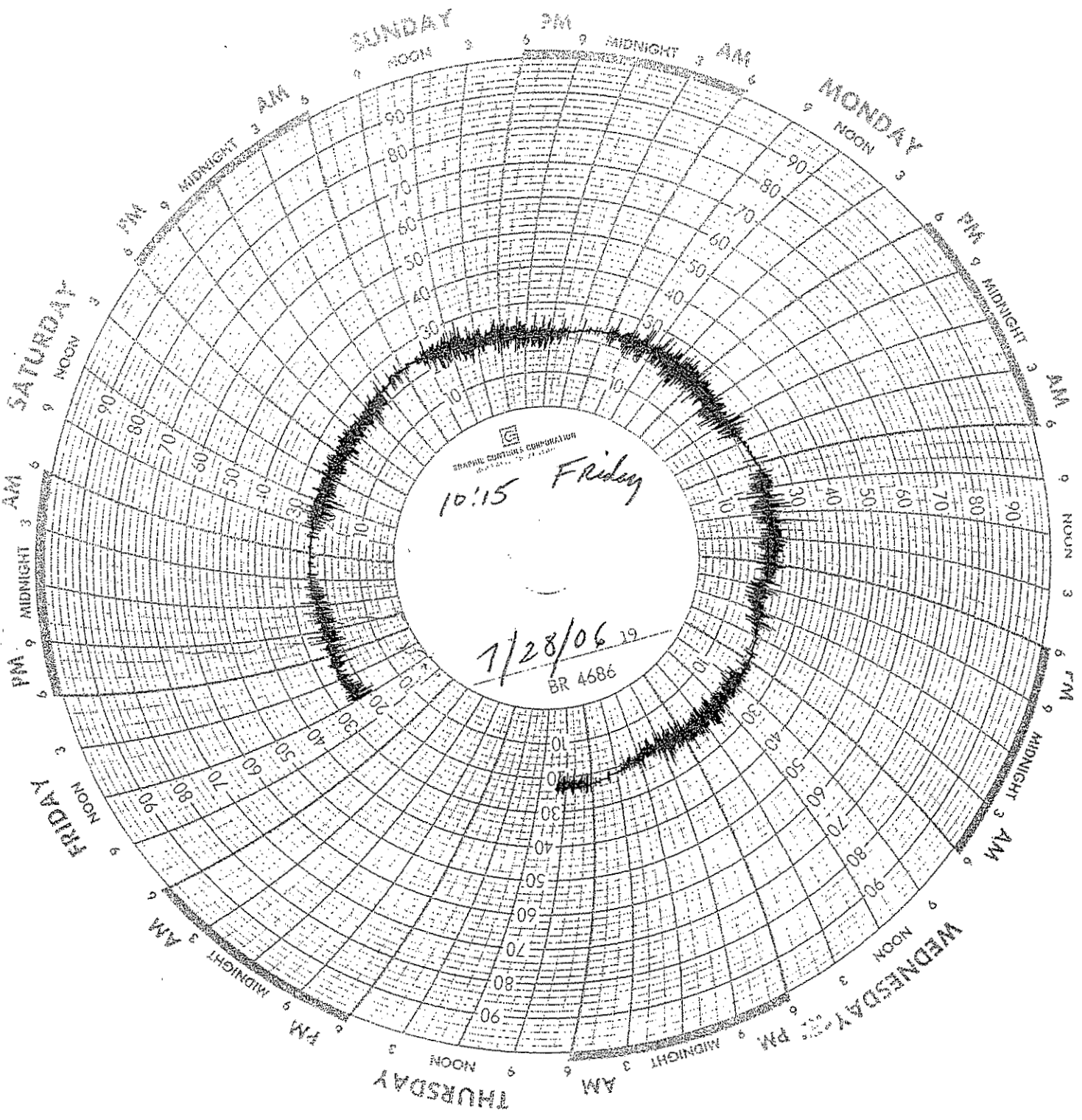
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3273

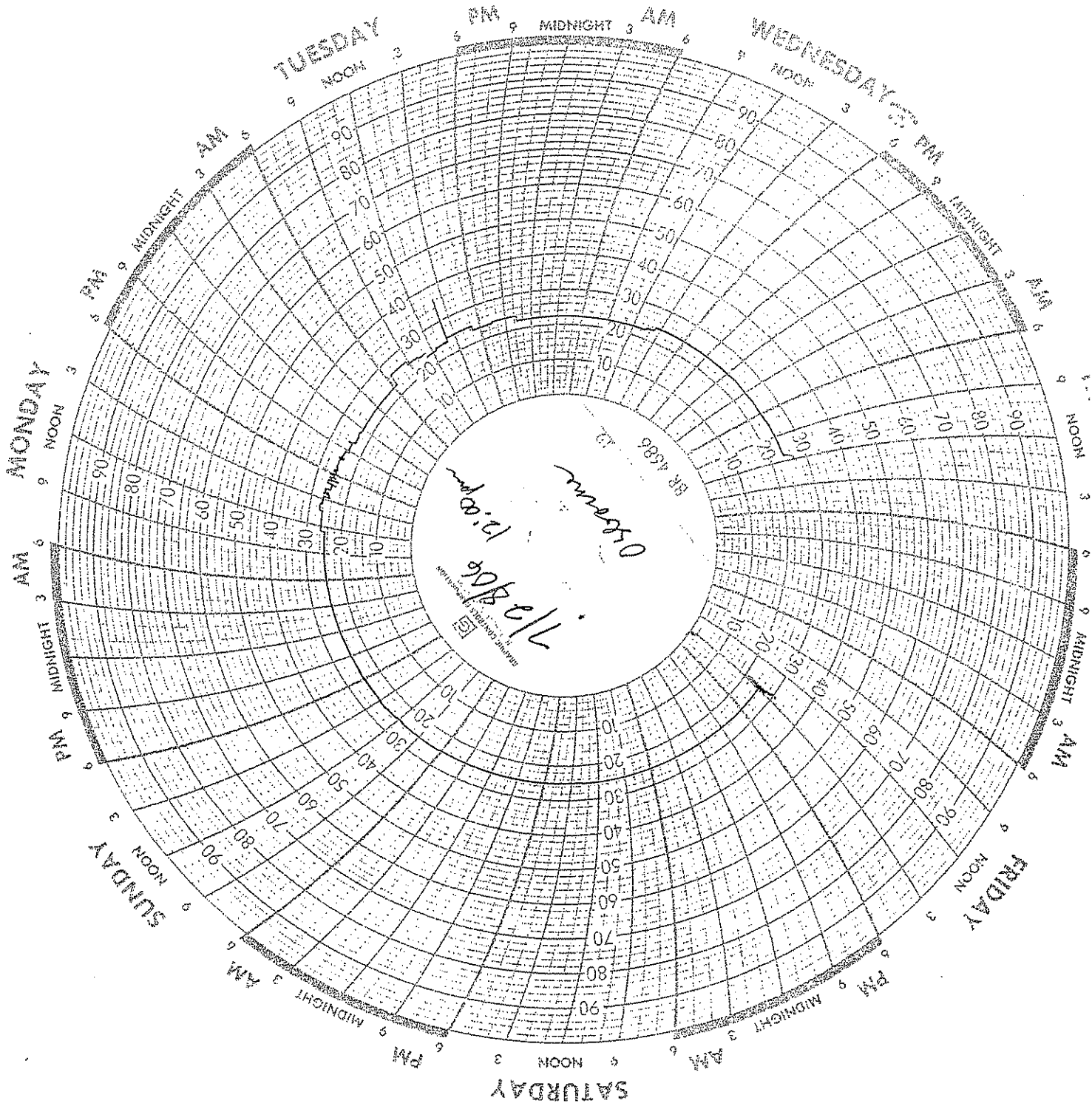
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MINK

TED



Robert Peters  
395 Lone Oak Road



David Osborne  
343 Lone Oak Road