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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

JUN 24 2019

PUBLIC SERVICE
COMMISSION

WILLIAM ELLIS BOLLINGER III)

COMPLAINANT)

vs.)

CASE NO. 2019-00016

KENTUCKY-AMERICAN WATER COMPANY)

DEFENDANT)

ANSWER AND MOTION TO DISMISS

Now comes the Defendant, Kentucky-American Water Company (“KAW”), and for its Answer to the January 4, 2019 Complaint in this matter, makes the following admissions, denials, statements and defenses. Further pleading, KAW moves for a dismissal with prejudice of the Complaint.

1. In response to the allegations on the first page of the Complaint concerning addresses, KAW admits that it provides service to 5875 Paris Pike, Georgetown, Kentucky 40324 to Mr. Bollinger and that KAW’s address is 2300 Richmond Road, Lexington, Kentucky 40502.

2. In response to the allegation on the first page of the Complaint that KAW billed Mr. Bollinger for “gallons of water that I did not use,” KAW states that it billed Mr. Bollinger amounts consistent with the measured meter usage and that the meter has tested accurately. Therefore, KAW denies that it has billed Mr. Bollinger for any amounts other than accurately measured usage.

3. In response to the allegation on the first and second pages of the Complaint that KAW “replaced the meter and the following reported usage went down,” KAW states that it did replace the meter at the service address on August 16, 2018 and that the replaced meter has tested accurately. However, KAW states that measured daily usage at the premise declined *prior* to the meter being replaced on August 16, 2018 as shown on the attached Usage Data Logging Report.

4. KAW denies that Mr. Bollinger is entitled to the \$350 credit sought in the Complaint.

5. In response to the prayer for relief in the Complaint, KAW states that the Complaint should be dismissed with prejudice and with no relief whatsoever.

6. KAW denies each and every allegation in the Complaint not specifically admitted to be true herein.

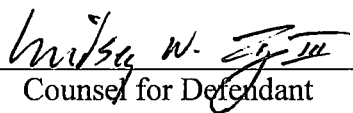
7. KAW states that the meter in place at the premises in question during the relevant period was tested by KAW and that the meter test results (copy attached²) show that the meter meets all applicable accuracy requirements. Therefore, the water meter readings in question are accurate and the indicated amount of water did, in fact, pass through the meter. Therefore, Mr. Bollinger is liable to KAW for all amounts resulting from the indicated usage. *Robert Young Family v. Southeastern Water Association*, PSC Case No. 2006-00212, Order of January 25, 2007; *Susan Spangler and Mark Lewis Farman v. Kentucky-American Water Company*, PSC Case No. 99-109, Order of October 7, 1999; and *Moore’s Chapel A.M.E. Church v. Water Service Corporation of Kentucky*, PSC Case No. 2011-00414, Order of September 17, 2012. Accordingly, KAW moves for dismissal with prejudice of the Complaint.

² The account number has been redacted as required by 807 KAR 5:001, Section 4(10).

WHEREFORE, KAW moves for a dismissal of the Complaint with prejudice and that Mr. Bollinger submit payment for all amounts owed to KAW.

Respectfully submitted,

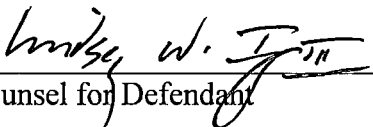
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By 
Counsel for Defendant

CERTIFICATE OF SERVICE

This is to certify that the original and 6 copies of the foregoing Answer and Motion to Dismiss have been filed on this 24th day of June, 2019 at the Public Service Commission and that a true and accurate copy of same has been served, via U.S. Mail, on the 24th day of June, 2019, upon the following:

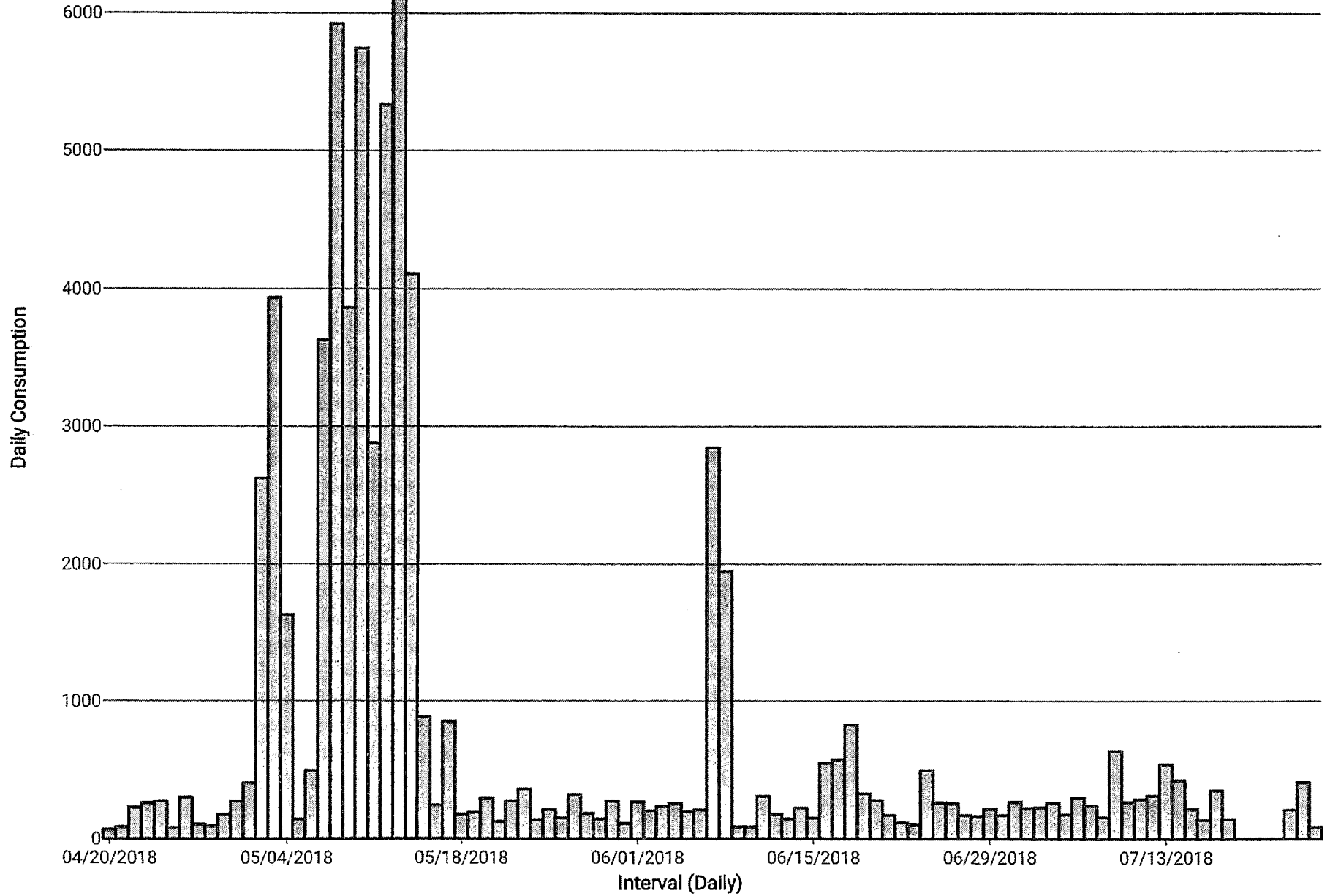
William Ellis Bollinger III
5875 Paris Pike
Georgetown, Kentucky 40324-8716


Counsel for Defendant

010311.003026/7967613.1

Data Logging Report

MIU#: 1547669398 for 04/20/2018 - 07/25/2018 - 5/8" - 1" T-10, GALLONS



Kentucky-American Water Company

Customer Name Will Bollinger Account # XXXXXXXXXX
 Service Address 5875 Paris PK Premise# 5000117600
 Meter Size 5/8 Make B Number 26849707 Date 8/28/18

Readings

	GPM	Begin	End	% of Accuracy	Required Accuracy
1/4 CF Low flow	<u>1/4</u>	<u>928.7235</u>	<u>928.7948</u>	<u>95.3</u>	95%-101%
1 CF Intermediate flow	<u>2</u>	<u>928.7948</u>	<u>928.8706</u>	<u>101.3</u>	98.5%-101.5%
10 CF Maximum flow	<u>15</u>	<u>928.8706</u>	<u>929.6139</u>	<u>99.3</u>	98.5%-101.5%

(Refer To Test Sheet For Percentage Conversion)

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
25%	_____	_____	_____	_____
50%	_____	_____	_____	_____
75%	_____	_____	_____	_____

Average of first test 98.6 Average of second test _____
 Less Standard: 100%
 Equal % of Error: _____ Fast _____ Slow _____
 Before Test Reading: 00928.72 after Test Reading 00929.61
 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 passed test. Good RF read. Data logged meter. Will return to inventory

Copy to: J. Riley

Disputes: _____ Meter Tech.: R. Mattingly

Single Meter Test Form

Date 8/28/18

Size 5/8" Make B CF Gallon ✓

Meter # 26849707 Out Reading 00928

Low Flow Test: Flow Rate 1/4 gpm Max Volume 1 CF

Adjusted Read 928.7235 Final Read 928.7948 % 95.3

Med Flow Test: Flow Rate 2 gpm Max Volume 1 CF

Adjusted Read 928.7948 Final Read 928.8706 % 101.3

High Flow Test: Flow Rate 15 gpm Max Volume 10 CF

Adjusted Read 928.8706 Final Read 929.6139 % 99.3

Total % 98.6 Pass ✓ Fail

Scrap Return To Inventory ✓

Notes Tested in CF Tanks

Gallon Meter % = Subtract Adjusted Reading From Final Reading.
Divide Sum By gallons
Equivalent To Volume Ran.
1 CF / Divide Sum By 7.48 Gal.
10 CF / Divide Sum By 74.8 Gal.
100 CF / Divide Sum By 748 Gal.

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METER INFORMATION FORM

(As shown in SAP)

(Correct number of dials)

Meter # 26849707 ✓ Reading 00928 ✓

Make B Size 5/8 Address 5875 PARIS Ave

Premise # 5006117600 Date Removed 8-16-18

Common Removal / Demo (No apparent problem with meter)

Customer Complaint Test (per Disputes or Local Office)

Stuck / Stopped

Burst / Leaking

Bad Register (Glass cracked, etc)

False Reading

Periodic Change (PSC only)

Other (Explain in notes)

Test Meter Customer Request

514545763



26930415

1549633758

New Meter # 26930415 Make B Size 5/8

Reading 00000 (Correct number of dials)

MIU # 1549633758

Hot Rod X

Name WBCD

Install Date 8-16-18

Name: Will Bollinger
Acct: [Redacted]

Ph: [Redacted]

Created By: RILEYSD