

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

STANLEY MARCINEK)
)
COMPLAINANT)
)
v.) CASE NO. 96-368
)
KENTUCKY-AMERICAN WATER COMPANY)
)
DEFENDANT)

ORDER TO SATISFY OR ANSWER

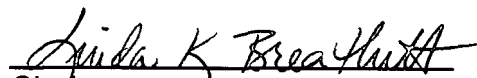
Kentucky-American Water Company ("Kentucky-American") is hereby notified that it has been named as defendant in a formal complaint filed on July 30, 1996, a copy of which is attached hereto.


Pursuant to 807 KAR 5:001, Section 12, Kentucky-American 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.

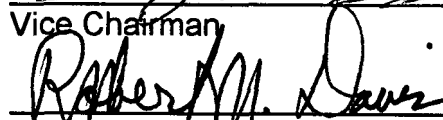
Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 13th day of August, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

COMMONWEALTH OF KENTUCKY
BEFORE: THE PUBLIC SERVICE COMMISSION

RECEIVED
JUL 30 1996
PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

STANLEY MARCINEK
COMPLAINANT

VS.

Case No. 96-368

KENTUCKY AMERICAN WATER COMPANY
DEFENDANT (NAME OF UTILITY)

COMPLAINT

The Complaint of STANLEY MARCINEK respectfully shows:

- (a) STANLEY MARCINEK
SAINT ANN DRIVE
LEXINGTON, KENTUCKY 40502
- (b) KENTUCKY AMERICAN WATER COMPANY
2300 RICHMOND ROAD
LEXINGTON, KENTUCKY 40502

(c) That: Kentucky American Water Company desires payment of \$312.33 for 88 hundred cubic feet of water usage during a three month period from September 10, 1995 to December 19, 1995, (Exhibit 1).

I feel that there must have been a malfunctioning of the meter, 88 hundred cubic feet, 66,000 gallons usage or 733 gallons per day is not factual without evidence of a leak. Please refer to my usage chart submitted, which was provided by Kentucky American Water Company for the past two years and note the increase usage for the above period in question, (Exhibit 2, Form 380).

My wife and I have been customers of the Water Company for 40 years at this residence and raised a family of eight children during this time. We have never used this amount of water or had a bill of this proportion. There are only TWO adults using the water presently at 236 Saint Ann Drive.

On January 3, 1996 a representative of the Water Company checked the meter and found no sign of a leak, (Exhibit 3). The test reading of the meter indicated that from December 20, 1995 (161.0 units) to January 3, 1996 (161.89 units) of water was used. Therefore, 0.89 cubic feet was consumed for 15 days. Followed by a January 9, 1996 reading of 165.66 units or 3.77 cubic feet

usage for six days. Since our personal water usage within the home stayed consistent during this period of December 20, 1995 through January 9, 1996, the only conclusion is the meter is inconsistent. Please refer again to Exhibit 2 and note that the 6 day test reading of 3.77 cubic feet is more than the entire three months usage from June 19, 1995 to September 26, 1995. Again, this would indicate inconsistency.

On January 10, 1996, Mr. Bill Buckner installed a monitor on the meter. The next day, he installed a recorder on this meter for 24 hours. The recorder registered 21 gallons of water usage for a 24 hour period. Mr. Buckner said the meter was accurately recording usage. However, he failed to inform me that the electronic reader head on this meter had been disconnected and never reinstalled. The electronic reader was disconnected when Mr. Buckner installed the monitor and the recorder during his checks. Therefore, I feel that the meter set up that had been monitoring my water usage was not actually being tested as it normally calculate the previous readings.

On January 15, 1996, Kentucky American Water Company claimed to have removed the meter to have it tested in their shop without this Complainant's knowledge (Exhibit 4). When I questioned Mr. Bush concerning the removal and testing of the meter, he scheduled a second testing of the meter for February 22, 1996, at which time both my wife and I were present. The meter again was tested without the electronic reader. I feel that since the electronic reader was used to calculate the bill in question that it too should have been tested. Please note that our neighborhood has been a test neighborhood for these electronic readers.

I believe that after removing the meter and the electronic reader to test the meter, that the Water Company could have corrected the meter or adjusted the meter to now read correctly. In follow-up, the Water Company could have reinstalled the corrected meter at my residence prior to the testing I witnessed or simply the removal of the meter and electronic reader could have dislodged something in the pipes or meter self-corrected the situation, which had been causing the previously erratic and faulty readings.

WHEREFORE, Complainant respectfully requests to have a formal hearing so that an adjustment can be made in the water and sewage bill in question for the period of September 10, 1995 to December 19, 1995 by averaging Complainant's bills using said past history of usage.

Please note that I will be out of town from July 31, 1996 through August 20, 1996. If I can be of any further assistance, please contact me at (606) 266-2077 after August 20, 1996.

Dated at Lexington, Kentucky on this the 29 day of July, 1996.


STANLEY MARCINEK

EXHIBIT 1

RECEIVED
JUL 30 1996
PUBLIC SERVICE
COMMISSION

BILLING PERIOD
Sep-20 TO Dec-19 (90 days)
Billing date 12-26-95
Next reading on/about Mar-19

AMOUNT OF LAST BILL \$27.61
Payment-Thank You \$27.61-
Prior balance due \$.00

METER INFORMATION
Meter no. Meter size
038723049 5/8

CURRENT WATER CHARGES
\$146.97

METER READING INFORMATION
Present-Actual 16100
Prior 7300
Cubic feet usage 8800
Gallon usage 66000

OTHER CHARGES
LFUCG sewer charge \$154.56
KRA withdrawal fee CL6 \$3.28
Fayt Co tax-svc CL6 \$4.51
Franchise tax-svc CL6 \$3.01
Total current charges \$312.33
Your prior balance was \$.00
TOTAL AMOUNT DUE \$312.33

*6th Stacy
get Pass*

Exhibit (1)

PREVIOUS PERIOD USAGE
2,250 GALLONS
SAME PERIOD LAST YEAR
9,750 GALLONS

Average water usage for
this period 733 gal a day

**KENTUCKY - AMERICAN
WATER COMPANY**
2300 RICHMOND ROAD
LEXINGTON, KY 40502
Service to: MARCINEK S
236 ST ANN DR
Service number: 028292
Account number: [REDACTED]

MESSAGES TO YOU FROM KENTUCKY - AMERICAN
If you have questions or concerns, please contact our office. Office
Hours 8:00 am to 4:30 pm M-F Phone 606-268-6300 or 1-800-678-6301,
EMERGENCY - 606-269-2395.
Brochures on tips to conserve water are available in our lobby.

Exhibit 2

380 KENTUCKY-AMERICAN WATER CO.
*** BILLED USAGE HISTORY INQUIRY ***

INF03A
02/29/96

MARCINEK S
236 ST ANN DR
FAYETTE COUNTY 0197-0294
PENDING ORDERS - *** NONE ***

ACCOUNT STATUS - ACTIVE
ON / OFF DATE - 10/01/57
REVENUE CLASS - RES.
SERVICE CLASS - QUARTERLY WATER
SERVICE NUMBER - 028292

READ DATE	TRAN CODE	NO. DAYS	BILL CODE	READ CODE	READING	ADJ IND	REAS CODE	NO. PER	CUBIC FEET / GALLON CODE	USAGE	R E V	AMOUNT
12/19/95	CB	90	REGULAR BILL		161				100 CUBIC FE	88	1	312.33
09/20/95	CB	93	REGULAR BILL		73				100 CUBIC FE	3	1	27.61
06/19/95	CB	94	REGULAR BILL		70				100 CUBIC FE	14	1	40.62
03/17/95	CB	88	REGULAR BILL		56				100 CUBIC FE	9	1	31.99
12/19/94	CB	90	REGULAR BILL		47				100 CUBIC FE	13	1	37.22
09/20/94	CB	95	REGULAR BILL		34				100 CUBIC FE	12	1	35.71
06/17/94	CB	92	REGULAR BILL		22				100 CUBIC FE	18	1	44.55
03/23/94	CA	90	REGULAR BILL		0		RA 02		100 CUBIC FE	0	1	0.48-
03/17/94	CB	90	REGULAR BILL		4				100 CUBIC FE	9	1	30.75
12/17/93	CB	88	REGULAR BILL		381				100 CUBIC FE	12	1	34.98
09/20/93	CB	95	REGULAR BILL		369				100 CUBIC FE	14	1	37.86
06/17/93	CB	92	REGULAR BILL		355				100 CUBIC FE	18	1	42.56

CMD-1 CANCEL JOB
CMD-3 PREVIOUS SCREEN

HELP - HELP

EXHIBIT 2

CO. NO. OCCASION NO. SERVICE NO. DATE RECEIVED BY DATE RECEIVED BY DATE RECEIVED BY

380 000 028292 01/02/96 01/02/99 L. S. Gamm B 01/03/96 1-3-96 8:53 AM
 SERVICE ADDRESS: 236 ST ANN DR SVD. NO. - 24009 A.M. P.M. 01/02/96
 METER NAME: MARCINEK, S MR MARCINEK
 ADDRESS: 236 ST ANN DR 10/01/57 EC
 LEXINGTON KY 40502 WJD-1 QRTLY RES. ORDER PREPARED BY: FT
 EST-00 COUNTER- MAIL- PHONE
 BUS- RES- (000)266-2077
 READ SEQUENCE 0197-0294

TURN ON	SHUT OFF	REPAIR	SET METER	REMOVE METER	SET REMOTE	REMOVE REMOTE	TEST METER	PRE-READ	INSPECT	READ DATE INSIDE METER	METER TEST DATE	DATE METER REMOVED
								LOW-	HIGH-		02/94	

5/8-N	38723049	4	00000161	02/94	12/19/95
				SET DATE-	

CONVERSION	
CUBIC FEET	GALS.
HIGH-	LOW-

				SET DATE-
--	--	--	--	-----------

LAST 1ST CONSUMPTION	LAST 2ND CONSUMPTION	LAST 3RD CONSUMPTION	LAST 4TH CONSUMPTION
00082	00003	00014	00009

SPECIAL METER READING INSTRUCTIONS (1ST 20 POSITIONS)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

SPECIAL METER READING INSTRUCTIONS (2ND 20 POSITIONS)

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

METER LOCATION: UTILITY FORD

SITUATION CODE-

REMOTE REGISTER READING

--	--	--	--	--	--

1/10/96, called Mr. Marcinek & gave info. he says he has a toilet leak. I gave him to B. Buckner
 1/21/96 R 0161-89 No sign of leak at Box
 Flow Finder not moving

METER READING

--	--	--	--	--	--

VERIFIED BY: SAK
 ISSUED LOCALLY

METER RAN	STOPPED	DIDN'T STOP	DOORKNOB NOTICE
			YES NO

1/9 Mr. Marcinek called - very upset about Bill so I called B. Buckner & he cannot get the order

TALKED TO	NO. OF PEOPLE IN PREMISES	VACANT		HOW LONG	IS SEAL BROKEN		ARE 40 AND 100 DIALS OPERATING		THIRD PARTY		LANDLORD AGREEMENT		HOT WATER HEAT		
		YES	NO		YES	NO	YES	NO	YES	NO	GAS	ELEC.	OTHER		

ORDER RECORDED BY _____ TYPE _____ DATE _____

1/6 =
 1/9
 2/1

EXHIBIT 3

EXHIBIT 4

2-15-96 4
903

KENTUCKY - AMERICAN WATER COMPANY

***** OFFICE USE ONLY *****

Customer Name: S. Marcinek Account Number: [REDACTED]
 Service Address: 236 St. Ann Dr Service Number: 28292
 Meter: Size 5/8 Make N Number 38723049 Test Scheduled: Date 1-15-96 Time 3:15PM

	GPM	Readings Beginning	Ending	Percent of Accuracy	Required Accuracy
Low Flow:	<u>14</u>	<u>1500</u>	<u>1600</u>	<u>100</u>	90% - 101%
Intermediate Flow:	<u>2</u>	<u>1600</u>	<u>1700</u>	<u>100</u>	98.5% - 101.5%
Maximum Flow:	<u>15</u>	<u>1700</u>	<u>2699</u>	<u>99.9</u>	98.5% - 101.5%

 * IF ANY OF THE TESTS ABOVE ARE NOT WITHIN THE REQUIRED *
 * ACCURACY LIMITS THEN FURTHER TESTING IS REQUIRED BELOW. *

Flow Rate % of Capacity	GPM	Readings Beginning	Ending	Percent of Accuracy
25%	_____	_____	_____	_____
50%	_____	_____	_____	_____
75%	_____	_____	_____	_____

Average of all 3 tests: _____
 Less Standard: 100%
 Equals % of Error: _____ Fast _____ Slow _____

Before Test Reading: 016615 After Test Reading: 016626

Customer Witness? YES _____ NO X

*** IF PERCENT OF ERROR IS GREATER THAN 2% THEN COMPLETE THE APPROPRIATE SECTION BELOW ***

Length of time error is known to exist: _____

FAST METER basis for refund: _____

Amount of refund: _____

SLOW METER basis for additional bill: _____

Amount of additional bill: _____

COMMENTS: _____

Copy to: Customer Service Supt. --- Inside
 Customer Service Supt. --- Outside
 Customer with letter

Meter Envelope
 Service File
 PSC Complaint File

Meter Dept. File
 Billing Dept. File