

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ORBIN AND MARGIE BROCK)	
)	
COMPLAINANTS)	
)	
v.)	CASE NO. 94-404
)	
WESTERN ROCKCASTLE WATER ASSOCIATION)	
)	
DEFENDANT)	

O R D E R

Orbin and Margie Brock have filed a formal complaint against Western Rockcastle Water Association ("Western Rockcastle"). The Brocks request that the Commission order Western Rockcastle to permit them to "install a water line to their satisfaction" or require it to "install a water line to their satisfaction."

Commission Regulation 807 KAR 5:001, Section 12(4), requires the Commission to review each formal complaint upon its filing to determine whether the complaint establishes a prima facie case. A complaint establishes a prima facie case when, on its face, it sets forth sufficient allegations that if uncontradicted by other evidence would entitle the complainant to the requested relief. If a complaint fails to establish a prima facie case, the Commission must notify the complainant and provide a reasonable opportunity to amend the complaint.

The Brocks' complaint fails to establish a prima facie case. It contains no allegations that the water utility has violated any

statute or Commission regulation. Moreover, it fails to state sufficient facts to determine what issues, if any, are being placed before this Commission.

IT IS THEREFORE ORDERED that:

1. The Brocks shall have 20 days from the date of this Order to file an amended complaint which sets forth a prima facie case against Western Rockcastle.

2. In the event that an amended complaint is not filed within 20 days of the date of this Order, this case shall be dismissed without further order.

Done at Frankfort, Kentucky, this 22nd day of November, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director