

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TAMMY ROGERS)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2008-00513
NORTHEAST WOODFORD COUNTY)	
WATER DISTRICT)	
)	
DEFENDANT)	

O R D E R

Northeast Woodford County Water District ("Northeast Woodford") is hereby notified that it has been named as defendant in a formal complaint filed on December 10, 2008, a copy of which is attached hereto.

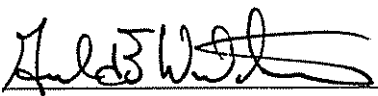
Pursuant to 807 KAR 5:001, Section 12, Northeast Woodford is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

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 30th day of December, 2008.

By the Commission

ATTEST:


for: Executive Director

LEGAL

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

2008-00513

Tammy Rogers
(Your Full Name)
COMPLAINANT

RECEIVED
DEC 10 2008
PUBLIC SERVICE
COMMISSION

VS.
NorthEast Woodford Water Dist
(Name of Utility)
DEFENDANT

COMPLAINT

The complaint of Tammy Rogers
(Your Full Name) respectfully shows:

(a) Tammy Rogers
(Your Full Name)

114 Chestnut Ln Versailles Ky 40383
(Your Address)

(b) NorthEast Woodford Water Dist
(Name of Utility)

225 A S. Main St. Versailles Ky 40383
(Address of Utility)

(c) That: see attached letter + attachments
(Describe here, attaching additional sheets if necessary,

the specific act, fully and clearly, or facts that are the reason

and basis for the complaint.)

Formal Complaint

Tammy Rogers vs. North East Woodford
Water District

Page 2 of 2

Wherefore, complainant asks see attached letter
(Specifically state the relief desired)

Dated at Versailles, Kentucky, this 9th day
(Your City)

of December, ~~12~~ 2008
(Month)

Tammy Rogers
(Your Signature)

N/A
(Name and address of attorney, if any)

807 KAR 5:001. Rules of procedure.

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) of this administrative regulation).

(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 administrative regulation. If the commission is of the opinion that the complaint does not establish a prima facie case or does not conform to this administrative 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 administrative 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) of this administrative regulation).

807 KAR 5:001. Rules of procedure.

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.
- (3) Form of answer to formal complaint.
- (4) Form of application.
- (5) Form of notice to the commission of adjustment of rates

Before the Public Service Commission

(Insert name of complainant))
Complainant)
vs.) No. _____
(Insert name of each defendant)) (To be inserted by
Defendant) the secretary

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 _____ day
of _____, 19 _____.

(Name of each complainant)

(Name and address of attorney,
if any)

December 9, 2008

Commonwealth of Kentucky
Public Service Commission
211 Sower Blvd.
PO Box 615
Frankfort, KY 40602-0615

Dear Public Service Commission:

Enclosed you will find a formal complaint against NorthEast Woodford Water District and the Chairman Commissioner, John Davis.

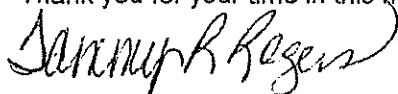
On or around Saturday, November 29, 2008 I received my water bill along with a letter from the District. I was very concerned about this bill, as it had increased double plus in one month, so I had my husband (Phillip Rogers Jr.) call Northeast Woodford Water District on Monday, December 1, 2008. He called for almost 45 minutes until he finally got through to someone. He talked to Mary who said they had been bombarded that morning with calls of complaints of customers that had either double or triple water bills for the month of November. Mary said that the commissioners were going to have someone go back out to all the customers who voiced a complaint over the phone and re-read their meters to see if they were all accurate. I talked to Mary later on Monday afternoon and was advised that the Commissioners (John Davis-Chairman, Larry Moore-Treasurer and Hubert Shipp-Secretary) were going to have a meeting on Tuesday around 10:00 am to discuss this complaint and once it was over that Mr. Davis would be making calls back to all customers who called with complaints. I talked with Mary again on Tuesday afternoon and she said that they have decided to re-read all meters again, and to my understanding that was done on Wednesday. I called back around 4:45pm on Wednesday as I had not heard back from Northeast Woodford Water District, and Mary advised that Mr. Davis was there and she took my number and said she would have him call me back. A few minutes later, he did call me back and I talked to him for 15 minutes. He advised that the meter was read and it was accurate but could not give me a reason why my bill was double this month. I also asked him how often we get actual readings of the meters because it don't say on my billing statement if it was a actual reading or a estimate reading like my other utilities do, and he said every month is a actual reading unless inclement weather and then it is estimated. He said that there was a actual reading on 11-13-08 and they actually came back out on Wednesday 12-03-08 when they got so many complaints and re-read them, so I then asked him if that is the case, my meter is in my front yard and the grass has been grown over the meter lid since early in the Spring of this year, and until they sent someone out on Monday to re-read the meter, that grass had never been disturbed on top of my meter, so I proceeded to ask him if he knew what his meter readers were doing on the job, and he said actually "NO I Don't", and if he is the Commissioner, he should actually know what his employees are doing on a daily basis, or at least know what the employees he hires to read the meters are doing on a daily basis, in case of a complaint of this magnitude so that he has all of his ducks in a row to respond. I was told by Northeast not once, but at least 3 times that I must have a leak some where from the meter to my home, and I told Mr. Davis that we are on a slab home, and if I had a leak in my home I would know it, and/or a leak around the foundation and I didn't, or as the plumber I talked with, I would have a big saturated spot in my yard which I didn't, to go from 5,000 gallons average per month for several months to 13,000 gallons in one month. Mr. Davis's response was, that some might be filling up swimming pools, watering lawns or washing vehicles, I neither own a pool nor have ever watered my lawn in 3 years I have been at this address, and my husband had not washed a car for about 3 months now, so that could not be my issue, nor could I have a leak. So, that night I started thinking about the issue, and I decided to go and talk to a couple of my neighbors to see if they had indeed received their water bills too, and indeed they had and they were upset as well that theirs either rased substancially or doubled as well. Therefore, I knew all of us that had higher bills could not all have a leak, so I wanted to talk to someone else about this issue.

Mr. John Smith Versailles, KY 40383
Mr. Ed Smith , Versailles, KY 40383
Mr. James Knox Versailles, KY 40383

I also asked Mr. Davis about the letter received with our billing statement advising that we have had bacteria in our drinking water since August and we are just being notified almost at the beginning of December. Mr. Davis's response to that was, that Northeast Woodford Water buys their water from Versailles City Water and they notified it's customers as soon as they got notification from Versailles Public Works Dept. I inturn called Versailles Public Works and talked to Mr. Bruce Southworth (Director of Public Works for the City of Versailles), and he advised that he had never heard of the City having a problem with any type of bacteria in all of their testings, and just so happened that he had one of his employees that lived in my neighborhood (actually one of my other neighbors) and he obtained a copy of the letter that was sent to Northeast Woodford customers. He was not a a bit happy with that information being given out to all of the Northeast customers who had called with complaints that they got the contamination from the City of Versailles water. My question was why did they know this in August and we are just finding out about the contamination around the first of December. My whole family has been ill with stomach problems for a few months now, and thought we were just passing the stomach virus back and forth, since I do have a severly compromised immune system, I know believe it was the water we were all drinking at home that has been making us sick not the stomach virus.

I then contacted your office and talked with Mr. Matt Rhody who advised me that they did get a report from Northeast Woodford Water District and that they were advised that we as customers would have to pay a \$25 dollar fee to have each of our meters tested or file a informal complaint. I advised that I didn't believe at all that this was a meter issue, but rather a meter reader issue that had not been addressed, and he turned in the informal complaint. Mr. Rhody called me back on Friday, December 5 and said that Northeast stands behind their report and that he believed it was a meter reader issue as well, and my next step if I didn't want to pay the \$25 dollars to have the meter tested, then I would have to file a formal complaint. That is why I am sending this complaint. If this is the response that Mr. Davis and the Northeast Woodford Water District can give me, that the water went through my meter and I owe the bill and he can set me up on a payment plan, which he didn't even give my neighbor a option when he talked with him, then I feel it appropriate that the District adjust all of the bills for this month and send some type of apology letter to all of it's customers and let them know that they will have appropriate meter readings beginning next month to not be surprised if the bill is a little more from now on. I don't mind paying my bills, and I wouldn't have minded it at all if I was not talked down to, advised more than once that I must have a leak, or have filled up a swimming pool, washed cars or watered my lawn when I haven't, and was just told the truth in the first place that they had poor meter readers not doing their jobs and that it would be handled appropriately, but I wasn't.

Thank you for your time in this matter,



Tammy Rogers

Enclosed:

attachment #1 3 months of bills for myself, Mr. John Smith, Mr. Ed Smith and Mr. James Knox
attachment#2 Letter from Northeast Woodford Water District notifying customers of Bacteria

Also, I would like to know how these Northeast Woodford Water District commissioners are elected and what I can do to attend the next election.

File: copy

NORTHEAST WOODFORD WATER DISTRICT
 225 A SOUTH MAIN STREET
 VERSAILLES KY 40383

11/24/08

FIRST CLASS MAIL
 U.S. POSTAGE PAID
 VERSAILLES KY
 PERMIT NO. 306

10/10/08 THRU 11/13/08

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	1271	1284	13	
WATER			53.67	
SEWER			53.41	
UTILITY TAX			3.21	
PREVIOUS BALANCE			-0.78	

GROSS BILL 114.96
 DUE AFTER 12/10/08

11/24/08
 109.51

RETURN SERVICE REQUESTED

HAPPY HOLIDAYS

GROSS 114.96
 DUE 12/10/08
 AFTER
 RESIDENTIAL



109.51

PHILLIP ROGERS
 VERSAILLES KY 40383

225 A SOUTH MAIN STREET
 VERSAILLES KY 40383

09/24/08

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	1261	1266	5	
WATER			24.33	
SEWER			23.57	
UTILITY TAX			1.44	
PREVIOUS BALANCE			-0.38	

Handwritten: 09/24/08
 48.96

GROSS 51.43
 DUE 10/10/08
 AFTER
 RESIDENTIAL



10/24/08

NORTHEAST WOODFORD WATER DISTRICT
 225 A SOUTH MAIN STREET
 VERSAILLES KY 40383

09/10/08 THRU 10/10/08

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	1266	1271	5	
WATER			24.33	
SEWER			23.57	
UTILITY TAX			1.44	
PREVIOUS BALANCE			-0.57	

Handwritten: 10/24/08
 48.77

GROSS 51.22
 DUE 11/10/08
 AFTER
 RESIDENTIAL



48.77

10/24/08

NORTHEAST WOODFORD WATER DISTRICT
225 A SOUTH MAIN STREET
VERSAILLES KY 40383

7/25/08

ACCOUNT
SERVICE AT
DATES

06/06/08 THRU 07/08/08

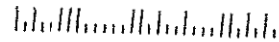
SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	883	891	8	
WATER			35.58	
SEWER			34.76	
UTILITY TAX			2.11	

GROSS DUE AFTER 76.12
08/10/08

NET DUE NOW

72.45

RESIDENTIAL



NORTHEAST WOODFORD WATER DISTRICT
225 A SOUTH MAIN STREET
VERSAILLES KY 40383

1/24/08

ACCOUNT
SERVICE AT
DATES

10/10/08 THRU 11/13/08

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	904	920	16	
WATER			64.26	
SEWER			64.60	
UTILITY TAX			3.87	

HAPPY HOLIDAYS

GROSS DUE AFTER 139.35
12/10/08

NET DUE NOW

132.73

RESIDENTIAL

NORTHEAST WOODFORD WATER DISTRICT
225 A SOUTH MAIN STREET
VERSAILLES KY 40383

NORTHEAST WOODFORD WATER DISTRICT
225 A SOUTH MAIN STREET
VERSAILLES KY 40383

11/24/08

10/24/08



10/10/08 THRU 11/13/08



09/10/08 THRU 10/10/08

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	857	862	5	
WATER			24.33	
SEWER			23.57	
UTILITY TAX			1.44	

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	854	857	3	
WATER			16.54	
SEWER			16.11	
UTILITY TAX			0.98	

HAPPY HOLIDAYS

pd

GROSS DUE AFTER	51.85	12/10/08	NET DUE NOW	49.34
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GROSS DUE AFTER	35.33	11/10/08	NET DUE NOW	33.63
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RESIDENTIAL

RESIDENTIAL

12-9-08

pd



NORTHEAST WOODFORD WATER DISTRICT
 225 A SOUTH MAIN STREET
 VERSAILLES KY 40383

FIRST CLASS MAIL
 U.S. POSTAGE PAID
 VERSAILLES KY
 PERMIT NO 306

11/24/08

Presorted First-Class



10/08/08 THRU 11/13/08

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	1065	1071	6	
WATER			28.08	
SEWER			27.30	
UTILITY TAX			1.66	
PREVIOUS BALANCE			-0.36	



11/24/08
 56.68
 59.54
 12/10/08

GROSS BILL
 DUE AFTER

RETURN SERVICE REQUESTED

HAPPY HOLIDAYS

GROSS 59.54
 DUE 12/10/08
 AFTER
 RESIDENTIAL



56.68

JAMES KNOX

VERSAILLES KY 40383

Handwritten:
 59.54
 56.68

NORTHEAST WOODFORD WATER DISTRICT
 225 A SOUTH MAIN STREET
 VERSAILLES KY 40383

09/24/08

U.S. POSTAGE PAID
 VERSAILLES KY
 PERMIT NO. 306

Presorted First-Class

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	1058	1061	3	
WATER			16.54	
SEWER			16.11	
UTILITY TAX			0.98	

GROSS BILL
 DUE AFTER

09/24/08
 33.63
 35.33
 10/10/08

RETURN SERVICE REQUESTED

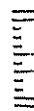
GROSS 35.33
 DUE 10/10/08
 AFTER
 RESIDENTIAL



33.63

JAMES KNOX

VERSAILLES KY 40383



NORTHEAST WOODFORD WATER DISTRICT
 225 A SOUTH MAIN STREET
 VERSAILLES KY 40383

10/24/08

FIRST CLASS MAIL
 U.S. POSTAGE PAID
 VERSAILLES KY
 PERMIT NO. 306

Presorted First-Class

SVC.	PREVIOUS	CURRENT	USAGE	CODE
WT	1061	1065	4	
WATER			20.58	
SEWER			19.84	
UTILITY TAX			1.22	

GROSS BILL
 DUE AFTER

10/24/08
 41.64
 43.76
 11/10/08

RETURN SERVICE REQUESTED

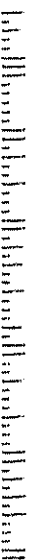
GROSS 43.76
 DUE 11/10/08
 AFTER
 RESIDENTIAL



41.64

JAMES KNOX

VERSAILLES KY 40383



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Test Showed Coliform Bacteria in Northeast Woodford Water District

The Northeast Woodford Water District violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct this situation

We are required to monitor your drinking water for specific contaminants on a regular basis. Standards require that no more than 5% of our samples may show the presence of coliform bacteria. During the month of August, 2008, nine Routine and Repeat samples for coliform bacteria were taken and two of those samples tested positive for coliform bacteria.

What should I do?

You do not need to boil your water or take other corrective actions. However, if you have specific health concerns, consult your doctor.

People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available for EPA's Safe Drinking Water Hotline at 1-800-426-4791.

What does this mean?

This is not an emergency. If it had been you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was warning of potential problems.

What was done?

Usually, coliforms are a sign that there could be a problem with the treatment or distribution system. Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or E. coli, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**

For more information please contact Dale Gatewood at 859-873-7334.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartment, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail

This notice is being sent to you by the Northeast Woodford Water District.

State System ID: KY1200310

Date distributed: 11-18-08

Steele Davis
Chairman
Northeast Woodford County Water District
225A South Main Street
Versailles, KY 40383

Tammy Rogers
114 Chestnut Lane
Versailles, KY 40383