

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|---------------------|---|-----------------|
| MADGE C. BOGGS |) | |
| |) | |
| COMPLAINANT |) | CASE NO. 91-342 |
| VS. |) | |
| |) | |
| FRANCIS WATER WORKS |) | |
| |) | |
| DEFENDANT |) | |

ORDER TO SATISFY OR ANSWER

Francis Water Works is hereby notified that it has been named as defendant in a formal complaint received on September 23, 1991, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, defendant is HEREBY ORDERED to satisfy the matters complained of or to file a written answer to the complaint within 10 days from the date of service of this Order.

Done at Frankfort, Kentucky, this .7th day of October, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director

91.342

August 19, 1991

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SEP 23 1991

PUBLIC SERVICE
COMMISSION

Mr. Lee McCracken
Executive Director
Public Service Commission
730 Schenkel Lane, PO Box 615
Frankfort, KY 40602

Dear Sir:

This letter is being written in reply to our earlier telephone conversation and your conversation with my son.

In July of 1990, I petitioned the Francis Water Works of Garrett, KY to become part of their corporation on Rock Fork Creek south of Garrett so that I could have water in my home on Bolen Branch (about 1/2 mile from the main line).

I was told by Nello Francis of the water company that I could not join the corporation because of the distance and the resulting cost which would be several times more expensive than prevailing installation or subscriber rates. I was subsequently told that I could buy my own line for \$1500 and installation costs but that I would NOT be part of the corporation. At that time the other residents of the hollow were given the opportunity to do the same or to share the costs. Each of them completely refused.

Just recently the Francis Water Company, which has changed ownership began to connect other customers on to my line just as if I was part of the corporation and without any consultation with me or mention of any equitable distribution of costs.

I was told originally I could not join the corporation. Now, Francis Water Works, in order to add more customers and without any consultation with me, has attempted to abrogate the original agreement made with me.

I am asking the Public Service Commission to attempt to make a ruling on this matter and see that this injustice is corrected.

Your cooperation is much appreciated.

Sincerely,

Hedger C. Boggs
Hedger C. Boggs

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GENERAL COUNSEL

Section 12. Formal Complaints. (1) Contents of complaint. Each complaint shall be headed "Before the Public Service Commission," shall set out the names of the complainant and the name of the defendant, and shall state:

(a) The full name and post office address of the complainant.

(b) The full name and post office address of the defendant.

(c) Fully, clearly, and with reasonable certainty; the act or thing done or omitted to be done, of which complaint is made, with a reference, where practicable, to the law, order, or section, and subsections, of which a violation is claimed, and such other matters, or facts, if any, as may be necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall set forth definitely the exact relief which is desired. (See Section 15(1))

(2) Signature. The complaint shall be signed by the complainant or his attorney, if any, and if signed by such attorney, shall show his post office address. Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

(3) Number of copies required. At the time the complainant files his original complaint, he must also file copies thereof equal in number to ten (10) more than the number of persons or corporations to be served.

(4) Procedure on filing of complaint:

(a) Upon the filing of such complaint, the commission will immediately examine the same to ascertain whether it establishes a prima facie case and conforms to this regulation. If the commission is of the opinion that the complaint

Section 15. Forms. (1) In all practice before the commission the following forms shall be followed insofar as practicable:

- (a) Formal complaint.
 - (b) Answer.
 - (c) Application.
 - (d) Notice of adjustment of rates.
- (2) Forms of formal complaint.

Before the Public Service Commission
(Insert name of complainant))
COMPLAINANT)
vs.) No. _____
) (To be inserted
) by the secretary)
(Insert name of each defendant))
DEFENDANT)

COMPLAINT

The complaint of (here insert full name of each complainant) respectfully shows:

(a) That (here state name, occupation and post office address of each complainant).

(b) That (here insert full name, occupation and post office address of each defendant).

(c) That (here insert fully and clearly the specific act or thing complained of, such facts as are necessary to give a full understanding of the situation, and the law, order, or rule, and the section or sections thereof, of which a violation is claimed).

WHEREFORE, complainant asks (here state specifically the relief desired).

Dated at Paris, Kentucky, this 22nd day of Aug, 1927.