

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LISA W. RIGDON)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 95-428
)	
FLEMING COUNTY WATER ASSOCIATION)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

Fleming County Water Association ("Fleming Water") is hereby notified that it has been named as defendant in a formal complaint filed on September 25, 1995, a copy of which is attached hereto.

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

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 6th day of October, 1995.

ATTEST:

Don Mills
Executive Director

PUBLIC SERVICE COMMISSION

[Signature]
Chairman

Robert M. Davis
Vice Chairman

Luella K. Breckhoff
Commissioner

RJ

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

SEP 25 1995

PUBLIC SERVICE
COMMISSION

In the Matter of:

Case No. 95-428

Lisa W. Rigdon
(Your Full Name)
COMPLAINANT

vs.
Fleming Co. Water Association
(Name of Utility)
DEFENDANT

COMPLAINT

The complaint of Lisa W. Rigdon
(Your Full Name) respectfully shows:

(a) Lisa W. Rigdon
(Your Full Name)

Route One, Box 84, Wallingford, Ky, 41093
(Your Address)

(b) Fleming Co. Water Association
(Name of Utility)

P.O. Box 327, Flemingsburg Ky 41041
(Address of Utility)

(c) That: I'm writing to complain about our
(Describe here, attaching additional sheets if

water line. We paid \$450.00 over two years
necessary, the specific act, fully and clearly, or facts

ago for water. At that time we were told if
that are the reason and basis for the complaint.)

we didn't pay or sign up, we'd have to wait

Even though the car washes seem to be operating without restrictions.

I was told the last time I called they couldn't ~~tell~~ me when we would get our water, this year next year, they just didn't know.

We (as several of our neighbors) have already run our line to our home for hook-up. We're spending up to over \$100.00 ^(a month) for water to be hauled.

They went through tree roots in our yard, which are still sticking out, no one came back to fill in, or sow grass. The road we live on (Beechy Creek Rd.) has no ditches now, water runs in the road and guts it. They also cut through one of our culverts.

We've waited long enough we want our water. Several neighbors feel the same way. Any help would be greatly appreciated.

Formal Complaint

Lisa W. Rindon vs Fleming Co Water Association
(Your Name) (Utility Name)

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for 18 months after everyone else got their
water, before we could hook-up to the line. As
of today Sept. 17, 1995, we still don't have a
meter (or water), (nor any of our neighbors
that I know of) We are being told for the past
month there's a water shortage by Mr. Jeff.
(1 page addendum enclosed)

Wherefore, complainant asks That they set our
(Specifically state the

meters and turn our water on now.
(relief desired.)

Put ditches back on our road. Clean
up, fill in and sow grass in our yard.

Dated at Willingford, Kentucky, this 17 day
(Your City)

of September, 1995.
(Month)

Lisa Rindon
(Your Signature)

(Name and address of attorney, if any)

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

does not establish a prima facie case or does not conform to this regulation, it will notify the complainant or his attorney to that effect, and opportunity may be given to amend the complaint within a specified time. If the complaint is not so amended within such time or such extension thereof as the commission, for good cause shown, may grant, it will be dismissed.

(b) If the commission is of the opinion that such complaint, either as originally filed or as amended, does establish a prima facie case and conforms to this regulation, the commission will serve an order upon such corporations or persons complained of under the hand of its secretary and attested by its seal, accompanied by a copy of said complaint, directed to such corporation or person and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of such order, provided that the commission may, in particular cases, require the answer to be filed within a shorter time.

(5) Satisfaction of the complaint. If the defendant desires to satisfy the complaint, he shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which he is willing to give. Upon the acceptance of this offer by the complainant and the approval of the commission, no further proceedings need be taken.

(6) Answer to complaint. If satisfaction be not made as aforesaid, the corporation or person complained of must file an answer to the complaint, with certificate of service on other parties endorsed thereon, within the time specified in the order or such extension thereof as the commission, for good cause shown, may grant. The answer must contain a specific denial of such material allegations of the complaint as controverted by the defendant and also a statement of any new matter constituting a defense. If the answering party has no information or belief upon the subject sufficient to enable him to answer an allegation of the complaint, he may so state in his answer and place his denial upon that ground. (See Section 15(2))

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 _____, Kentucky, this _____
ay of _____, 19____.

(Name and address of attorney, if any)

(3) Form of answer to 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)

ANSWER

The above-named defendant, for answer to the complaint in the proceeding, respectfully states:

That (here follow specific denials of such material, allegations as are controverted by the defendant and also a statement of any new matter constituting a defense. Continue lettering each succeeding paragraph).

WHEREFORE, the defendant prays that the complaint be dismissed (or other appropriate prayer).

(Name of defendant)

(Name and address of attorney, if any)