

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NATHAN RAY WREN)
)
COMPLAINANT)
)
v.) CASE NO. 97-114
)
WESTERN ROCKCASTLE WATER)
ASSOCIATION)
)
DEFENDANT)

ORDER

Complainant alleges that Defendant Western Rockcastle Water Association ("Western Rockcastle") has consistently failed to provide him water service at adequate pressure. Defendant admits that its water service fails to meet the minimum pressure standards set forth in Administrative Regulation 807 KAR 5:066, Section 5. In light of Defendant's admission, the Commission finds in Complainant's favor and orders Defendant to take all necessary actions to bring its service into compliance with minimum water service standards.¹

Western Rockcastle Water Association is a non-profit corporation organized pursuant to KRS Chapter 273. It owns and operates a water distribution system that provides water service to approximately 1,763 customers in Lincoln and Rockcastle

¹ Wren filed his complaint with the Commission on March 4, 1997. Western Rockcastle answered the complaint on April 28, 1997. The Commission held a hearing in this matter on September 17, 1997. Testifying at the hearing were Wren, Kenneth M. Newton (Commission Staff Inspector), and Charles D. Burton (Superintendent of Western Rockcastle).

counties, Kentucky. It does not operate any water production facilities, but purchases its water requirements from the City of Mount Vernon, Kentucky.

Nathan Ray Wren owns and operates a dairy farm in Lincoln County, Kentucky. Since 1987 Western Rockcastle has provided water service to Wren. Wren states that since it began providing his water service, Western Rockcastle has consistently failed to provide this service at adequate pressures regardless of seasonal conditions. He further asserts that the low pressure of his water service has posed significant problems for his dairy operations which rely on machinery requiring a constant water pressure of at least 30 pounds per square inch ("psi").

Commission Staff inspectors have confirmed Wren's allegations of low water pressure. On August 1, 1997, these inspectors installed water pressure recorders in the meter pits of Complainant and three other Western Rockcastle customers for a 7-day period. Their recordings indicate that the pressure of the water service provided to Wren consistently falls below 30 psi for extended periods. At its lowest point, Wren's water pressure fell to 14 psi. The recordings also indicated low pressures for customers residing in other portions of Western Rockcastle's service area.²

Western Rockcastle acknowledges that "there is a pressure problem in [Wren's] area."³ It does not contest the findings of the Commission Staff inspectors.⁴ It has

² Complaint Investigation Report (Aug. 15, 1997). Transcript, Commission Staff Exhibit 1.

³ Transcript at 18.

⁴ Id. at 18-19.

conceded that it is not meeting its obligation to the Complainant.⁵ It proposes to install an in-line hydropneumatic pump to increase water pressure to Complainant and to assume the cost of the installation.

Based upon our review of the evidence of record and being otherwise sufficiently advised, the Commission finds that Western Rockcastle's present water service to Complainant fails to meet minimum regulatory standards and constitutes an unreasonable utility practice. Administrative Regulation 807 KAR 5:066 provides:

Standard pressure. Each utility shall, subject to the approval of the commission, adopt and maintain a standard pressure in its distribution system at locations to be designated as the point or points of "standard pressure." The selection of such points shall be confined to locations fairly representative of average conditions. In selecting points for fixed standard pressure, a utility may divide its distribution system into districts if division is necessary due to differences of elevation or loss of pressure because of friction, or both, and may either adopt a standard pressure for each division or establish a single standard pressure for its distribution system as a whole. In no case shall the constant difference between the highest and lowest pressures in a district for which a standard has been adopted exceed fifty (50) percent of such standard. In the interpretation of this rule it shall be understood that in districts of widely varying elevations or low customer density a utility may undertake to furnish a service which does not comply with the foregoing specifications if the customer is fully advised of the conditions under which average service may be expected. It shall be understood that nothing shall prevent the commission from requiring improvements when, upon investigation, it appears right and proper that such betterments should be made. **In no event, however, shall the pressure at the customer's service pipe under normal conditions fall below thirty (30) psig nor shall the static pressure exceed 150 psig.**

⁵ Id. at 99.

807 KAR 5:066, Section 5(1) (emphasis added). The evidence clearly shows that Western Rockcastle has failed to provide water service to the Complainant at the minimum acceptable pressure standards. The Commission further finds that Western Rockcastle should take immediate action to bring the Complainant's water service to minimum acceptable standards.

The Commission notes the low pressure problems of which Wren has complained do not appear to be isolated. The Commission Staff report indicates that low pressure problems are systemic to Western Rockcastle. Accordingly, the Commission finds that Western Rockcastle should undertake a comprehensive hydraulic analysis of its distribution system to determine the extent of these problems. If this analysis indicates system deficiencies, Western Rockcastle should take immediate steps to correct those deficiencies.

IT IS THEREFORE ORDERED that:

1. Within 30 days of the date of this Order, Western Rockcastle shall take all actions necessary to bring its water service to Complainant in compliance with Administrative Regulation 807 KAR 5:066, Section 5. At a minimum, Western Rockcastle shall install an in-line hydropneumatic pump to increase water pressure to Complainant.

2. Western Rockcastle shall bear all costs to bring its water service to Complainant in compliance with Administrative Regulation 807 KAR 5:066, Section 5. These costs include the cost of installing, maintaining and operating an in-line hydropneumatic pump to increase water pressure to Complainant.

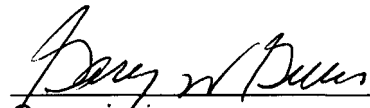
3. Within 120 days of the date of this Order, Western Rockcastle shall cause to have performed by a professional engineer a hydraulic analysis of its water distribution system and shall file with the Commission a copy of this analysis. Should this analysis reveal system deficiencies, Western Rockcastle shall submit with the analysis a detailed plan for addressing those deficiencies. This detail plan shall include, at a minimum, a list of the system improvements necessary to correct any deficiencies, a time schedule for making these improvements, and a discussion of how such improvements will be financed.

Done at Frankfort, Kentucky, this 9th day of April, 1998.

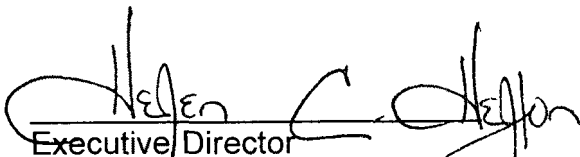
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director