

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KEVIN HEATH COPENHAVER)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2025-00040
)	
NORTH SHELBY WATER COMPANY)	
)	
DEFENDANT)	

ORDER

On March 11, 2025, the Commission issued an Order and attached as an Appendix, Commission Staff's First Request for Information (Staff's First Request) to North Shelby Water Company (North Shelby Water). The responses were due on March 28, 2025.¹ North Shelby Water filed a response that did not conform with the rules set out in 807 KAR 5:001 and appear incomplete. To date, North Shelby Water has not cured the deficiencies or incomplete nature of its responses to Staff's First Request.

On April 14, 2025, Commission Staff's Second Request for Information (Staff's Second Request) was issued pursuant to 807 KAR 5:001 Section 4(12), directing North Shelby Water to file with the Commission an electronic version of responses for certain information.² The information requested was due on May 2, 2025.³ To date, the

¹ Order (Ky. PSC Mar. 11, 2025), Appendix.

² Commission Staff's Second Request for Information (issued Apr. 14, 2025) (Staff's Second Request).

³ Staff's Second Request at 1.

Commission has received no response to Staff's Second Request or communication from North Shelby Water regarding the same.

The Commission finds that North Shelby Water should be required to provide complete responses to Staff's First Request, Staff's Second Request and any request for information issued in this matter by Commission Staff in the future as set forth in those requests. The Commission notes that this matter, and the information requests associated therewith, arise from a complaint tendered by a North Shelby Water customer. The Commission takes utility customer complaints seriously and finds that a jurisdictional utility taking customer complaints seriously as being an element of that utility providing reasonable service.

The Commission further finds that North Shelby Water should be ordered to show cause as to why it should not be subject to penalties under KRS 278.990 for its failure to comply with the Commission's Order to respond to Staff's First Request and its failure to respond to Staff's Second Request.


IT IS THEREFORE ORDERED that:

1. North Shelby Water shall file complete written responses, within seven days of the service date of this Order, in the format set forth in the requests and consistent with 807 KAR 5:001, to Staff's First Request and Staff's Second Request, attached as Appendices to this Order.
2. North Shelby Water shall respond to any and all future requests for information issued by Commission Staff as set forth in those requests.
3. North Shelby Water shall file a written response within ten days of the service date of this Order to show cause as to why it should not be subject to penalties


under KRS 278.990 for its failure to comply with the Commission's Order, Appendix, Staff's First Request and Staff's Second Request.

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PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner

ATTEST:

 RP

Executive Director



APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2025-00040 DATED MAY 19 2025

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO NORTH SHELBY WATER COMPANY

North Shelby Water Company (North Shelby Water), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on June 6, 2025. The Commission directs North Shelby Water to the Commission's July 22, 2021 Order in Case No. 2020-00085⁴ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

North Shelby Water shall make timely amendment to any prior response if North Shelby Water obtains information that indicates the response was incorrect or incomplete

⁴ Case No. 2020-00085, Electronic Emergency Docket Related to the Novel Coronavirus COVID 19 (Ky. PSC July 22, 2021), Order (in which the Commission mandated electronic filing, with exception to pro se formal complaints filed against utilities). Pro se parties in formal complaint cases may submit responses by U.S. Mail addressed to the Public Service Commission at 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602-0615, or by electronic email sent to PSCED@ky.gov. Responses filed using electronic email should include the case number in the subject line of the message and a read receipt to ensure the Commission received the message and documents.

when made or, though correct and complete when made, is now incorrect or incomplete in any material respect.

For any request to which North Shelby Water fails or refuses to furnish all or part of the requested information, North Shelby Water shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, North Shelby Water shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

A copy of this request shall be served on Kevin Heath Copenhaver by U.S. Postal Service, First-Class mail at 2690 Elmburg Road, Shelbyville, Kentucky 40065.

1. Refer to North Shelby Water's Tariff Sheet 6.⁵ Provide the day that the bills and the termination notice relevant to this complaint were mailed.

2. Identify any portion of North Shelby Water's Tariff that may provide the utility discretion to grant the removal of late fees.

3. Provide copies of all communications regarding water service to 2690 Elmburg Road, Shelbyville, Kentucky 40064, between Kevin Heath Copenhaver and North Shelby Water, including but not limited to bills, five-day written notice for involuntary

⁵ P.S.C. Ky. No. 2, Sheet 6 (issued Dec. 15, 2023) effective Dec. 20, 2023.

termination of service, email messages, written communications, and notes of telephonic or other oral communications concerning North Shelby Water assessing a late fee for service at 2690 Elmburg Road, Shelbyville, Kentucky in January 2025.

4. All other information that North Shelby Water deems relevant to the matter raised in Kevin Heath Copenhaver's Complaint.

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2025-00040 DATED MAY 19 2025

COMMISSION STAFF'S SECOND REQUEST FOR INFORMATION TO NORTH SHELBY WATER COMPANY

North Shelby Water Company (North Shelby Water), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on June 6, 2025. The Commission directs North Shelby Water to the Commission's July 22, 2021 Order in Case No. 2020-00085⁶ regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

North Shelby Water shall make timely amendment to any prior response if North Shelby Water obtains information that indicates the response was incorrect or incomplete

⁶ Case No. 2020-00085, Electronic Emergency Docket Related to the Novel Coronavirus COVID 19 (Ky. PSC July 22, 2021), Order (in which the Commission mandated electronic filing, with exception to pro se formal complaints filed against utilities). Pro se parties in formal complaint cases may submit responses by U.S. Mail addressed to the Public Service Commission at 211 Sower Boulevard, P.O. Box 615, Frankfort, Kentucky 40602-0615, or by electronic email sent to PSCED@ky.gov. Responses filed using electronic email should include the case number in the subject line of the message and a read receipt to ensure the Commission received the message and documents.

when made or, though correct and complete when made, is now incorrect or incomplete in any material respect.

For any request to which North Shelby Water fails or refuses to furnish all or part of the requested information, North Shelby Water shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, North Shelby Water shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

A copy of this request shall be served on Kevin Heath Copenhaver by U.S. Postal Service, First-Class mail at 2690 Elmburg Road, Shelbyville, Kentucky 40065.

1. Identify any portion of North Shelby Water's Tariff that may provide the utility discretion to grant the removal of late fees.

2. Refer to North Shelby Water's response to Commission Staff's First Request for Information, Item 3. This response was not responsive. Provide copies of all communications regarding water service to 2690 Elmburg Road, Shelbyville, Kentucky 40065, between Kevin Heath Copenhaver and North Shelby Water, including but not limited to email messages, written communications, and notes of telephonic or other oral

communications concerning North Shelby Water assessing a late fee since January 2025. If oral communications were made, provide a summary of the communication.

3. Provide copies of all bills and five-day written notice for involuntary termination of service at 2690 Elmburg Road, Shelbyville, Kentucky since January 2025, including but not limited to, a copy of each bill mailed to 2690 Elmburg Road, Shelbyville, Kentucky 40065.

4. All other information that North Shelby Water deems relevant to the matter raised in Kevin Heath Copenhaver's Complaint.

*Kevin Copenhaver
2690 Elmburg Road
Shelbyville, KY 40065

*North Shelby Water Company
4596 Bagdad Road
P. O. Box 97
Bagdad, KY 40003