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Talina R. Mathews
Commissioner

October 6, 2017

PARTIES OF RECORD

Re: Case No. 2017-00225

Attached is a copy of a memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the memorandum please do so within five days of receipt of this letter.

If you have any questions, please contact Brittany Koenig, Staff Attorney at 502-782-2591.

Sincerely,

A handwritten signature in blue ink that reads "Gwen R. Pinson".

Gwen R. Pinson
Executive Director

Attachments

INTRA-AGENCY MEMORANDUM
KENTUCKY PUBLIC SERVICE COMMISSION

TO: Case File No. 2017-00225

FROM: Brittany Koenig, Staff Attorney *BK*

DATE: October 6, 2017

RE: Informal Conference of October 5, 2017

Pursuant to Commission Staff's ("Staff") Notice of Informal Conference ("IC") filed into the record on September 13, 2017, an IC was held in this matter on October 5, 2017. A copy of the sign-in sheet is attached. S. Darleen and Clifford Marquis, the Complainants, appeared in person, and Chris Hopgood, Jon Blaylock, Bob Tucker, and Mark Menser, representatives from South Hopkins Water District ("South Hopkins"), the Defendant, participated by telephone in the conference.

During the conference, Ms. Koenig stated that Staff would prepare minutes of the conference for the case record, that a copy of the minutes would be entered into the record, and that the parties would have an opportunity to submit written comments upon the minutes. Ms. Koenig stated that Staff is not a party to the case and the views of Staff are not binding on the Commission.

Staff stated the history of the case, recounting the Complaint filed by Mr. Marquis on May 23, 2017, and the Commission's Order entered on June 12, 2017, asking South Hopkins to provide more information. Staff briefly reviewed the requests for information made to South Hopkins, and the questions that remained prompting the informal conference. Additionally, Staff reminded South Hopkins that any demands to pay the bill at issue made upon the Marquis' were inappropriate during the pendency of this action.

Mrs. Marquis briefly stated their claim that her husband turned off their water and left the faucets open in an effort to winterize their home before leaving for the winter months in December 2016. Mrs. Marquis called in January 2017 to check on her bill, she was told she may pay \$50.00 to reconnect in the spring, but when she called in March, she was told that she needed to pay late charges and the \$50.00 reconnect fee to remain current on her bill. Mrs. Marquis stated that she spoke to Amanda in the South Hopkins office on March 7, 2017, and she paid the late fees and reconnection fee, but explained that she did not want the water reconnected or turned on.

Mr. Hopgood stated that South Hopkins had recently obtained new information and needed to state for the record that Mark Menser, of South Hopkins, turned the water on at the Marquis property on March 7, 2017. Additionally, Mark Menser

remembered that when he turned it on, he waited for the lines to fill up and there was no indication of abnormal usage. Mr. Menser also noted that there were trucks and 2-3 people on the property, prompting Mr. Hopgood to ask whether the Marquis' had contractors that were working on the property.

The Marquis' explained that the two trucks on their property are their trucks that are actually broken and the only person to do any construction on the property is Mr. Marquis. The Marquis' have a gate on the property that was locked while they were gone and when they returned, and they live on the top of a hill that is not heavily populated. It is not in dispute that the Marquis' were out of the state at the time of water usage in question.

Staff noted that the Responses filed by South Hopkins on June 20, 2017, and August 14, 2017, confirm that Mrs. Marquis requested the service not be restored. The South Hopkins Responses additionally stated that no work order was issued, and that Mrs. Marquis spoke with Kayla Goodaker on March 7, 2017.

Staff questioned the parties about the location of the water meter and both parties confirmed that Mr. Marquis had turned off the same valve in December 2016 that South Hopkins had turned on March 7, 2017.

Staff noted the difference in gallons of water usage from 3/7/17-3/13/17 of 11,550 gallons to the period of time from 3/13/17-3/23/17 of 317,000 gallons on the Order of September 13, 2017. South Hopkins addressed this issue with two theories: 1) that someone left the water on a slow-run and then someone completely opened it up; and 2) that a leak developed in the service line.

The Marquis' have previously explained that the faucets were left open to winterize the home. In response to Staff questioning, the Marquis' explained they returned to the property in April and left for Utah soon after. They did not have the water reconnected until May of 2017 and they did not have any trouble with the service lines. They have not have the service lines worked on at any point in time since they left the property in December 2016. The Marquis' did not become aware of the abnormal usage until May 2017.

In response to Staff questioning, Mark Menser stated that he turned the Marquis' water on after receiving a phone call from Mary Hopper informing him that the bill had been paid and he was instructed to turn it on. He claims that he waited for the service lines to fill and stop, and that if the water had been flowing, a "red triangle" would spin clock-wise, but it did not. Despite the Responses from South Hopkins from June 20, 2017, and August 14, 2017, South Hopkins claims they did not come forward with the information that Mark Menser from South Hopkins turned on the Marquis' water until today was because they had not questioned Mark Menser about this case. Mark Menser stated that they had 70-80 cut-offs on March 7, 2017 and that it is their policy to document the "cut-offs" but they do not document turning on water at a particular property.

Staff and the parties discussed the exhibit entitled, "Response 1-B", in South Hopkins August 14, 2017 Responses to Commission Staff's First Request for Information and the dates are not legible on the page labeled "Meter Sheets". South Hopkins agreed to provide the Commission with a legible copy for the record.

Further, Staff stated the Commissioners were aware of this matter and interested in a fair and reasonable resolution. They are prepared to hold a hearing if necessary to bring about fair outcome. After the IC Memo is filed into the record and the parties are allowed to make any changes needed, the case will proceed.

There being no further business, the informal conference adjourned.

Attachments

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CLIFFORD ALBERT MARQUIS

COMPLAINANT

V.

SOUTH HOPKINS WATER DISTRICT

DEFENDANT

CASE NO.
2017-00225

SIGN IN

October 5, 2017

PERSON

REPRESENTING

Jonny Sanders	PSC
Clifford A. Marquis	Complainant
S. Darleen Marquis	"
Christopher Hopgood	So. Hopkins WD
John Blaylock	" "
Bob Tucker	" "
Mark Messer	" "
Brittany H Koenig	PSC

Clifford A Marquis
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