

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

IVIS L. WRIGHT)	
)	
COMPLAINANT)	
)	
V.)	CASE NO. 94-223
)	
KENTUCKY-AMERICAN WATER COMPANY)	
)	
DEFENDANT)	

O R D E R

On June 2, 1994, Commission received a complaint from Ivis L. Wright against Kentucky-American Water Company ("Kentucky-American"). Pursuant to Commission regulation 807 KAR 5:001, Section 12(4)(a), a complaint will be processed only if it states a prima facie case. To constitute a prima facie case, the complaint must be supported by sufficient evidence to show that the complainant is entitled to the relief requested.

The complaint states that:

1. Kentucky-American failed to conduct a scheduled January 1994 meter reading at a residence owned by the complainant;
2. The next reading on April 5, 1994 revealed excessive water usage which was traced to a leak in the complainant's service line;
3. There were no visible signs of a water leak;
4. Had Kentucky-American read the meter as scheduled, the leak would have been detected in January 1994;

5. The complainant should not be held responsible for the April 1994 water bill in the amount of \$1,174.89 because it would have been significantly lower if the meter had been read in January 1994.

Based on a review of the complaint, the Commission finds it fails to state a prima facie case. The public utility law in Kentucky requires a customer to pay for all water that passes through its meter. Any leak that occurs in the service line is the sole responsibility of the customer, not Kentucky-American. Even assuming that Kentucky-American was negligent in not reading the meter earlier, such negligence does not relieve the customer of the obligation to pay for all water that passed through its meter.

The complainant should be granted 20 days to amend the complaint to state a prima facie case.

IT IS THEREFORE ORDERED that Ivis L. Wright shall have 20 days from the date of this Order to file an amended complaint setting forth a prima facie case. If the complaint is not so amended within such time or such extension of time as may be granted for good cause shown, the complaint shall be dismissed without further Order of the Commission.

Done at Frankfort, Kentucky, this 10th day of June, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

Rebecca D.

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

JUN 02 1994

PUBLIC SERVICE
COMMISSION

In the Matter of:

Rebecca D. Smith
(Your Full Name))
COMPLAINANT)

vs.

Ky. American Water Co.
(Name of Utility))
DEFENDANT)

94-223

C O M P L A I N T

The complaint of Rebecca D. Smith respectfully shows:
(Your Full Name)

(a) Rebecca D. Smith
(Your Full Name)
516 South Upper St. Louisville
40203
(Your Address)

(b) Ky. American Water Co.
(Name of Utility)
1000 St. Bernard St. Louisville
(Address of Utility)

(c) That: Water meter installed in January 1994
(Describe here, attaching additional sheets if necessary, the specific act, fully and clearly, or facts

indicated that meter was not working at that time. Contact
necessary, the specific act, fully and clearly, or facts

Personnel that 2/94 at which time Re then
(What are the reason and basis for the complaint.)

(Water meter was not working) found we told

1118 N. 1st St vs 1118 N. 1st St
(Your Address) (Utility Name)

Page 2

The complaint is to be resolved with the meter
at 1118 N. 1st St. I am not aware of meter
the problem is with the meter. I have receipt
of the meter in the past, but the meter is
not working.

Wherefore, the complainant asks that some action be taken
(Specifically state the

action to be taken
to be taken
to be taken

to be taken
to be taken
to be taken

Dated at 1118 N. 1st St, Kentucky, this 11 day
(Your City)

of 11, 1999.
(Month)

1118 N. 1st St
(Address)

1118 N. 1st St
(Your Signature)

(Name and address of attorney, if any)

To that end, we have been working to
the steps of a public utility "corporation"
and the public utility is a public utility of
the public. In actual making of a public utility,
we are concerned with the way we manage it and
bring all the other things.

In my opinion, the other two things would
have been met in 1948, and under the
the public utility, Canada that have been
"When public property is transferred, the
public utility, by means of a public
utility, from the public to the public,
may be done."

Therefore, I do not plan to pay any more
than my regular amount for a period
of 5 months.

My public utility arrangements are conditional
on my share to me at:

1. Copyright

2. P. 10. Page 54767

3. Copyright, Page 4675-4767

7. In protest and other arrangements.

And S. Copyright

004362



**KENTUCKY - AMERICAN
WATER COMPANY**
2300 RICHMOND ROAD
LEXINGTON, KY 40502

**WRIGHT IVIS REAL EST
PO BOX 54767
LEXINGTON KY 40555-4767**



PLEASE MAKE CHECKS PAYABLE TO ►
AND INDICATE ACCOUNT NO. ON CHECK



**SERVICE ADDRESS:
518 S UPPER ST**

CHECK TO REQUEST RATE SCHEDULE
CHECK HERE IF ADDRESS OR TELEPHONE
NUMBER HAS CHANGED SEE REVERSE SIDE



ACCOUNT NUMBER
[REDACTED]

AMOUNT DUE ►	01,174.89
DUE DATE ►	04-21-94

INDICATE AMOUNT PAID	
----------------------------	--

**KY-AMERICAN WATER CO.
P.O. BOX 75159
BALTIMORE MD 21275-0159**



RETURN THIS PORTION WITH PAYMENT

MASTERS' SUPPLY, INC.

1000 W. MARKET ST. - LOUISVILLE, KY 40203
 (502) 452-1111
 FAX (502) 452-1112
 HOURS: MONDAY THROUGH FRIDAY - 7:30 A.M. - 4:30 P.M. EXCEPT HOLIDAYS

CUSTOMER NO.	CONTRACT NUMBER	YOUR P.O. NO.	SLSN	INVS# DATE	INVOICE NUMBER	INVOICE DATE	AS OF
	TERMS		SHIPPED VIA		SPECIAL INFORMATION		OUR ORDER

MASTERS - LOUISVILLE WILL BE OPEN ON SATURDAYS BEGINNING
 APRIL 16TH - TIME 7:30 A.M. - 12:00 P.M.
 WILL CALL SERVICE ONLY

AK# 493
L

Thank You

Claims for shortages must be made within 10 days from receipt of goods. No credit will be issued unless material returned 30 days after date of purchase. No credit will be allowed for returns without our approval when orders have been filled correctly. All returns must include our invoice number and date. A minimum 15% restocking charge plus freight charges are applied to returns. See reverse for information on service charges and warranties.

INVOICE

SOLD TO: Luis Wright ADDRESS: 318 S Upper St CITY, STATE, ZIP: Lex Ky 40515		BILL TO: Scott McDaniel ADDRESS: 1488 Deer Lake Dr CITY, STATE, ZIP: Lexington, Ky 40515	
CUSTOMER ORDER NO.	SALESMAN	TERMS	DATE

ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
		fixing water leak			
		4 hrs lman			\$110.00
		material Pl work			60.00
		Accepted by [Signature]			
		Total Bill			\$180.00

Permit No. **271991**
 Plumbing Contractor **Scott McDaniel**
 Location **318 South Upper**

Approved

THIS PLUMBING INSTALLATION HAS BEEN INSPECTED AND
 APPROVED BY **[Signature]** TEST

[Signature]
 Plumbing Inspector

Dept. of Housing
 Division of Plumbing
 Frankfort, Ky.

PLBG 19 (Rev. 6/78)