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OCT 19 2018

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
KENTUCKY PUBLIC SERVICE COMMISSION

In the Matter of:

SHERRY L. BASORE	COMPLAINANT)	
)	CASE NO.
V.)	2018-00312
)	
KENTUCKY-AMERICAN)	
WATER COMPANY	DEFENDANT)	

**KENTUCKY-AMERICAN WATER COMPANY'S
RESPONSE TO COMPLAINANT'S COMPLAINT AND
MOTION TO DISMISS COMPLAINT AS SATISFIED**

In accordance with the Commission's October 9, 2018 Order in this matter, Kentucky-American Water Company ("KAW") hereby responds to Complainant Sherry L. Basore's September 13, 2018 Complaint. As set forth below, KAW has satisfied the relief requested by Ms. Basore to the extent allowed by law. Therefore, KAW hereby moves for the dismissal of the Complaint.

The Commission's October 9, 2018 Order and 807 KAR 5:001, Section 20(4)(b)-(5) require KAW to either satisfy the matters complained of or file a written answer to the Complaint. KAW has already satisfied the matters complained of in Ms. Basore's Complaint, and, therefore, it is unnecessary for KAW to provide a specific denial of the material allegations of the Complaint as contemplated by 807 KAR 5:001, Section 20(6). Nevertheless, so that the Commission will understand the steps KAW has taken to satisfy the matters complained of, KAW provides the following explanation of what occurred and

what it has done rectify the mistake it has admitted.¹

The matters complained originally stem from an unfortunate mistake made by KAW field personnel. Ms. Basore resides at 393 Southpoint Drive in Lexington. However, when a replacement water meter was installed at her next-door neighbor's residence at 397 Southpoint Drive, KAW inadvertently logged her neighbor's meter as serving Ms. Basore. This mistake resulted in her neighbor's usage being attributed to Ms. Basore. Had that initial mistake not occurred, no further problems would have developed. However, it took a series of phone calls and related field visits before KAW determined exactly what occurred and how to rectify it. The mistake ultimately led to inaccurately high invoices being sent to Ms. Basore which have since been corrected.

Both before and after Ms. Basore filed her Complaint on September 13, 2018, KAW admitted its mistake, apologized to her, and provided to her the legally permissible relief she has requested. Documentation proving those efforts is attached collectively as Exhibit A.

Ms. Basore's Complaint indicates the relief she requests is set forth in Attachment B to her Complaint. She provides two alternative "options" for relief. KAW has satisfied "Option 1" which states:

Change my meter to an accurate, calibrated one. Start new, giving me credit for the \$30 I paid on 8/28/18 and the \$32.37 paid on 9/10/18. Any water usage up to that point should be zeroed out. Any water consumption prior to the new meter change, KAW should consider repayment for the time, cost and emotional stress this has caused. This seems like a very conservative resolution considering any bill cannot be substantiated.

¹ The Commission's Consumer Services Branch has been involved in and informed of the matters complained of, so much, if not all, of the content of this Response and Motion to Dismiss is already known to Commission personnel within that branch.

Coordinate and pay any sewer charges up to the meter change. Since the sewer charge is a percentage of the water usage, I do not want to waste more time trying to resolve the sewer charges for the KAW errors.

Ms. Basore's first request is to change her meter. KAW made that meter change and then tested the removed meter on September 18, 2018.² As shown by the attached meter test results,³ the removed meter tested accurately meaning that the account adjustments KAW made to reflect her actual usage were correct. Her second request is for KAW to give her credit for the "\$30 paid on 8/28/18 and the \$32.37 paid on 9/10/18." As shown by the attached itemized list of credits posted to her KAW account, KAW has, as requested, applied those payments as credits to her account.⁴ Ms. Basore's third request is that all her water usage prior to the meter change be forgiven. Given that the removed meter tested accurately, the legal prohibition against providing water service to one customer at a lower rate than another under the same conditions,⁵ and guidance provided by the Commission's Consumer Service Branch, KAW cannot forgive amounts owed for water used. While KAW regrets and has apologized for its mistake, it has also explained to Ms. Basore that it cannot "give" water away.⁶ The fourth and final request in Option 1 is for KAW to coordinate the correction of sewer charges (which are derived from water usage) imposed on her by her sewer provider, the Lexington-Fayette Urban County Government ("LFUCG"). As shown by the attached correspondence between KAW and LFUCG, KAW provided updated usage to LFUCG and her account was updated accordingly.⁷

² See Exhibit A, pp. 1-3.

³ See Exhibit A, p. 3.

⁴ See Exhibit A, p. 4.

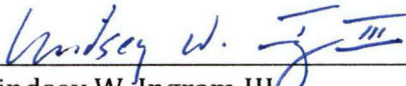
⁵ KRS 278.170(1).

⁶ See Exhibit A, p. 2.

⁷ See Exhibit A, p. 5.

Having provided the legally permissible relief Ms. Basore has requested, KAW has satisfied the Complaint. Therefore, it should be dismissed and KAW moves for such dismissal.

Respectfully submitted,

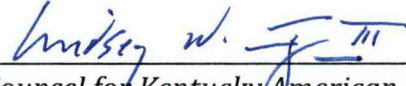


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Counsel for Kentucky American Water

CERTIFICATE OF SERVICE

I hereby certify that I have served a true copy of the foregoing by regular U.S. mail, postage prepaid, this 19th day of October, 2018, upon the following:

Sherry L. Basore
393 Southpoint Drive
Lexington, Kentucky 40515



Counsel for Kentucky American Water

From: Amy Caudill
To: "Sherry Basore"
Cc: Tutt, Rosemary (PSC)
Subject: Meter and Radio Read Device Change Completed
Date: Tuesday, September 18, 2018 12:16:00 PM
Attachments: image001.png

Good Afternoon Ms. Basore,

Thank you again for taking the time to speak with me this morning.

Per our conversation please note following is a photo of the meter and radio read device that was removed and changed for you today by Erik. We anticipate being able to complete the meter test and provide you with the results by end of business tomorrow.

In the interim if you have any additional questions or concerns please feel free to contact me at [REDACTED].

Have a nice afternoon.



Radio Read Device

Meter where manual read was obtained

Kind Regards,

Amy Caudill

Customer Advocacy Superintendent

Kentucky American Water | [2300 Richmond Road](https://www.kawater.com) | [Lexington, KY 40502](https://www.kawater.com)

☎ O: [REDACTED] | 📠 M: [REDACTED] 📧 [REDACTED]

From: [Amy Caudill](#)
To: [Sherry Basore](#)
Cc: [Tutt, Rosemary \(PSC\)](#)
Subject: Meter Test Results
Date: Monday, September 24, 2018 8:58:00 AM
Attachments: [Meter Testing for S. Basore.zip](#)
Importance: High

Good Morning Ms. Basore,

I hope this email finds you well and in good spirits as the week begins. My apologies if this is a duplicate communication, however I did not receive an email confirmation that the attached results were successfully delivered to you on Friday so I am attaching them in a zip file in case that caused a delivery issue.

To confirm your meter was put through multiple tests and found to be functioning in compliance with the acceptable ranges as outlined in our tariff, requiring no additional bill adjustments. As a reminder you do have the ability to request additional testing be performed by the Public Service Commission to confirm our findings.

If you have any questions or would like additional clarification on the testing process please do not hesitate to reach out to me. The best number to reach me this week will be my cell phone at

[REDACTED]

Kind Regards,

Amy Caudill

Customer Advocacy Superintendent

Kentucky American Water | [2300 Richmond Road](#) | [Lexington, KY 40502](#)

☎ O: [REDACTED] | 📞 M: [REDACTED] [REDACTED]



Kentucky-American Water Company

Customer Name Sherry Basore Account # [REDACTED]
 Service Address 393 Southpoint Dr. Premise# [REDACTED]
 Meter Size 5/8 Make N Number 79744956 Date 9/18/18

Readings

	GPM	Begin	End	% of Accuracy	Required Accuracy
<u>ICF</u> Low flow	<u>1/4</u>	<u>8.9200</u>	<u>8.9297</u>	<u>97</u>	95%-101%
<u>ICF</u> Intermediate flow	<u>2</u>	<u>8.9297</u>	<u>8.9399</u>	<u>102</u>	98.5%-101.5%
<u>IOCF</u> Maximum flow	<u>15</u>	<u>8.9399</u>	<u>9.0394</u>	<u>99.5</u>	98.5%-101.5%

IF ANY OF THE TESTS ABOVE ARE NOT WITHIN THE REQUIRED ACCURACY LIMITS THEN FURTHER TESTING IS REQUIRED BELOW.

Readings

Flow Rate % Of Capacity	GPM	Begin	End	% of Accuracy
<u>ICF</u> 25%	<u>5</u>	<u>9.0394</u>	<u>9.0494</u>	<u>100</u>
<u>ICF</u> 50%	<u>10</u>	<u>9.0494</u>	<u>9.0594</u>	<u>100</u>
<u>IOCF</u> 75%	<u>15</u>	<u>9.0594</u>	<u>9.1588</u>	<u>99.4</u>

Average of first test 99.5 Average of second test 99.8
 Less Standard: 100%
 Equal % of Error: _____ Fast _____ Slow _____
 Before Test Reading: 0508.92 after Test Reading 0509.15
 Customer Witness? Yes _____ No

IF PERCENT OF ERROR IS GREATER THAN 2% THEN COMPLETE THE APPROPRIATE SECTION BELOW.

Length of time error is known to have existed _____
 FAST METER basis for refund _____ Amount of refund _____
 SLOW METER basis for additional Bill _____ Amount of additional Bill _____
 Comments Meter failed Medium Flow Test. No RF read, will scrap in SAP but keep 1 yr. / No SAP Test entry until status has changed
 Copy to: M. Rose

Disputes : _____

Meter Tech. : R. Mattingly

Sherry Basore

Move In : [REDACTED]



393 Southpoint Dr
Lexington
KY, US, 40515-4764

PAYMENT TRACKER (24mos)

ON TIME	LATE	TOTAL
24	1	25

PAY. METHOD	MAIL
INSTAL PLAN	NO
SUBSIDIES	NO

OUTSTANDING BALANCE

\$22.39

LAST 3 PAYMENTS

\$32.89 PAID: SEP 14, 2018

\$32.37 PAID: SEP 11, 2018

\$30.00 PAID: AUG 28, 2018






Due Date	Payment Date	Payment Amount	Late?
09/24/18	09/14/18	\$65.26	NO
08/29/18	08/28/18	\$30	NO
07/26/18	07/18/18	\$46.12	NO
06/25/18	06/19/18	\$46.12	NO
05/23/18	05/15/18	\$65.78	NO
04/23/18	04/18/18	\$16.66	NO
02/26/18	02/21/18	\$27.94	NO
01/25/18	01/19/18	\$32.84	NO
11/20/17	11/15/17	\$27.94	NO
10/20/17	10/11/17	\$23.03	NO
09/25/17	09/20/17	\$27.94	NO
08/21/17	08/11/17	\$23.03	NO
07/24/17	07/18/17	\$21.88	NO
06/28/17	06/27/17	\$24.18	YES
05/22/17	05/17/17	\$32.84	NO
04/21/17	04/12/17	\$27.96	NO
03/20/17	03/10/17	\$23.05	NO
02/21/17	02/14/17	\$27.96	NO
01/23/17	01/19/17	\$32.87	NO
12/22/16	12/16/16	\$27.96	NO
11/21/16	11/15/16	\$23.05	NO
10/24/16	10/19/16	\$27.96	NO
09/22/16	09/21/16	\$26.59	NO
08/22/16	08/15/16	\$26.24	NO
07/25/16	07/20/16	\$21.92	NO

From: [Bethany Weisenberger](#)
To: [Amy Caudill](#); [Meriah A Rose](#)
Subject: SHERRY BASORE 393 SOUTHPOINT
Date: Tuesday, September 18, 2018 11:32:53 AM
Attachments: [image001.png](#)
[image002.png](#)
[Usage_Details_usage_Sherry_Basore.xls](#)
[EMAIL - RE_393_Southpoint_Dr-prem_9120120881.pdf](#)
[Summary_History_200611300\(1\).xls](#)

EXTERNAL EMAIL - "Think before you click!"


Good morning,

I have attached a spread sheet showing the usage and adjustments from KAWC vs the usage Lexserv billed. We use AWC (winter fall average) for summer months. Our billed usage is not the same actual usage. We do make the adjustments, but due to the usage billed being much smaller than the actual used, the adjustment account balance is not much different. I have also included the notes on the account from 8-30-18, the original email sent requesting to review the account, and the account balance summary history. Thanks so much!

App.	Customer	Name	Order #	Date	Type	Description	Status	Resolution
SW	20-0611.400	BASORE SHERRY	2018-45350	08/30/2018	4100	C5 BILLING INQUIRY	HS	
	08/30/2018 - Deidre from KAWC emailed us to review account because they had billed high and corrected the past few months. We are using AWC so it was not impacted by their issue. Uploaded email conversation.						 	

Have a great day!!

Bethany Weisenberger
Administrative Specialist
Revenue

 office
lexingtonky.gov

