

COMMONWEALTH OF KENTUCKY
BEFORE THE UTILITY REGULATORY COMMISSION

* * * * *

In the Matter of

THE COMPLAINT OF MRS. ANTHONY W.)
GAMES AGAINST THE FARMDALE) CASE NO. 7740
WATER DISTRICT)

O R D E R

On December 19, 1979 the Commission received a letter from Mrs. Anthony W. Games, Frankfort, Kentucky (Appendix "A") concerning charges for a replacement water meter billed by the Farmdale Water District (District). The District had replaced the meter on the premises.

On December 28, 1979 the Commission received a letter from the District (Appendix "B") setting forth the position of the District with regard to the replacement of the meter and the charges.

The Commission, having considered the matter and being advised hereby ORDEKS that this matter be and it hereby is set for hearing on March 13, 1980 at 10:00 a.m., Eastern Standard Time, in the Commission's offices at Frankfort, Kentucky.

IT IS FURTHER ORDERED That Farmdale Water District shall appear at the scheduled hearing and present testimony relative to this matter.

Done at Frankfort, Kentucky, this 15th day of February, 1980.

UTILITY REGULATORY COMMISSION


For the Commission

ATTEST:

Secretary

FRANKFORT, KENTUCKY 40602 TELEPHONE: (502) 227-4034

T
O Utility Regulatory Commission
P. O. Box 615
Frankfort, Kentucky 40602

F
R Anthony and Linda Games
O Route 8, 123 Highwood Drive
M Frankfort, Kentucky 40602

SUBJECT

Installation of water meter without authorization or notification.

DATE

This is in regard to Farmdale Water District, Route 7, Frankfort, Ky. Briefly, we received a water bill from them for the installation of a 3/4" water meter. I called one of the commissioners and he rudely told me either to pay it or it would be turned off. I asked him why we weren't notified and he said he didn't have to notify us; that he had authorization to put in any meter at any time. We do not feel that we are responsible for the bill since we didn't have a leak and we were not notified of any breakage, cap off, hands off, etc. The neighbor next door did have a leak in their water meter and they used our phone to report it. I personally feel that beings our water meters are within 12 inches of each other that ours got accidentally put in by mistake and when they discovered it was the wrong one, then we got their bill also. The neighbor is Elmer Clyde Henderson, Route 8, 122 Brookfield Drive, Frankfort, Kentucky 40601, and they have also had a water meter installed the same day. Please find out what we can do and if we have to pay this bill.

Thank you,

Mrs. Anthony W. Games
502-227-4034-home
502-695-5680-work

FARMDALE WATER DISTRICT
ROUTE 7 - FRANKFORT, KENTUCKY 40601 - 223-3562

APPENDIX "B"

COMMISSIONERS:
MR. N. P. GREEN, CHAIRMAN
MR. MARK BOGIE, TREASURER
MR. BERL ROBINSON, SECRETARY

RECEIVED
(5)

DEC 28 1979

UTILITY REGULATORY
COMMISSION

Mr. Richard B. Heman, Sr., Secretary
Utility Regulatory Commission
P.O. Box 615
Frankfort, Kentucky 40601

December 26, 1979

Dear Mr. Heman;

This letter is in reply to your letter dated 12/21/79 concerning a complaint from Anthony and Linda Games dated 12/19/79.

First of all let me say that neither I nor the other two Commissioners have ever talked to Linda Games on the telephone or in person. On 12/17/79 at approximately 9:30 A.M., Mr. Anthony Games called our Commissioner Berl Robinson at his place of business and asked him if he was connected any way to the Farmdale Water District. Mr. Robinson told him that he was one of the three Water Commissioners and Mr. Games proceeded to yell him in a loud angry voice that we had sent him a bill for a water meter which was replaced and of which he had not been notified. Before Mr. Robinson could answer, and I quote Mr. Robinson, Mr. Games told him that "we had not gotten authorization from him to enter upon his property to exchange the meter." Mr. Robinson then told Mr. Games that he should come to our next regular Commissioner's meeting scheduled the first Friday in January and bring the issue before all three of the Commissioners. Mr. Games then told Mr. Robinson that he felt the thing for him to do would be to hire an attorney to handle it for him, Mr. Robinson replied that he should handle it as he wished and ended the conversation.

Mr. Heman, the meter that was replaced had been damaged, perhaps a better word is beaten, with what was apparently a heavy instrument. This has happened three times before in the last eight months in an area of approximately six feet, which is about the distance between Mr. Games' meter and his neighbors, Mr. Elmer Hendershout. We felt that the only way we could stop this vandalism would be to bill the customer for the damages. We felt it was far better to remove the damaged water meter and replace it than to remove the meter and leave the Games family without water service. Mr. Games mentions in his letter that his neighbor, Mr. Hendershout, had a water leak which was the reason for his water meter being replaced. This information is incorrect. To the best of our knowledge, Mr. Hendershout has never had a water leak which called for the meter being replaced. He has had two water meters, but both of them were replaced due to vandalism.

We would like the Utility Regulatory Commission to know that we do not intend on overcharging any of the customers. We are doing our best to satisfy as many people as we possibly can, but if we allow this vandalism to continue throughout the District without holding the customer responsible there is no way that we can continue to operate on our present budget schedule. So we feel that it is up to the customer to pay for the damage to their

EARMDALE WATER DISTRICT

ROUTE 7 - FRANKFORT, KENTUCKY 40601 - 223-3562

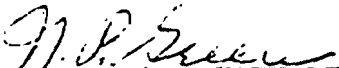
COMMISSIONERS:
MR. N. P. GREEN, CHAIRMAN
MR. MARK BOGGS, TREASURER
MR. BERL ROBINSON, SECRETARY

(C)

meter is damaged by vandalism, and if the meter is faulty or damaged by cold weather, ice, etc., the District will absorb the cost.

Should you have a different point of view on this matter or feel that we should have handled it differently, please advise us so we will discuss it at our next regular meeting. Also should you wish to examine the damaged meter you may do so at our office.

Sincerely,



J.P. Green, Chairman
Earmdale Water District

227-9870