

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WILLIAM ELLIS BOLLINGER III)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2019-00016
)	
KENTUCKY-AMERICAN WATER COMPANY)	
)	
DEFENDANT)	

ORDER

On January 4, 2019, William Ellis Bollinger III (Mr. Bollinger) tendered a formal complaint with the Commission against Kentucky-American Water Company (Kentucky-American) in which he alleges that Kentucky-American had overcharged him for water that he did not use.¹ Mr. Bollinger states that after Kentucky-American replaced the water meter his bill “went down to a normal usage.”² Mr. Bollinger asserts that in order to remedy this situation, Kentucky-American should be required to reimburse him \$350 dollars for the alleged overcharged water consumption.³

On August 6, 2020, the Commission entered an Order in this case that detailed the issues and history of the case. Because the only evidence in the record indicates that

¹ Complaint at unnumbered page 1.

² *Id.* at 1–2.

³ *Id.* at 2.

Mr. Bollinger's old meter has tested accurately, the August 6, 2020 Order gave Mr. Bollinger an additional 20 days from the August 6, 2020 Order to submit additional evidence in support of his complaint. Mr. Bollinger did not submit the requested additional evidence to support his complaint.

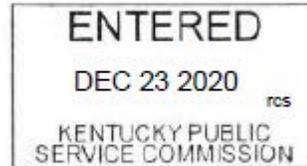
The complainant bears the burden of proof in matters before an administrative body.⁴ Here, Mr. Bollinger has not met that burden of proof. In the absence of a defective meter, a customer is responsible for the quantity of water supplied.⁵ Hence, Mr. Bollinger does not qualify for a reimbursement.

IT IS HEREBY ORDERED that Mr. Bollinger's formal complaint is dismissed with prejudice and is removed from the Commission's docket.

⁴ *Energy Regulatory Comm'n v. Kentucky Power Co.*, 605 S.W.2d 46, 50 (Ky. App. 1980).

⁵ *Louisville Tobacco Warehouse Co. v. Louisville Water Co.*, 172 S.W. 928, 931 (Ky. 1915). See also Case No. 2006-00212, *Robert Young Family v. Southeastern Water Association* (Ky. PSC Jan. 25, 2007); Case No. 99-1 09, *Susan Elizabeth Spangler and Mark Lewis Farman v. Kentucky-American Water Company* (Ky. PSC Oct. 7, 1999).

By the Commission



ATTEST:



Executive Director

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