

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**RECEIVED**

**In the Matter of:**

FEB 28 2017

PUBLIC SERVICE  
COMMISSION

**RONALD MCGINNIS, COMPLAINANT**

**V.**

**CASE NUMBER 2016-00154**

**NORTH MERCER WATER DISTRICT, DEFENDANT**

**COMPLAINANT'S SUPPLEMENTAL POSITION STATEMENT**

The Complainant, Ronald McGinnis, hereby provides the following information to the PSC in support of his previously filed Complaint.

**FACTS**

Mr. Ron McGinnis resides at 331 N. Main Street, Harrodsburg, KY 40330. He has resided at that location with a mailing address of PO Box 538 since 2007. The Complaint made by Mr. McGinnis relates to other properties owned by him as set forth below.

**I. 244 Cap Bottom Road**

Mr. McGinnis is the owner of the property located at 244 Cap Bottom Road. He signed the water use contract with NMWD on June 12, 2012. (A copy of the Agreement is attached hereto as Exhibit A). Set forth below is a summary of Mr. McGinnis' account with NMWD as it relates to this location.

- A. June, 2012 until January, 2014 -- Mr. Tony Tingle was a tenant at 244 Cap Bottom Road. The water service during that time was in the name of and paid for by Mr. Tingle (Mr. Tingle previously owned and resided at 405 Cap Bottom Road).
- B. January, 2014 to May, 2014 Todd Cheatham rented property but water was in Mr. McGinnis' name. May, 2014 and June, 2014 water was in Todd Cheatham's name. Mr. Cheatham passed away on July 3, 2014 and water was placed back in Mr. McGinnis' name.
- C. July, 2014 until May, 2015 the water bill was in the name of Ronald McGinnis. Kristen Young moved into the home in March, 2015. She was required to pay rent and have the utilities switched into her name. She did neither. As a result, Mr. McGinnis contacted the North Mercer Water District on May 21, 2015 and requested that the water be turned off. The North Mercer Water District does not dispute that he requested that water

service at the house be terminated and that it was terminated. Mr. McGinnis paid for the water service during the time his tenant occupied the house even though she was in default. In fact, Mr. McGinnis has always paid all of NMWD's bills on time and without incident. He paid the final bill for this location on July 8, 2015.

- D. On June 3, 2015, Mr. McGinnis called the NMWD and advised them that the water was still on at the property (see phone records attached hereto as Exhibit B). NMWD employees assured him that water service at that location had been terminated. NMWD did not investigate what Mr. McGinnis reported to them.
- E. Kristen Young remained in the house until November, 2015 when she was finally evicted. (See Forcible Detainer Order attached as Exhibit C). From that date until March, 2016 there was no one residing in the home.
- F. Mr. McGinnis had a hip replaced on November 20, 2015. He was on 100% home care until mid December, 2015 and his mobility was limited until March, 2016.
- G. On March 10, 2016, NMWD states that they did an inspection at the home and discovered that the meter had been tampered with and water was being stolen. They state that they pulled the meter on March 11, 2015. This was done without notice to or the knowledge of Mr. McGinnis (who believed that the water was off).
- H. On March 15, 2016, (see phone records attached as Exhibit D) Mr. McGinnis requested that the water service be resumed because he had a new tenant for the property. He was advised at that time that the meter had been tampered with, that water had been stolen and that he was responsible and would not be allowed service at that location until the bill was paid. After not having been billed since June 20, 2015, he was billed for 20,500 gallons of water on March 30, 2016. Mr. McGinnis has never been provided with any information to support the amount billed. The information provided to the PSC is incomplete and shows usage at that location during a time when there was no one in the house.
- I. After receiving the March, 2016 invoice, Mr. McGinnis advised that the water was to have been turned off and that he was not responsible for the charges. He inquired about service at other locations owned by him and was advised that he would be denied service at all locations until he paid the outstanding balance associated with 244 Cap Bottom Road.
- J. NMWD has continued to assert that he is responsible for the water usage during that time and even filed criminal charges in Mercer County against Mr. McGinnis for theft of services. Those charges were dismissed.
- K. After the filing of this Complaint with the PSC, NMWD advised the PSC that it did inspections every 6 months (See exhibit E) though they now claim that they are only done only annually.
- L. Regulations governing customer accounts state as follows:

807 KAR 5:006 §13 provides:

Section 13. Customer's Request for Termination of Service. (1)(a) A customer who requests that service be terminated or changed from one (1) address to another shall give the utility three (3) working days' notice in person, in writing, or by telephone, if the notice does not violate contractual obligations or tariff provisions.

(b) The customer **shall not be responsible** for charges for service beyond the three (3) day notice period if the customer provides access to the meter during the notice period in accordance with section 20 of this administrative regulation.

(c) If the customer notifies the utility of his request for termination by telephone, the burden of proof shall be on the customer to prove that service termination was requested if a dispute arises.

(2) Upon request that service be reconnected at a premises subsequent to the initial installation or connection to its service lines, the utility may, subject to subsection (3) of this section, charge the applicant a reconnect fee established in its filed tariff.

(3) A utility desiring to establish a termination or reconnection charge pursuant to subsection (2) of this section shall apply for commission approval of the charge in accordance with the provisions of 807 KAR 5:011, Section 10. (emphasis added)

- M. As stated earlier, NMWD does not and has never disputed that Mr. McGinnis requested and that the water service at 244 Cap Bottom Road was in fact discontinued upon his request on May 27, 2014.
- N. NMWD has produced records showing that from May 27, 2014 to March 10, 2015 7,550 gallons of water was used at 244 Cap Bottom Road but has billed Mr. McGinnis for 20,500 gallons. The use allegedly occurred not when there was a holdover tenant occupying the premises but when the premises were vacant.
- O. The PSC has not indicated how they came up with the amount of water for which they billed Mr. McGinnis.
- P. There is no language in the Water Use Agreement that modifies the language of 807 KAR 5:006 §13 cited above. Specifically, Ron McGinnis did not agree to be responsible for water charges incurred after his request that the water service at 244 Cap Bottom Road be terminated. NMWD has not cited any authority for their continued assertion that Mr. McGinnis is responsible for the payment of these amounts and no authority that supports their continuing wrongful denial of services to him at not one property but three.
- Q. In fact, in all of their filings, the NMWD simply ignores the very clear provisions of 807 KAR 5:006 §13.
- R. Mr. McGinnis has not been able to rent the residence located 244 Cap Bottom Road as a result of having been denied service. He has lost rental income at that location and the others for what is now approaching one year.
- S. NMWD states that they have the right to terminate service for non-payment. What they ignore is that Mr. McGinnis has paid all of the bills rightly owed by him. They have now billed Mr. McGinnis for amounts he does not owe and Mr. McGinnis has been unjustifiably denied service for refusing to pay amounts he doesn't owe.
- T. NMWD states that "when a customer breaks a lock on a meter and begins using the water that is fraudulent and illegal use of the water." What NMWD ignores is that they have provided no proof that Mr. McGinnis broke the lock on the meter and used the water. To the contrary, Mr. McGinnis has always paid 100% of the water bills at this location on time and without incident when he requested that there be service to the home. (See attached Exhibit F). That is not the situation here and the NMWD has overstepped their authority in believing that they are judge and jury and entitled to convict Mr. McGinnis for a theft of services which he did not commit.

- U. NMWD attaches a photo of a tag attached to locked meters which states that anyone tampering with a meter shall be prosecuted. Again, NMWD has no proof that Mr. McGinnis tampered with anything. This entire dispute has arisen because NMWD has jumped to a conclusion that they cannot prove.
- V. Finally, the NMWD is now attempting to pass an Ordinance that states that whomever has an account in his name shall be considered the responsible party for the payment of water bills and shall comply with all Water District tariffs, rules and policies. Again, the NMWD clearly ignores the regulations set forth above and is now attempting to circumvent them by the enactment of an Ordinance. The Mercer County Fiscal Court does not have the authority to change Regulations promulgated by the Kentucky state agencies. Accordingly, the proposed Ordinance would have no impact on the present dispute or future disputes where, as here, the clear language of the Regulations has been ignored.

## **II. 405 Cap Bottom Road**

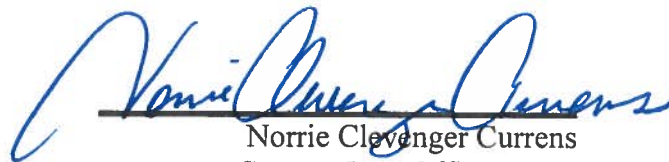
Mr. Tony Tingle was the previous owner of 405 Cap Bottom Road. Mr. McGinnis purchased the property in August, 2012. After the dispute arose regarding the account at 244 Cap Bottom, Mr. McGinnis inquired about service at 405 Cap Bottom as was advised that he would not be permitted service at any location so long as he had an outstanding balance. Mr. McGinnis has not been able to rent or otherwise utilize the residence located at 405 Cap Bottom for that reason and respectfully requests that he be permitted service.

## **III. 3230 Perryville Road**

Mr. McGinnis is also the owner of the property located at 3230 Perryville Road. After the dispute arose regarding the account at 244 Cap Bottom, Mr. McGinnis inquired about service at 3230 Perryville Road as was advised that he would not be permitted service at any location so long as he had an outstanding balance. Mr. McGinnis has not been able to rent or otherwise utilize the residence located at 3230 Perryville Road for that reason and respectfully requests that he be permitted service.

For the foregoing reasons, the Complainant, Ronald McGinnis, requests that the Commission find that he is not responsible for the amounts due on his account after he requested a termination of service and that NMWD has wrongfully denied him service at 244 Cap Bottom Road, 405 Cap Bottom Road and 3230 Perryville Road.

**Counsel for the Complainant**



Norrie Cleverger Currens  
Currens Law Office PLLC  
122 Mooreland Ave.  
Harrodsburg, KY 40330  
Office 859-734-2185  
Fax 859-734-3581  
[norrie.currens@currenslaw.com](mailto:norrie.currens@currenslaw.com)


## VERIFICATION

I, Ronald McGinnis, having been duly sworn, state that the statements made in the Complainant's Supplemental Position Statement are true to the best of my knowledge and belief, all on this the 27<sup>th</sup> day of February, 2017, in Harrodsburg, Kentucky.

  
Ronald McGinnis

## CERTIFICATE OF SERVICE

The undersigned attorney certifies that the original and five copies of the Complainant's Supplemental Position Statement were served via United States Mail on the 28<sup>th</sup> day of February, 2017 to the Public Service Commission, 211 Sower Boulevard, Frankfort, KY 40602 and that a true copy was mailed to Thomas M. Jones, 138 South Main Street, Lawrenceburg, KY 40342.

  
Norrie Clevenger Currens  
Currens Law Office PLLC  
122 Mooreland Ave.  
Harrodsburg, KY 40330  
Office 859-734-2185  
Fax 859-734-3581  
norrie.currens@currenslaw.com

WATER USER CONTRACT

THIS WATER USER CONTRACT, made and entered into by and between

Ron McGinnis

Full Name

whose address is 244 Cap Bottom Lane,  
Kentucky, hereinafter known and referred to as CUSTOMER, and NORTH  
MERCER WATER DISTRICT, of U.S. Highway 127 South, Post Office Box 79,  
Salvisa, Mercer County, Kentucky 40372, hereinafter known and referred to  
as WATER DISTRICT;

WITNESSETH:

The undersigned customer does hereby agree to purchase water from  
the Water District and to pay all initial installation and connection fees,  
together with all standard monthly water charges which may be fixed by the  
Board of Commissioners of the North Mercer Water District and/or the Public  
Service Commission for the Commonwealth of Kentucky. The Customer  
agrees to pay each consecutive monthly payment, at all appropriate rates,  
for water service, when due, and to further comply with, and be bound by,  
the provisions of the policies and/or amendments to the policies of the Water  
District, together with such rules and regulations as may, from time to time,  
be adopted by the Water District.

The Customer agrees to permit the Water District to lay, maintain,  
repair, remove, and disconnect a service line and/or meter, at a point on  
Customer's property to be designated by the Water District for each meter.  
The Water District shall have the right of ingress and egress over  
Customer's property, for the purposes of reading such meter, and repairing,  
replacing, removing, and maintaining such meter and appurtenant equipment  
thereto.

The Customer grants to the Water District a Water Line Easement or  
Easements, over and through the lands of the Customer for the construction  
and operation of said water line, or extensions thereof, at locations to be  
designated by the Water District.

The Customer agrees that after the Water District has installed the  
water meter, the Customer shall pay the water bill according to applicable  
rates and tariffs; provided, however, if Customer does not desire water  
service, the Customer shall pay the minimum bill for twelve (12) months, at  
least, before the water meter is removed. The Customer agrees to pay the  
minimum water bill for twelve (12) months if the water meter, at the request  
of the Customer, is not installed. The Customer shall pay all appropriate  
charges for removal of the meter and/or reinstallation of the meter and  
security devices.

The Customer will install and maintain a service line at his own  
expense, which service line shall begin at the water meter and extend to the  
dwelling or other portions of Customer's property. The Customer assumes  
responsibility for any damage to metering equipment in making such  
connection to the meter or water main. The Customer agrees that only one  
residence shall be served by each meter.

The Customer agrees that the water meter may be located at any point  
along the Customer's property, at the closest point to the existing water  
line, or at some other point which is deemed to be most cost effective to the  
Water District.

The Customer grants to the Water District the right to inspect all water  
lines, and appurtenant facilities, and to draw water samples for analysis.

The Water District agrees to provide to the Customer, potable water at  
reasonable pressure and volume, provided, however, the  
Customer acknowledges that there is no obligation to provide such water  
service, unless a water main has been constructed and installed, adjacent to,  
or in proximity with, the property of the Customer, and further no such  
service shall be required to be provided until this Contract is executed by  
the duly authorized officer of the North Mercer Water District.

The Water District acknowledges receipt of Six Hundred & Fifty ---xx  
Dollars (\$ 650.00), to be applied to the initial installation fee, which  
total fee will be established by the Board of Commissioners of the Water  
District.

This proposal is submitted to the Water District on this the \_\_\_ day  
of \_\_\_\_\_, 2012.

THOMAS M. JONES  
ATTORNEY AT LAW  
24 N. 10th  
MERCER, KY 40341  
324-1111

Customer

Customer

This proposal is accepted and this Contract is made on this the 27  
day of June, 2012.

NORTH MERCER WATER DISTRICT

...

T. Hollis

Please Sign  
& Return

331 N. Main St.  
Harrodsburg Ky 40330

A



# Usage Viewer Listing

I performed calls to both utilities - water & electric off meter per Bobbi!  
 to both water & electric off meter -  
 why electric off meter -  
 water & electric off meter per Bobbi!

Report Created On: 3/31/2016 3:08:38 PM  
 Billing Period: July 2015 Cycle 1

Event Timestamp	Call Code	Called Address	Called Place	Called State	Billed Amount	Billed Units	Unit Type	CIC	Codes	Status	Adj #
6/2/2015 10:22 PM	WN	803-565-0056	NO SUMTER	SC	\$0.00	1.0	min	0000	N		
6/3/2015 3:53 PM	WD	877-934-9491	TOLL FREE	SC	\$0.00	6.0	min	0000	P		
6/3/2015 4:06 PM	WD	859-865-2292	SALVISA	KY	\$0.00	4.0	min	0000	P		
6/4/2015 4:58 PM	WD	859-734-4544	HARRODSBG	KY	\$0.00	1.0	min	0000	P		
6/4/2015 4:59 PM	WD	859-613-4581	HARRODSBG	KY	\$0.00	1.0	min	0000	P		
6/4/2015 5:00 PM	WD	859-734-4544	HARRODSBG	KY	\$0.00	2.0	min	0000	P		
6/4/2015 6:42 PM	WD	859-734-7266	HARRODSBG	KY	\$0.00	6.0	min	0000	P		
6/4/2015 10:02 PM	WN	423-432-2462	CHATNOOGA	TN	\$0.00	1.0	min	0000	N		
6/4/2015 10:03 PM	WN	423-432-2762	CHATNOOGA	TN	\$0.00	2.0	min	0000	N		
6/6/2015 2:09 PM	WWW	859-734-7266	HARRODSBG	KY	\$0.00	1.0	min	0000	N		
6/9/2015 2:22 PM	WD	859-236-4561	DANVILLE	KY	\$0.00	3.0	min	0000	P		
6/9/2015 3:06 PM	MD	859-734-7266	HARRODSBG	KY	\$0.00	2.0	min	0000	M		
6/9/2015 3:07 PM	WD	859-236-4561	DANVILLE	KY	\$0.00	7.0	min	0000	P		
6/9/2015 3:27 PM	WD	502-564-8100	FRANKFORT	KY	\$0.00	4.0	min	0000	P		
6/9/2015 3:31 PM	WD	502-564-8100	FRANKFORT	KY	\$0.00	5.0	min	0000	P		
6/10/2015 1:32 PM	WD	859-734-7266	HARRODSBG	KY	\$0.00	18.0	min	0000	P		
6/10/2015 3:35 PM	WD	859-734-7266	HARRODSBG	KY	\$0.00	19.0	min	0000	P		
6/10/2015 7:29 PM	WD	859-734-7266	HARRODSBG	KY	\$0.00	40.0	min	0000	NP		
6/11/2015 12:48 PM	WD	859-734-7266	HARRODSBG	KY	\$0.00	4.0	min	0000	P		
6/12/2015 5:19 PM	WD	859-325-3881	HARRODSBG	KY	\$0.00	2.0	min	0000	P		
6/12/2015 9:26 PM	WWW	859-734-7266	HARRODSBG	KY	\$0.00	10.0	min	0000	N		
6/13/2015 12:35 PM	WWW	859-734-7266	HARRODSBG	KY	\$0.00	2.0	min	0000	M		
6/13/2015 2:26 PM	WWW	859-734-7266	HARRODSBG	KY	\$0.00	8.0	min	0000	N		
6/13/2015 10:44 PM	WWW	859-734-7266	HARRODSBG	KY	\$0.00	3.0	min	0000	N		
6/14/2015 9:05 PM	WWW	859-612-7897	HARRODSBG	KY	\$0.00	6.0	min	0000	N		
6/15/2015 1:12 AM	WWW	859-734-7266	HARRODSBG	KY	\$0.00	47.0	min	0000	N		
6/15/2015 2:02 AM	WWW	859-734-7266	HARRODSBG	KY	\$0.00	45.0	min	0000	N		
6/15/2015 12:05 PM	MD	859-734-7266	HARRODSBG	KY	\$0.00	1.0	min	0000	M		

"C-2"



Ronald McGinnis Exhibit # B-1

C

AOC-217 Rev. 3-12 Page 1 of 1	Doc. Code: JPF or JDF	Case No. <u>15-C-00410</u>
Commonwealth of Kentucky Court of Justice <a href="http://www.courts.ky.gov">www.courts.ky.gov</a>		Court _____ District _____
KRS 383.240		County <u>Mercer</u> Division <u>District</u>



**FORCIBLE DETAINER JUDGMENT**

MCGINNIS, RONALD D

PLAINTIFF

v.

YOUNG, ET AL, KRISTEN

DEFENDANT(S)

This cause coming on for hearing and all parties being properly before the Court. The Court, having heard evidence and argument, and the Court being otherwise sufficiently advised. IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

That the Defendant(s) are guilty of forcible detainer as charged and that the Plaintiff have restitution of the premises located in Mercer county at:

244 CAP BOTTOM LANE

HARRODSBURG KY 40330

Defendant(s) are ordered to vacate said property within 7 (seven) days of the entry of this Judgment.

The Court further awards to the Plaintiff costs of this action.

If a Forcible Detainer Settlement Agreement (AOC-218) has been executed and Filed of record by the parties, said terms are hereby incorporated herein and all parties shall comply with same.

**EITHER PARTY MAY FILE AN APPEAL WITHIN 7 (SEVEN) DAYS OF THE ENTRY OF THIS JUDGMENT.**

Date: 10/19, 2015. \_\_\_\_\_ Judge

- Distribution:
- File
  - ✓ Plaintiff
  - ✓ Defendant
  - ✓ Herald

**ENTERED**  
**OCT 19 2015**  
 MERCER COUNTY DISTRICT COURT  
 BY [Signature]

250. Case No. 2016-00154

McGinnis vs N. Moore  
N. Moore  
N.M.W.D

Usage Viewer Listing

Billing Period: April 2016 Cycle 1  
Report Created On: 5/18/2016 3:33:56 PM

3 total addresses = \$3000  
water denied on 3/15 + 3/16/16 = 600.00  
per month income

Date	Time	Day	Amount	Duration	Code	Category
3/3/2016	5:00 PM	WD	\$0.00	2.0 min	0000	P
3/3/2016	5:01 PM	WD	\$0.00	13.0 min	0000	P
3/4/2016	12:24 PM	RD	\$0.00	2.0 min	0000	P
3/5/2016	5:33 PM	WW	\$0.00	17.0 min	0000	n
3/5/2016	7:23 PM	WW	\$0.00	8.0 min	0000	n
3/6/2016	6:23 PM	WW	\$0.00	2.0 min	0000	n
3/6/2016	9:31 PM	WW	\$0.00	2.0 min	0000	n
3/7/2016	3:13 PM	WD	\$0.00	1.0 min	0000	P
3/7/2016	5:54 PM	WD	\$0.00	2.0 min	0000	P
3/7/2016	6:07 PM	WD	\$0.00	2.0 min	0000	P
3/7/2016	7:24 PM	WD	\$0.00	3.0 min	0000	P
3/8/2016	12:30 PM	WD	\$0.00	1.0 min	0000	P
3/9/2016	6:29 PM	WD	\$0.00	1.0 min	0000	P
3/9/2016	6:30 PM	WD	\$0.00	2.0 min	0000	P
3/9/2016	6:45 PM	WD	\$0.00	1.0 min	0000	P
3/9/2016	8:28 PM	WN	\$0.00	8.0 min	0000	n
3/13/2016	4:05 PM	WW	\$0.00	10.0 min	0000	n
3/14/2016	12:53 PM	MD	\$0.00	1.0 min	0000	m
3/15/2016	1:31 PM	WD	\$0.00	15.0 min	0000	P
3/15/2016	3:47 PM	WD	\$0.00	12.0 min	0000	P
3/15/2016	3:53 PM	WD	\$0.00	3.0 min	0000	P
3/15/2016	4:02 PM	WD	\$0.00	12.0 min	0000	P
3/15/2016	4:16 PM	WD	\$0.00	20.0 min	0000	P
3/16/2016	12:04 PM	WD	\$0.00	11.0 min	0000	P
3/16/2016	12:59 PM	WD	\$0.00	1.0 min	0000	P
3/16/2016	4:21 PM	WD	\$0.00	5.0 min	0000	P
3/16/2016	4:52 PM	WD	\$0.00	9.0 min	0000	P
3/16/2016	9:19 PM	RN	\$0.00	2.0 min	0000	n

Bluegrass Energy Electric calls + N. Moore under

Bluegrass Energy Service (Electric) provided  
No Audit card  
No Auto  
No phone  
For: D. Patrick Jones  
Tenant 244 Cap Bottom Lane Harrodsburg, Ky. 40330  
Bon McGinnis calls to Bluegrass Energy

Mar 15 File  
No. Moore  
Wrebor Dist.  
denied  
Service  
to Bon McGinnis  
owner - 244 Cap Bottom - \$0.00  
+ 2 others = \$0.00  
405 Cap Bottom - \$0.00  
+ 3230 45.68, \$0.00  
SHEVISA  
end of 3/13, \$0.00  
water bill in  
suffled  
\$0.00  
potential tenant \$0.00  
D. Patrick Jones \$0.00  
denied, also \$0.00  
Bluegrass Energy Service \$0.00

Page 3 of 3

PSC Consumer Inquiry System



4/8/2016

Complaint: 2016-00549 Entry Date: 4/8/2016 Closed Date: Contact Type: Hotline  
 Name: McGinnis, Ronald d. Utility: North Mercer Water District  
 Address: PO Box 538 Harrodsburg, KY 40330 Utility Nbr: 27000 Location: Residence  
 County: Mercer Utility Type: Water Districts  
 Home: (859) 734-7266 Work: Reason: Billing ( Billing policies/practices ) (none) ( none )  
 Fax: CBR Nbr: Complaint referred by:  
 Cell: Email:  
 Contacted Utility?  Spoke with: Customer Service  
 Cust Relations: None

Utility Contact: Mischell Lee (cell 859-325-0293) Contact's (859) 865-2292

Preliminary Description:

Being charged because he is the property owner

Processor: VIRGINIAL - Virginia Smith

See File  Case Related  Staff Referral  Confidential   
 Info Only  Formal Forms  Ref to Util  Customer Satisfied Yes  No

PSC Narratives:

Date: 4/8/2016 10:21:47 AM

Investigator: VIRGINIAL - Virginia Smith

According to the customer he requested water service be disconnected at a Farm House - 244 Cap Bottom Lane, Harrodsburg, Ky. 40330 on May 15, 2015. Customer is disabled, lives along and had a hip replacement on November 20, 2015. Utility locked the meter on May 26, 2015. Customer called the utility on June 3, 2015 because service water was visible on outside faucet. Customer was told by a utility representative that the meter was off and locked. Renters by the name of Kristen Young and David Jones were at this location. There was no further communication until early March, 2016 when the next renter requested water service. Renter was denied service until \$250.17 plus \$702.00 new deposit and reconnect fee is paid. Customer is being told he is responsible for the water usage because he is the property owner. Please provide a 24 month usage, billing, payment and meter history for this account. Also, any contacts applying for service at this location.

*calls on NMD  
 May 18 - closed  
 + May 21 - actual call completed  
 part shut off*

Utility Response:

Date: 4/8/2016 10:25:05 AM

Called and spoke with Michelle Lee on 4-6-2016. According to Michelle Lee, the water was locked off May 26, 2015. This is a radio read meter and because account is noted there is a locked meter nothing was recorded until March, 2016. According to Ms. Lee they inspect the meters every 6 months and found a broken lock and usage on the meter in March, 2016. Account has been referred to the utility's Attorney Tom Jones, 502-839-6020. I spoke with Mr. Jones and he verified that the Water District holds the Owner of the property responsible for any theft of service and water usage. Customer has a court date of 4-15-2016.

*I never made calls before 1 PM. (Late Sleeper) P.M.*

*\$102.00 = disconnected  
 \$200 credit fee*

*No inspection by NMD between 05/26/15 + 3/16/16 (Newly 10 months = next customer request)  
 visual (inspected 6 months above) Guy shut off + final bill*

EXHIBIT 6

**North Mercer Water District  
Customer History Report**



Service Type All  
AR Code All  
Beginning Date All  
Ending Date

Use Reading Factor   
Start Balance With Zero   
Print Breakdown By  Transaction  Service  Taxes  Totals Only  
Print Transaction in Descending Order

History For Account 0003-32810-002 McGinnis, Ron 244 Cap Bottom Ln

Tran Date	Post Date	Code	Description	Service Desc	Service Usage	Service Local Tax	Surcharge1 State Tax	Surcharge2 Penalty	Unapplied	Balance
01/31/14	01/31/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				0	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
02/13/14	02/13/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
02/28/14	02/28/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				340	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
03/14/14	03/14/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
03/31/14	03/27/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				370	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
04/04/14	04/04/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
04/29/14	04/29/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	tammy				790	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
05/09/14	05/09/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
05/31/14	05/29/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				670	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
06/06/14	06/06/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
06/30/14	06/25/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				580	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
07/15/14	07/15/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
07/31/14	07/30/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				480	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
08/12/14	08/12/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
08/31/14	08/28/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				0	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
09/09/14	09/09/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
09/30/14	09/26/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				10	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
10/09/14	10/09/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
	<input type="checkbox"/> tammy				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
10/31/14	10/30/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				0	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09

History For Account 0003-32810-002 McGinnis, Ron

Tran Date	Post Date	Code	Description	Service Desc	Service Usage	Service Local Tax	Surcharge1 State Tax	Surcharge2 Penalty	Unapplied	Balance
Void	Posted By	Check#								
11/07/14	11/07/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
11/30/14	11/26/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				10	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
12/10/14	12/10/14	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
12/31/14	12/31/14	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				0	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
01/08/15	01/08/15	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
01/31/15	01/29/15	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				10	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
02/10/15	02/10/15	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
<input type="checkbox"/>	tammy				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
02/28/15	02/25/15	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	Support				0	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
03/10/15	03/10/15	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
03/31/15	03/31/15	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				850	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
04/10/15	04/10/15	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
04/29/15	04/29/15	WTB	Water Billing	WATER	03	\$32.08	\$0.00	\$0.00		
	tammy				3,240	\$0.96	\$0.00	\$0.00	\$0.00	\$33.04
05/07/15	05/07/15	100	Cash Receipts	WATER	03	(\$32.08)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.96)	\$0.00	\$0.00	\$0.00	\$0.00
05/31/15	05/28/15	WTB	Water Billing	WATER	03	\$21.97	\$0.00	\$0.00		
	lorih				1,770	\$0.66	\$0.00	\$0.00	\$0.00	\$22.63
06/10/15	06/10/15	100	Cash Receipts	WATER	03	(\$21.97)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.66)	\$0.00	\$0.00	\$0.00	\$0.00
06/30/15	06/25/15	WTB	Water Billing	WATER	03	\$16.59	\$0.00	\$0.00		
	lorih				870	\$0.50	\$0.00	\$0.00	\$0.00	\$17.09
07/08/15	07/08/15	100	Cash Receipts	WATER	03	(\$16.59)	\$0.00	\$0.00		
<input type="checkbox"/>	lorih				0	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00
03/15/16	03/15/16	200	Water Adjustm	WATER	03	\$98.83	\$0.00	\$0.00		
	lorih				0	\$0.00	\$0.00	\$0.00	\$0.00	\$98.83
03/15/16	03/15/16	600	M. Tax Adjustr	WATER	03	\$0.00	\$0.00	\$0.00		
	lorih				0	\$0.00	\$0.00	\$3.03	\$0.00	\$101.86
03/16/16	03/16/16	333	Penalty Billing	WATER	03	\$0.00	\$0.00	\$0.00		
	lorih				0	\$0.00	\$0.00	\$9.88	\$0.00	\$111.74
03/31/16	03/29/16	WTB	Water Billing	WATER	03	\$134.40	\$0.00	\$0.00		
	lorih				20,500	\$4.03	\$0.00	\$0.00	\$0.00	\$250.17
04/19/16	04/19/16	333	Penalty Billing	WATER	03	\$0.00	\$0.00	\$0.00		
	tammy				0	\$0.00	\$0.00	\$13.44	\$0.00	\$263.61

History For Account 0003-32810-002 McGinnis, Ron

Tran Date	Post Date	Code	Description	Service Desc	Service	Surcharge1	Surcharge2		
Void	Posted	By	Check#	Usage	Local Tax	State Tax	Penalty	Unapplied	Balance
				<b>Total For Selection</b>	\$233.23	\$0.00	\$0.00		
					\$4.03	\$0.00	\$26.35	\$0.00	\$263.61
				<b>Ending Balance</b>	\$233.23	\$0.00	\$0.00		
					\$4.03	\$0.00	\$26.35	\$0.00	\$263.61