

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JUDY KEITH)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2020-00409
)	
SOUTHERN MADISON WATER)	
DISTRICT)	
)	
DEFENDANT)	

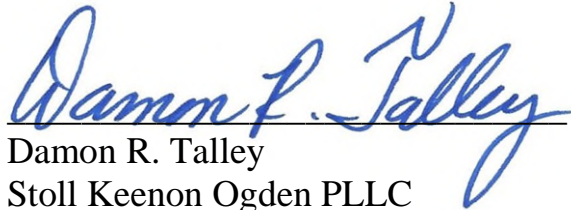
**REPLY TO COMPLAINANT’S RESPONSE
TO MOTION TO DISMISS**

In Complainant’s Response, Complainant does not deny that the Complaint contains no request for any change in the manner or method that Southern Madison Water District provides water service or that Complainant’s only requested relief is monetary damages for an alleged act of negligence. Complainant does not dispute or contest that the Public Service Commission is without authority to grant the requested relief or that the Public Service Commission lacks jurisdiction over the matters complained of. Thus, the appropriate forum for Complainant’s claim is Madison District Court and not the Public Service Commission.

For these reasons, as well as those set forth in Southern Madison Water District's Motion to Dismiss, the Complaint should be dismissed for lack of jurisdiction.

Dated: February 25, 2021

Respectfully submitted,




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District*

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that Southern Madison Water District's electronic filing of this Reply is a true and accurate copy of the same document being filed in paper medium; that the electronic filing was transmitted to the Public Service Commission on February 25, 2021; that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding; and that within 30 days following the termination of the state of emergency declared in Executive Order 2020-215, this Application in paper medium will be delivered to the Public Service Commission. A copy of this document was also served on Dr. Judy Keith this day by electronic mail at renewctr@gmail.com.


Damon R. Talley