

**COMMONWEALTH OF KENTUCKY  
BEFORE PUBLIC SERVICE COMMISSION**

**RECEIVED**

MAY 21 2010

PUBLIC SERVICE  
COMMISSION

**In the Matter of:**

**THOMAS E. GUPTON**

**COMPLAINANT**

**vs.**

**TODD COUNTY WATER DISTRICT**

**DEFENDANT**

**CASE NO.  
2010-00045**

**COMPLIANCE  
OF TODD COUNTY WATER DISTRICT  
TO DATA REQUEST OF COMMISSION STAFF**

The Commission Staff has, pursuant to 807 KAR 5:001 requested the Todd County Water District file with the Commission the original and three (3) copies of various information. In response, the Defendant provides the following:

1. Todd Water is to file copies of all documents that are related to the service or new tap-on service for Thomas E. Gupton, including but not limited to:

a. Customer's service agreement;

b. Utility's work order to install/provide water service, including the date the meter box/vault was installed and the date the meter was installed.

RESPONSE: The customer service agreement is attached as Exhibit "1". The meter box/vault was installed August 14, 2009. The meter was installed on November 5, 2009.

2. Did the meter show any usage when it was set? If so, why?

RESPONSE: No.

3. Why did the utility request the customer's plumbing permit:

RESPONSE: The customer's plumbing permit is a requirement of the local health department. See also, Tariff Sheet No. 4, Item #7. Exhibit "2."

4. Todd Water has referenced a signed Agreement which refers to a meter base being set. File a copy of this Agreement.

RESPONSE: There is attached as Exhibit "1" a copy of the "existing service contract."

5. Is the Agreement referenced in item 4 above the same agreement referenced in Tariff Sheet No. 3, #4, Application for Service in Todd Water's tariff?

a. If no, what is the difference?

b. Provide a copy of the form agreement.

RESPONSE: The user agreement is the same.

6. Todd Water's Tariff Sheet No. 5 at #10, Billing, states, "On a new tap-on, the billing for this new service shall begin at the time the District makes water available to the customer, regardless of whether the consumer is connected to the meter." This provision seems to imply that a meter is set at the tap-on and, once the meter is in place, "water is available" and the billing commences whether or not the consumer connects to the meter. Todd Water's Answer states, "From the time the meter box is installed, a minimum billing statement for the water available to the customer is made."

a. What is the utility's definition of when "water is available" for billing purposes?

RESPONSE: At the time the meter box is set in the ground the Water District's role in supplying the consumer is completed. It then becomes the obligation of the consumer to obtain the proper permit to make the connection to Todd County Water's distribution lines.

b. Does the term “meter box” appear in Todd Water’s tariff? If not, where does it appear?


RESPONSE: The term “meter box” does not appear in Todd Water’s tariff. The words “new tap-on” and “new service” are used on Tariff Sheet No. 5 Item #10. The meter box is a reference to the physical housing which surrounds the water meter. As a matter of common usage, the terms are largely synonymous.

7. Was the water bill mailed to an address different than that given in the Agreement? If so, why?

RESPONSE: No. Mr. Gupton gave the District the Scott Road mailing address even though, apparently, at the time, he did not have a mailbox at that address. Apparently, he still does not have a mailbox at that address. Mr. Gupton has since changed the mailing address twice. It also appears Mr. Gupton gave the Health Department a different address for the plumbing permit.

Additionally, there is attached a complete copy of Todd Water’s file regarding the Respondent.

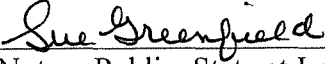
This 18th day of May, 2010.

  
Kathy Conyee

COMMONWEALTH OF KENTUCKY     )  
  )  
COUNTY OF TODD                             )

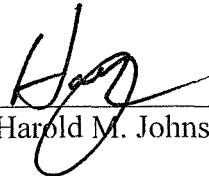
SUBSCRIBED and SWORN to before me by Kathy Conyea, this 17th day of  
May, 2010.

My commission expires: 12-04-2012

  
\_\_\_\_\_  
Notary Public, State at Large

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was placed in the  
U.S. Mail postage prepaid and mailed to the following: Mr. Jeff Derouen, Executive  
Director Public Service Commission, P.O. Box 615, Frankfort, KY 40602, and Mr.  
Thomas Gupton 915 Dumas Drive, Clarksville, TN 37040; this 18 day of May, 2010.

  
\_\_\_\_\_  
Harold M. Johns

EXISTING SERVICE CONTRACT

This contract, made and entered into this 17<sup>th</sup> day of July, 2009<sup>1</sup>, between Thomas Gupton whose address is 1060 Scott Rd, party of the first part, and the **Todd County Water District**, P O Box 520, Elkton, KY 42220, party of the second part.

**WITNESSETH:**

That for and in consideration of the mutual covenants and agreements of the parties hereto, and herein contained, they agree as follows:

1. First party/parties agree to purchase water from second party, and the second party agrees to furnish water to first party/parties. First party/parties further agree to pay a monthly water rate based upon the amount of water used, and said rate shall be approved by the Kentucky Public Service Commission.

2. The first party/parties rights hereunder are subject to such further rules and regulations as the party of the second part may prescribe. Second party may terminate service to any customer failing to pay a water bill when fifteen (15) days past due or for violating the organization's regulations.

3. First party/parties understand that they are to pay their new water bills on or before the tenth (10<sup>th</sup>) of each month, and that a ten (10%) percent late charge will be added for all bills not paid by the tenth of each month. It is further understood that late payments may not be reflected in the billing, and failure to receive bills will not avoid payment on the part of first party/parties. It is further agreed that all past due bills are subject to collection and for trip fee charges paid in full before service is restored, in the event the service is terminated due to failure to pay water bill within fifteen days past due, or for other violations of second party's regulations. It is further understood that first party/parties shall be required to pay all charges incurred by second party for collection of past due bills, including court costs and attorney fees, and also first party/parties shall pay a reasonable, approved reconnection/termination fee (\$25.00) in the event service has been terminated for lack of payment.

4. First party/parties further agree to grant, bargain, sell, transfer and convey unto second party, its successors and assigns, a perpetual easement with the right to erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a water line over, across and through the lands of first party/parties situated in Todd/Logan Counties, Kentucky, and further to grant unto second party the right of ingress and egress for these purposes over first party/parties property.

5. It is further understood and agreed that maintenance of the water service line from the meter to first party/parties residence or other building served by the water line, shall be the sole responsibility of the first party/parties.

6. It is understood that when first party/parties request that water service begin for the benefit of first party/parties, they must have all valves or fixtures turned off, and second party is not responsible for water damage caused by open valves or fixtures.

7. First party/parties agree that no other present or future source of water will be connected to any water line served by the District's lines and will disconnect from their present water supply prior to connecting to and switching to the District's system, and shall eliminate their present or future cross connections in their system.

<sup>1</sup> The Todd County Water District is an equal opportunity provider and employer.



8. First party/parties agree to comply with and be bound by the Articles, By-Laws, Rules and Regulations of the District, now in force, or as hereafter duly and legally supplemented, amended or changed.

9. First party/parties agree to pay a **Tap On Fee of \$550.00**, as of the date of the signing of this contract. The Water District does not require a security deposit and does not have any sort of refundable deposit.

Property Owner Signature

*[Handwritten Signature]*

Todd County Water District

Driver's License Number

X 112969161 TN

By: S Knight

Customer Signature (if other than property owner)

\_\_\_\_\_

Driver's License Number

\_\_\_\_\_

The following information regarding race/national origin/gender is requested to assure the Federal Government, acting through Rural Development, That Todd County Water District is complying with Federal Laws prohibiting discrimination against applicants.

You are not required to provide this information, but are encouraged to do so. This information will not will not be used in evaluating your application or to discriminate against you in any way. However, if you choose not to furnish it, the Todd County Water District is required to note your race/national origin/gender on the basis of visual observation or surname.

X **RACE**

American Indian/Alaskan Native \_\_\_\_\_  
Asian \_\_\_\_\_  
Black or African American X \_\_\_\_\_  
Native Hawaiian or Other Pacific Islander \_\_\_\_\_  
White \_\_\_\_\_  
Female \_\_\_\_\_ Male \_\_\_\_\_

**ETHNICITY**

Hispanic or Latino \_\_\_\_\_  
Not Hispanic or Latino \_\_\_\_\_  
Female \_\_\_\_\_ Male \_\_\_\_\_

STATE OF KENTUCKY  
COUNTY OF TODD

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of July, 2009, by  
Thomas Gupton and \_\_\_\_\_  
first party/parties.

Jacky P. Conza  
NOTARY PUBLIC, State of Kentucky at Large

Commission Expires: 3/8/2013

<sup>1</sup> The Todd County Water District is an equal opportunity provider and employer.

P.S.C. KY No. 8943  
Cancels P.S.C. KY No. \_\_\_\_\_

TODD COUNTY WATER DISTRICT  
OF  
TODD AND LOGAN COUNTIES, KENTUCKY

RATES, RULES, AND REGULATIONS FOR FURNISHING  
WATER SERVICE  
IN

Todd County, including the corporate limits of Allensville, and excluding the Cities of Elkton, Trenton, and Guthrie, and the areas served by their water systems. Plus the following territory in Logan County, Kentucky: Beginning at a point one mile South of the Todd and Logan County line on Highway 107; thence East 2.15 miles; thence North 4.75 miles; thence West 2.15 miles to the Todd County line; thence South 4.75 miles to the beginning point.

FILED WITH PUBLIC SERVICE COMMISSION OF  
KENTUCKY

Issued August 1, 1984  
Revised January 23, 1996

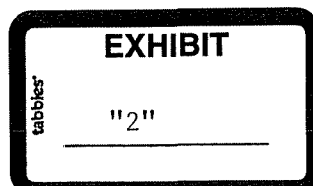
Effective August 10, 1984  
Effective February 23, 1996

ISSUED BY: Todd County Water District

By: *W. George N. Brown*  
Chairman

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 27 1996



PURSUANT TO 807 KAR 5011,  
SECTION 9 (1)  
BY: *Jordan C. Neal*  
FOR THE PUBLIC SERVICE COMMISSION



TODD COUNTY WATER DISTRICT  
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RULES AND REGULATIONS

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PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 27 1996

13 PURSUANT TO 807 KAR 5011,  
SECTION 9 (1)  
BY: Jonathan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

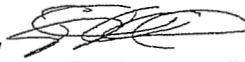
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PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
1/1/2008  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)

By



Executive Director

FOR Todd County, Kentucky  
Community, Town or City

P.S.C. KY. NO. 1

1<sup>st</sup> Revised SHEET NO. 1

CANCELLING P.S.C. KY. NO. 1

Revised SHEET NO. 1

Todd County Water District  
(Name of Utility)

RATES & CHARGES

Monthly Water Rates

First 2,000 Gallons	\$20.77	Minimum Bill
Next 8,000 Gallons	10.85	Per 1,000 Gallons
Next 10,000 Gallons	9.73	Per 1,000 Gallons
Next 20,000 Gallons	8.60	Per 1,000 Gallons
Over 40,000 Gallons	7.23	Per 1,000 Gallons

DATE OF ISSUE January 6, 2010  
Month / Date / Year

DATE EFFECTIVE March 1, 2010  
Month / Date / Year

ISSUED BY Dr. George D. Brown  
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION  
IN CASE NO. 2009-00533 DATED 1/28/2010

<b>KENTUCKY PUBLIC SERVICE COMMISSION</b>
<b>JEFF R. DEROUEN EXECUTIVE DIRECTOR</b>
TARIFF BRANCH _____
<i>Brent Kirkley</i>
EFFECTIVE <b>3/1/2010</b>
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

RULES AND REGULATIONS

This schedule of Rules and Regulations governs the furnishing of water service by the Todd County Water District hereinafter referred to as the District and applies to all service received from the District. No employee or individual commissioners of the District is permitted to made any exception to Rates, Rules or Regulations. All Rules and Regulations are to be in effect so long as they are not in conflict with Public Service Commission Rules and Regulations. The District is further subject to all Rules and Regulations of the Commission even though not contained herein.

1. Scope

This schedule of Rules and Regulations is a part of all contracts for receiving water service from the District, and applies to all service received from the District whether the service is based upon contract, agreement, signed application, or otherwise. A copy of this schedule, together with a copy of the District's schedule of Rates and Charges, shall be kept open inspection at the office of the District. These rules are promulgated under authority granted pursuant to Kentucky Revised Statutes and Administrative Regulations 807 KAR 5. The aforesaid Rules and Regulations are hereby adopted and included the same or herein written now or as may be legally changed from time to time.

2. Revisions

These Rules and Regulations may be revised, amended, supplemented, or otherwise changed from time to time by either of the two following methods:

A. By order of the Kentucky Public Service Commission upon formal application by the District, and after hearing as provided by Commission Regulations set forth in 807 KAR 5:011.

B. By issuing and filing on at least thirty (30) days notice to the Kentucky Public Service Commission and the public all proposed changes in the Rules and Regulations, as provided by Commission Regulations set forth in 807 KAR 5:011.

3. Conflict

In case of conflict between any provision of any rate schedule and the schedule of Rules and Regulations, the rate schedule shall apply. Also, should the rules contained herein conflict with the present rules in effect under 807 KAR 5 as of this date, same shall take precedence over those contained herein.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 07 1996

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990

ISSUED BY *George D. Brown*  
Name of Officer, Chairman

P. O. Box 520, Elkton, KY 42720  
Address

BY: *Jordan C. Noel*  
FOR THE PUBLIC SERVICE COMMISSION

RULES AND REGULATIONS

4. Application for Service

Any person, firm, agency, or governmental entity within the current boundary of the District may request service. Said request must be in writing on a form approved by the District.

No service requested shall be granted unless the property of said applicant is adjacent and contiguous to an existing distribution main of the District. Should the applicant desire to have the existing distribution system extended to serve him, same shall be accomplished as stipulated, hereinafter.

Should the District determine that service to a requester is available, each prospective customer desiring water shall be required to execute and sign the District's application for water service before service is supplied by the District. A 5/8 x 3/4" meter shall be "the standard customer service meter" and should be installed at all points of service unless the customer provides sufficient justification for the installation of a larger meter.

The District shall provide for a standard connection (i.e., 5/8 x 3/4" meter) to a maximum distance of fifty (50) feet from the District's existing distribution main. If the distance is greater than fifty (50) feet, the customer shall be required to pay the cost of installing the main for the additional distance, as a contribution in aid of construction.

5. Non-Standard Service

Each prospective customer requiring a non-standard service (i.e., other than a 5/8 x 3/4" meter) shall present to the District sufficient justification for same.

6. Point of Delivery

The point of delivery is the point where the meter or appurtenance is located on the customer's premises. All water lines, plumbing, and equipment beyond the meter shall be installed and maintained by the customer at his own expense in a safe and efficient manner in accordance with the District's Rules and Regulations and with the regulations of the Department of Health. The District reserves the right to determine the location of the delivery point with full regard to those wishes of the prospective customer.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 07 1996

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)

BY: Charles C. Noel  
FOR THE PUBLIC SERVICE COMMISSION

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990

ISSUED BY Mr. George D. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42220  
Address

P.S.C. KY No. 8943

Revised Sheet No. 4

Cancelling P.S.C. KY No. \_\_\_\_\_

Original Sheet No. 4

Todd County Water District

RULES AND REGULATIONS

7. Customer's Service Line

All service lines beyond the metering point should be installed of material consisting of copper or PVC pipe with a rating of not less than 160 psi. The size of service line beyond the point of delivery should not be less than 3/4"; however, a larger size may be needed to provide service. If the customer's point of use is at a higher elevation than the point of delivery, the customer should consult with a reputable engineering firm to size the service line from the point of delivery. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times. In no event should the pressure at the customer's service pipe, under normal conditions, fall below thirty (30) psig, nor shall the static pressure exceed 150 psig, as stated by 807 KAR 5:066, Section 5.

Should a prospective customer request service at a point of delivery which now, or in the future, does not provide a delivery pressure of 30 psi or his requirements, he may make provision for an individual pressure booster system. The manner of connection, location, cross-connection, protection and type is subject to approval by District. The District reserves the right to require discontinuance and disconnection should the private booster system have a detrimental effect on the District's system.

Depth of Service Line- All service lines shall be laid at a depth sufficient to prevent freezing during the coldest weather normally experienced except where services are not intended for use during freezing weather and are actually drained during such periods. Depth shall be no less than 30" in all areas.

Inspection of Service Line - In the installation of a service line, the customer shall leave the trench open and pipe uncovered until it is inspected by the State Plumbing Inspector. The District does require a copy of the State Plumbing Inspector's Plumbing Permit on file for each service before water service begins.

8. Ownership of Mains, Services, and Appurtenances

All mains, fire hydrants, valves, crossings, and other appurtenances are and shall remain the property of the District, whether installed by the District or the customer.

All service lines from main to meter with appurtenances shall be and remain the property of District, whether installed by the District or the customer.

The customer shall install, own, and maintain his service line from meter and/or point of delivery as defined herein.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

DATE OF ISSUE January 23, 1996

DATE EFFECTIVE February 23, 1996 APR 07 1996

ISSUED BY Mr. Harold D. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42220  
Address

PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)  
BY Jordan C. Heel  
FOR THE PUBLIC SERVICE COMMISSION

Todd County Water District

RULES AND REGULATIONS

9. Discontinuance of Service by District

Water service may be discontinued by the District for violation of any rule, regulation, or condition, and especially for any of the following reasons:

- A. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water;
- B. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water;
- C. Resale of water or giving away of water;
- D. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep such pipes in a suitable state of repair;
- E. Tampering with meter, meter seal, service, or valves, or permitting such tampering by others;
- F. Connection, Cross-connection, or permitting the same, of any separate water supply to premises which receive water from the District;
- G. Non-Payment of bills;
- H. When a dangerous condition is found to exist on the customers' or applicant's premises, with reference to the continuation of water service, water service shall be cut off without notice or shall be refused, provided the District shall notify the customer or applicant immediately of the reasons for the discontinuance or refusal and the corrective actions to be taken by the applicant or customer before service can be restored;
- I. Connecting more than one residence or mobile home to a meter.

10. Billing

Billing and notices relating to the conduct of the business or residence will be mailed to the customer at the address listed on the user's agreement unless change of address has been filed in writing with the District; and the District shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from payment of any bill or any performance required in said notice.

Bills for water service are payable at the office of the District on the date of issue. The due date shall be the tenth of the month of issue.

On a new tap-on, the billing for this new service shall begin at the time the District makes water available to the customer, regardless of whether the consumer is connected to the meter.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 27 1996

PURSUANT TO 807 KAR 5.011,

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990 SECTION 9(1)

ISSUED BY George A. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY  
Address

BY: Stephen C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

Todd County Water District

RULES AND REGULATIONS

All bills not paid on or before the 10th of the month shall be deemed delinquent. When a bill becomes delinquent, the District shall serve a customer a written notice of said delinquency, and of the intent of the District to discontinue service 15 days after the 10th of the month, unless such bill is paid prior to the expiration of such 15 days. If a delinquent bill is not paid within 15 days after the due date, the water supply to the customer may be discontinued without further notice; provided, however, if, prior to discontinuance of service, there is delivered to the District, or to its employee empowered to discontinue service, a written certificate signed by a physician, a registered nurse, or a public health officer that, in the opinion of the certifier, discontinuance of service will aggravate an existing illness or infirmity on the affected premises, service shall not be discontinued until the affected resident can make other living arrangements or until thirty (30) days elapse from the time of the District's receipt of said certification, whichever occurs first. A penalty of 10% of the amount of the bill owed shall be levied and payable by the customer on all bills not paid by the tenth (10th) day of the month. The penalty will be assessed only once on any bill for rendered service.

11. Discontinuance of Service by Customer

Any customer having fulfilled his contract terms and desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in writing or in person, or by telephone at the business office of the District at least three (3) days prior to the date on which the customer desires to discontinue service. If such notice is not given, a customer shall remain liable for all water used and service rendered to such premises by the District until such notice is received by the District. There will be a \$100.00 reconnection fee charged to any customer whose water service has been discontinued and the water meter removed at this own request.

12. Reconnection Fee

Where the water supply to the customer has been disconnected for non-payment of delinquent bills, a charge of \$25.00 will be made for reconnection of water service, but the reconnection will not be made until all delinquent bills and other charges, if any, owed by the customer to the District have been paid.

13. Termination or Field Collection Charge

A \$25.00 termination charge may be assessed when a District representative makes a trip to the premises of a customer for the purpose of terminating service. The charge

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

DATE OF ISSUE January 23, 1996 DATE EFFECTIVE February 23, 1996  
ISSUED BY [Signature] P O Box 520, Elkton, KY 42220 APR 27 1996  
Name of Officer, Chairman Address PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)



RULES AND REGULATIONS

will be assessed if the District representative actually terminates service or if, in the course of the trip, the customer pays the delinquent bill to avoid termination. The charge may also be made if the utility representative agrees to delay termination based on the customer's agreement to pay the delinquent bill by a specific date. The District may make a field collection charge only once in any billing period.

14. Special Meter Reading Charge

This charge will be assessed when a customer requests that a meter be reread, and the second reading shows the original reading was correct. No charge will be assessed if the original reading was incorrect. This charge may also be assessed when a customer who reads his own meter fails to read the meter for three (3) consecutive months, and it is necessary for a District representative to make a trip to read the meter. The Special Meter Reading Charge is \$15.00.

15. Adjustment Relative to Erroneous Meter

If a meter is inaccurate in excess of +/- 2%, whether upon periodic testing or upon requested testing, additional tests shall be made at once to determine the average error of the meter, and the adjustments shall be made in the customer's water bills as follows, in accordance with 807 KAR 5:006, Section 10.

a. If the result of such tests shows an average error greater than 2% fast, the customers bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the meter error existed cannot be determined, then the customer's bill shall be recomputed for one-half (1/2) of the elapsed time since the last previous test, but in no event to exceed 24 months; provided however, that if time for the periodic test has overrun to the extent that 1/2 of the time elapsed since the last test exceed 24 months, the refund shall be for the 24 months specified above; plus those months exceeding the periodic test period, provided, further that such refund may be limited to the 24 month period if failure to made the periodic test was due to causes beyond the control of the District.

b. If the result of such test shows an average error greater than 2% slow, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which

ISSUED BY: George A. Brown  
Name of Officer, Chairman  
ADDRESS: P O Box 520, Elkton, KY 42226  
Address  
DATE OF ISSUE: January 23, 1996  
DATE EFFECTIVE: February 23, 1996  
APR 27 1996  
PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)  
EFFECTIVE  
BY: Jordan C. Noel

DATE OF ISSUE January 23, 1996

DATE EFFECTIVE February 23, 1996

ISSUED BY: George A. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42226  
Address

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)  
EFFECTIVE

BY: Jordan C. Noel

Todd County Water District

RULES AND REGULATIONS

the meter error existed cannot be determined, then the customer's bill shall be recomputed for one-half (1/2) of the elapsed time since the last previous test, but in no event to exceed 12 months.

c. If the result of such tests necessitates making a refund or back billing a customer, the customer shall be notified in writing of the percentage of error, fast or slow, the date(s) of testing, and the amount of charge or credit to be shown on the next bill of the customer.

16. Meters

All meters shall be installed, renewed, and maintained at the expense of the District, and the District reserves the right to determine the size and type of meter used.

It shall be the policy of the District to test each water meter pursuant to Public Service Commission Regulation 807 KAR 5:066. In addition, the District shall make a test of any meter upon written request of any customer provided such request is not made more frequently than once each twelve (12) months. The customer shall be given the opportunity of being present at such request tests. If such tests show that the meter was not more that two percent (2%) fast, the District will make a \$10.00 Meter Test Charge.

17. Failure of Meter

In the event of a failure of a water meter, consumption will be determined in accordance with 807 KAR 5:006, Section 10.

18. Right of Access

The customer shall permit the District to lay, maintain, repair, or remove such water lines as are owned by the District and located on the customer's property, with the right of ingress and egress over the customer's property. The District's duly authorized representative and/or other duly authorized employee of the State Health Department bearing proper credentials and identifications shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing,

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990

ISSUED BY W. Keith D. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42220  
Address

APR 27 1996  
PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)  
BY Jonathan C. Neal

Todd County Water District

RULES AND REGULATIONS

in accordance with the provisions of these Rules and Regulations.

The customer shall convey, or cause to be conveyed, a perpetual easement and right-of-way to the District across any property owned or controlled by the customer whenever said easement or right-of-way is necessary to enable the District to furnish water service to the customer.

19. Interruption of Service

The District will use reasonable diligence in supplying water service, but shall not be liable in the event of , or for any loss, injury, or damage to persons or property resulting from interruptions in service, excessive or inadequate water pressure, or otherwise unsatisfactory service, whether or not caused by negligence. The District does hereby explicitly state that its system is designed for rural domestic consumption and that its provision of connections for fire protection, whether by design or implication, is only for such benefit as said customer may be able to derive from such connection.

The District shall in no event be held responsible for any claim made against it by reason of the breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs or other reason. No person shall be entitled to damages nor a payment refund for any interruption of service which in the opinion of the District may be deemed necessary.

The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to re-establish service with the shortest possible delay. When the service is interrupted, all consumers affected by such interruptions will be notified in advance whenever it is possible to do so.

20. Boilers and/or Pressure Vessels

Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a reduced pressure back-flow preventer and a check valve on the water supply line and a vacuum valve on the stream line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice. It is the responsibility of the customer to make provisions for protection of this equipment in case of interrupted or intermittent service.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 27 1996

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990

ISSUED BY George N. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42220  
Address

PURSUANT TO 807 KAR 5011,  
SECTION 9(1)  
BY: Gordon C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

Todd County Water District

RULES AND REGULATIONS

21. Backflow Preventers

All services shall have a means of backflow prevention, such type and location subject to approval of District.

The District's standard service shall provide said backflow prevention as a part of its service connection. Special services and fire connections shall have backflow preventers of a type approved by the District, installed at the cost of prospective customer.

22. Cross-Connections

Kentucky Department of Health, Kentucky Public Service Commission and these Rules and Regulations do hereby explicitly state that cross-connection of the District's system with any other source is hereby prohibited.

23. Relocation of Water Facility

The District may, at the request of a customer or other person, relocate, change, or modify existing District owned equipment, mains, or appurtenances. Those requesting shall reimburse District for such changes at actual cost including but not limited to appropriate legal, administrative, engineering, and overhead costs.

24. Damage to District's Water System

No person shall break, damage, destroy, uncover, deface, tamper with, or otherwise alter any structure, appurtenance, equipment, or other property which is a part of the District's water works. Any person violating this provision shall be subject to discontinuation of water service and shall pay all costs of repairing or replacing the property including but not limited to all overhead expenses.

Any person, firm, or organization working around or near the District's distribution mains, appurtenances, or other property may request the District to indicate the location of same. However, location by District of same does not relieve such person of complete responsibility and liability for any and all damages, liability, and loss to the District's property resulting from any act of such person or his assigns and/or agent.

Any damage or injury to persons or property caused by or resulting from the acts of the customer or any other individual in relation to the District's property shall be paid by the customer or other individual including but not limited to all loss, costs, and expenses including attorneys fees and court costs unless otherwise determined by a court of

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

Todd County Water District

RULES AND REGULATIONS

competent jurisdiction. Said customer or other individual shall indemnify the District from all loss, cost, and expense, including but not limited to attorneys fees and court costs, resulting from or caused by the aforementioned acts.

25. Additional Load

The service connection supplied by the District for each customer has a definite capacity, and no addition to the equipment or load connected thereto shall be allowed except by consent of the District. Failure to give notice of additions or changes in load, and to obtain the District's consent for same, shall render the customer liable to the District for all loss, cost, and expense, for any damage to any of the District's lines or equipment caused by the additional or changed installation.

26. Notice of Trouble

Customer shall notify the District immediately should the service be unsatisfactory for any reason, or should there be any defects, trouble, or accidents affecting the supply of water. Such notices, if verbal, shall be confirmed in writing.

27. Distribution Extensions

The District's policy for the extension of water lines is as described following: The District will approve all extensions when the water supply is adequate and the project can be properly engineered. The financing of distribution extensions are as follows and will be offered in an undiscriminatory manner to all customers under similar conditions.

Option 1-All costs are paid by the Water District from grants or loans acquired for the project.

Option 2-The Water District will pay the cost of materials and the customers of the extension will pay the cost of installation. This option will be used as surplus funds are accumulated by the District.

Option 3-The Water District will make an extension of 50 feet or less to its existing distribution main without charge for a prospective customer who applies for service.

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

APR 07 1996

PURSUANT TO 807 KAR 5:011, SECTION 9(1)

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990

ISSUED BY [Signature] Name of Officer, Chairman

P O Box 520, Elkton, KY 42220 Address

BY: [Signature] FOR THE PUBLIC SERVICE COMMISSION

RULES AND REGULATIONS

Option 4-The customers on an extension longer than 50 feet per customer will pay all costs of construction above an initial cost paid by the District for 50 feet per customer, as prescribed in the Public Service Commission extension plan, pursuant to 807 KAR 5:066, Section 11.

The construction of all extensions must conform to the specifications of the District. A designated person or company shall be responsible for the proper completion of a project.

It is the Water District's responsibility to set and maintain meters on an extension for the current tap-on fee paid by each customer of \$50.00 per 5/8 x 3/4" meter. No unused meters will be set. A separate meter for each home is required.

Any person desiring an extension to the District's system shall request in writing in a form approved by the District for such extension.

Nothing contained herein shall be construed to prohibit the District from making extensions under different arrangements provided such arrangements have been approved by the Public Service Commission.

28. Complaints

Complaints may be made to the manager of the system in person or by telephone, whose decision may be appealed to the District Commissioners. Such appeal shall be in writing within ten (10) days of date of decision by manager, which shall also be in writing and dated, stating the nature of the complaint and supporting evidence. Decisions by the District's Commissioners are final subject only to appeal to the Public Service Commission according to the procedures of that body. If a complaint is not resolved, the utility will advise the complainant of his right to file a complaint with the Commission, and will provide the complainant with the address and phone number of the Commission.

29. Sale of Water

Water furnished by the District may be used for domestic consumption by the customer's household or business, subject to special service agreements. The customer shall not sell, donate, give or allow use of such water to anyone except those members of this household or his business whichever is applicable.

30. Contributions in Aid of Construction

The District will accept contributions in aid of construction including but not limited to customer financed extensions to its water system. In addition, such contributions in aid

PUBLIC SERVICE COMMISS  
OF KENTUCKY  
EFFECTIVE

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990

APR 27 1996

ISSUED BY George A. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42220  
Address

PURSUANT TO 807 KAR 501  
SECTION 9(1)

BY: Jordan C. Neel  
FOR THE PUBLIC SERVICE COMMISS

Todd County Water District

RULES AND REGULATIONS

of construction may consist of cash donations, in any amount, which the District may, at its option, apply to expenses of an extension or other projects. The acceptance by the District of contributions in aid on construction entitles no one to a refund and none shall be made, except under the conditions set out in 807 KAR 5:066, Section 11.

31. Taps and Connections

All taps and connections to the mains of the district shall be made by and/or under the supervision and direction of District personnel or contractors.

32. Fire Protection

The District's system is not designed nor intended for use for fire protection in any manner whatsoever. Any customer using same for fire protection does so at his own full and sole responsibility and risk.

The District makes no warranty as to the sufficiency of the water supply or the adequacy of the water pressure at any time.

Fire Hydrants installed on the distribution lines of the District are for the sole purpose of flushing the lines, or other uses by the District necessary for proper maintenance of the lines. The District is not responsible for, nor does it guarantee, any minimum pressure or flow at these hydrants, other than the minimum required by the Public Service Commission for distribution lines. Fire hydrants used by fire department units in the performance of their duty, any damage to the distribution lines, resulting from excessive pumping pressure will be the liability of that unit.

Conventional fire hydrants may be installed by a utility only on 6-inch or larger water mains and only when a professional engineer with a Kentucky registration certifies that adequate and reliable fire flows can be obtained in conformance with good standard engineering practice.

33. Leak Adjustments to Water Bills

Each customer is entitled to one leak adjustment per water service. Adjustments for leaks will be figured as follows:

1. Average the last three months water usage for that customer.
2. Subtract this average usage from the actual usage during the leak.
3. Divide these gallons by 2. (The District takes a loss one-half the water loss and charges the customer for one-half.)

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

DATE OF ISSUE October 1, 1990

DATE EFFECTIVE November 1, 1990

APR 27 1996

ISSUED BY *George D. Brown*  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42226  
Address

PURSUANT TO 807 KAR 5011. SECTION 9(1)

BY: *Jason C. Neal*  
FOR THE PUBLIC SERVICE COMMISSION

RULES AND REGULATIONS

4. Add the gallons of the average usage (item 1) and the gallons of one-half the leak (item 3) and use the total to figure the adjusted bill.

34. Monitoring of Customer Usage

At least once annually the Water District will monitor the usage of each customer according to the following procedure:

1. The customer's annual usage for the most recent 12 month period will be compared with the annual usage for the 12 months immediately preceding that period.

2. If the annual usage for the two periods are substantially the same or if any difference is known to be attributed to unique circumstances, such as unusual weather conditions, common to all customers, no further review will be done.

3. If the annual usages differ by 20 percent or more and cannot be attributed to a readily identified common cause, the Water District will compare the customer's monthly records for the 12 month period with the monthly usage for the same months of the preceding year.

4. If the cause for the usage deviation cannot be determined from analysis of the customers meter reading and billing records, the Water District will contact the customer by telephone or in writing to determine whether there have been changes such as different number of household members or work staff, additional or different appliances, changes in business volume, or known leaks in the customer's service line.

5. Where the deviation is not otherwise explained, the Water District will test the customers meter to determine whether it shows an average error greater than 2 percent fast or slow.

6. The Water District will notify the customer of the investigation, its findings, and any refunds or backbilling in accordance with 807 KAR 5:006, Section 10(4) and (5).

In addition to the annual monitoring, the Water District will immediately investigate usage deviations brought to its attention as a result of on-going meter reading or billing processes or customer inquiry.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

APR 07 1992

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

DATE OF ISSUE April 30, 1992

DATE EFFECTIVE April 30, 1992

ISSUED BY George W. Brown  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42220  
Address



P.S.C. KY No. 8943

Revised Sheet No. 15

Cancelling P.S.C. KY No. \_\_\_\_\_

Original Sheet No. 14

Todd County Water District

RULES AND REGULATIONS

Summary  
Schedule of Special Service Charges

The following charges for special services shall be made:

1. Discontinuance of Service by Customer Reconnection Fee. A charge of \$100.00 shall be made for all service reconnections made, after the service was voluntarily discontinued by the request of the customer.
2. Service Reconnection Fee. A charge of \$25.00 shall be made for all service reconnections made, except that there shall be no connection charges made for service on the original installation of facilities.
3. Termination or Field Collection Fee. A charge of \$25.00 shall be made for all service terminations, or field collections made. This charge will be assessed if the representative actually terminates the service or if, in the course of the trip, the customer pays the delinquent bill to avoid termination.
4. Special Meter Reading Fee. A charge of \$15.00 shall be made for meter re-reads made at the customers request, or if a customer who reads their own meter fails to read the meter for three consecutive months, and it becomes necessary for a District representative to make a trip to read the meter.
5. Meter Test Fee. Upon request and payment of \$10.00, customers may have their meter tested provided request by customer is not more frequent than once each twelve months. If such test shows the meter to be more than two percent fast, a refund of the \$10.00 charge shall be made and the bill adjusted accordingly. If the periodic testing requirement of 807 KAR 5:066 (18) has not been met for the meter tested, no charge will be made for the test regardless of he results of the test.
6. PSC Meter Test Complaint. Any customer of the District may request a meter test by written application to the Kentucky Public Service Commission and charges for this test will be as shown in 807 KAR 5:066, Section 20 and will be collected by the Public Service Commission. Such a request shall not be made more frequently on one meter than once each twelve (12) months.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

DATE OF ISSUE January 23, 1996

DATE EFFECTIVE February 26, 1996 APR 27 1996

ISSUED BY [Signature]  
Name of Officer, Chairman

P O Box 520, Elkton, KY 42220  
Address

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)  
BY: [Signature]

P.S.C. KY. NO. 8943

Revised SHEET NO. 16

Todd County Water District  
(Name of Utility)

CANCELLING P.S.C. KY. NO. \_\_\_\_\_

\_\_\_\_\_ SHEET NO. \_\_\_\_\_

RULES AND REGULATIONS

- 7. Returned Check Fee. A \$10.00 charge will be levied and paid by the Customer to the District on each check of the customer's "returned" for whatever reason.
- 8. Tap-On Fees and Connections. The established tap-on or connection fee is based on the size of the installed metering equipment and is as follows:
 

<del>5/8" x 3/4" meter</del>	<del>\$550.00</del>
1" meter	Actual Cost of Installation
- 9. Name Change Fee. A name change fee of \$15.00 will be charged to customers when the name on an account is changed from one owner/renter to another owner/renter.

DATE OF ISSUE February 11 2008  
Month / Date / Year

DATE EFFECTIVE April 1 2008  
Month / Date / Year

ISSUED BY D. George D. Krow  
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION  
IN CASE NO. \_\_\_\_\_ DATED \_\_\_\_\_

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE  
4/1/2008  
PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)

By [Signature]  
Executive Director

Information pertaining to complaints made by Thomas Gupton  
PSC Case No. 2010-00045  
Service Address: 1060 Scott Road, Sharon Grove, KY 42280  
Account Number: 108459  
Locate Number: 012-00806  
Mailing Address: Mr. Thomas Gupton, 915 Dumas Drive, Clarksville, TN 37040

7/17/2009 Mr. Gupton signed up for water service for his house under construction on Scott Road. Mr. Gupton gave us the 1060 Scott Road address for his mail. Said he would be installing a mailbox at that residence before next month.

8/14/2009 The meter box was set at 1060 Scott Road. This had been delayed due to the fact that Mr. Gupton did not place the flag in his yard to mark the location of his service. Mr. Gupton said that he was waiting for his plumber to do this.

9/14/2009 We sent Mr. Gupton a letter telling him that we needed a copy of the plumbing construction permit here in the office.

11/5/2009 Mr. Gupton's plumber, Neal Napier, faxed a copy of the plumbing permit to our office. The service address listed on the permit was 222 Scott Road. The water meter was installed in the meter box today

11/6/2009 Mr. Gupton came into the office and gave us another address (915 Dulas Dr., Clarksville, TN) to send his mail. He also complained about being billed for the months of October and November because he had no water meter in the box.

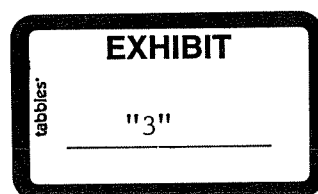
12/9/2009 We mailed Mr. Gupton a copy of our Rules and Regulations and our handout information pamphlet. This was returned by the post office due to an incorrect address.

12/16/2009 Mr. Gupton came into the office and again changed his mailing address, (915 Dumas Dr., Clarksville, TN) and I handed him a copy of the Rules and Regulations.

12/29/2009 Water service was terminated due to nonpayment of the water bill, and a termination fee was assessed to his account.

1/15/2010 Kathy talked with Rosemary of the PSC about Mr. Gupton's complaint. I faxed Rosemary a copy of page 5 of the TCWD Rules and Regulations. Item 10 on that page states that "On a new tap-on, the billing for this new service shall begin at the time the District makes the water available to the customer, regardless of whether the consumer is connected to the meter." Rosemary agreed that Mr. Gupton had no basis for his complaint.

1/29/2010 The office mailed Mr. Gupton a printout of his account as of 1/29/2010 at his request. Mr. Gupton has trouble understanding that his water bill is printed several days before it is mailed, therefore when he pays his bill late in the month (after about the 20<sup>th</sup>),



00001

his printed bill for the following month will not show that payment. He complains that his bill isn't accurate. His account was made active again today since he paid \$71.54, the amount due on his account.

3/1/2010 Mr. Gupton made another complaint today to the PSC stating that his payment was not posted in a timely manner and that this had resulted in his water being disconnected. The only time Mr. Gupton's water had been disconnected was back in December when it was disconnected on 12/29/2009, and reconnected on 1/29/2010, when he made the payment. We replied to Rosemary Tutt by email concerning this complaint. This reply also included information to PSC concerning the problem Mr. Gupton has understanding the lag time between when the bill is printed and the time his is payment his bills. He made the February payment on 2/24/2010, one day before the service was disconnected and one day after the March bill was printed.

3/16/2010 It is my understanding that Mr. Gupton's complaint is that 1) He was **billed for service that is available** .....I believe that since he is not using water yet, he doesn't feel he should be billed the minimum usage. According to our rules and regulations, page 5, item 10, as stated above, his is required to pay the minimum monthly water bill.

Also, 2) Mr. Gupton's complaint is that he was **reconnected without a connect fee** which we do not understand because Mr. Gupton paid his reconnect/termination fee of \$25 on 1/29/2010 when we reconnected his service.

Also, 3) Mr. Gupton's complaint is that **I am not assessed other charges during this period of resolution, 6 Nov 09 – forward.** Mr. Gupton believes that he should not be paying minimum bills for the time that he began making complaints to the Water District about his billing. Again, I would refer to page 5, item 10 of the Rules and Regulations of the Water District.

*unlock meter*

TODD COUNTY WATER DISTRICT  
CUSTOMER STATUS SHEET

REASON FOR CHANGE:

NEW CUSTOMER

ADDRESS CHANGE

PROPERTY SOLD

NAME CHANGE

PROPERTY RENTED

RENTAL BACK-TO-OWNER

DISCONNECTED AT OWNER'S REQUEST

STATUS CHANGED

DATE 1-29-2010 ✓

STATUS: A OR I

ACCOUNT NUMBER 103459 ✓

TYPE R OR C

LOCATION NUMBER 013-00800 ✓

OWNER OR RENTER

NAME Thomas Epton ✓

PHONE NUMBER: \_\_\_\_\_

ADDRESS: 915 Thomas Dr. ✓

INSTALL DATE: \_\_\_\_\_

Clawsdale

METER SIZE: \_\_\_\_\_

METER READING: 0000800 ✓

SERVICE ADDRESS: 1060 Scott Road ✓

METER SERIAL #: 09437481 ✓

BUD CONFIRMATION #: \_\_\_\_\_

METER ERT ID#: 19678707 ✓

DATE TO BE LOCATED: \_\_\_\_\_

DATE TAP FEE PAID \_\_\_\_\_

METER PULLED BY TCWD \_\_\_\_\_

AMOUNT PAID \$ \_\_\_\_\_

METER LOCKED BY TCWD \_\_\_\_\_

DATE NAME CHG PAID \_\_\_\_\_

DATE RECONNECT FEE PAID \_\_\_\_\_

AMOUNT PAID \$ \_\_\_\_\_

AMOUNT PAID \$ \_\_\_\_\_

LOCATION OF PROPERTY \_\_\_\_\_

FORMER OWNER/RENTER: \_\_\_\_\_

FORWARDING ADDRESS: \_\_\_\_\_

OPEN BALANCE ON INACTIVE ACCOUNT \$ \_\_\_\_\_

CHANGED ON:

CUSTOMER FILE FOLDER

COMPUTER

PAPER MAP

ROLODEX ACCT CARD

ROLODEX ADDRESS CARD

COMPUTER MAPPING SYSTEM

METER MASTER

AUTO W/D PAPERWORK

SIGNED CONTRACT

MAXIMUM DIGITS READ

METER MASTER NUMBER

*turned on*  
*unlocked and*

*1-29-10*

# Todd County Water District

Post Office Box 520  
617 West Main Street  
Elkton, Kentucky 42220



Telephone (270)265-2229  
Fax (270)265-2035

email: toddcountywaterdist1@mchsi.com

The Todd County Water District is an equal opportunity provider and employer.

January 11, 2010

Thomas Gupton  
915 Dumas Drive  
Clarksville, TN 37040

Account Number: 012-00806

This letter is to inform you the water account listed above has been repossessed due to non-payment of water bills. **The water service was disconnected on December 29, 2009.**

**The charge to reconnect the water service is \$25.00 plus all water bills owed.** If you wish to have the service reconnected, contact the Water District office for the total amount owed.

Sincerely,

Todd County Water District

A handwritten signature in cursive script that reads "Brenda Adler".

Brenda Adler  
Clerk

ba

00004



# TODD COUNTY WATER DISTRICT

Post Office Box 520, 617 West Main Street • Elkton, KY 42220  
Phone Number (270) 265-2229 • Fax Number (270) 265-2035

*919 Dumas Dr.  
Clarksville, TN.  
37040  
✓ letters*

## METER REPOSSESSED

NAME Thomas Gupton

ACCOUNT NUMBER 108459

LOCATION NUMBER 12-806

DATE METER WAS REPOSSESSED 12/29/09

METER SERIAL NUMBER 19678707

READING ON METER WHEN REMOVED 0000800

*already off*

METER WAS Locked Removed Cut Off

## AMOUNT OWED TO REINSTALL WATER METER

Owed On .....	Water Bills.....	\$	<u>46.54</u>
	Returned Check.....	\$	<u>          </u>
	Other.....	\$	<u>          </u>
	Reconnect Fee.....	\$	<u>25.00</u> ✓

Total Amount Owed to Reinstall.....\$ 71.54

STATUS CHANGED ON: Folder

Account Card

Computer

Computer # List

Map

Meter Test Card

Computer Map

Meter Master

*Ⓡ open bal.*

DATE METER WAS REINSTALLED \_\_\_\_\_

TOTAL AMOUNT PAID \$ \_\_\_\_\_

00005

TODD COUNTY WATER DISTRICT  
CUSTOMER STATUS SHEET

REASON FOR CHANGE:

NEW CUSTOMER  
NAME CHANGE  
DISCONNECTED AT OWNERS REQUEST

ADDRESS CHANGE  
PROPERTY RENTED

PROPERTY SOLD  
RENTAL BACK TO OWNER  
STATUS CHANGED

DATE 12/16/09

STATUS: A OR I  
TYPE: R OR C  
OWNER OR RENTER

ACCOUNT NUMBER 108459  
LOCATION NUMBER 12-806  
NAME Thomas Gubton  
ADDRESS: 915 Dumas Dr.  
Clarksville, TN 37040

PHONE NUMBER: \_\_\_\_\_  
METER SERIAL #: \_\_\_\_\_  
INSTALL DATE: \_\_\_\_\_  
METER SIZE: \_\_\_\_\_  
METER READING: \_\_\_\_\_

SOCIAL SECURITY #: \_\_\_\_\_  
SERVICE ADDRESS: \_\_\_\_\_  
BUD CONFIRMATION #: \_\_\_\_\_  
DATE TO BE LOCATED: \_\_\_\_\_

READ BY CUSTOMER OR TCWD  
SPOUSE NAME: \_\_\_\_\_  
# OF OCCUPANTS: \_\_\_\_\_

SALES TAX CODE: 1  
WATER/SEWER CODE: 1  
POSTAL CODE: 1  
TYPE: RESIDENTIAL R01  
COMMERCIAL C01

*on 12/16/09  
Mr. Gubton  
came in &  
said his  
address was  
Dumas not  
Dulas.*

DATE TAP FEE PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_  
DATE NAME CHG PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_  
DATE RECONNECT FEE PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_

LOCATION OF PROPERTY \_\_\_\_\_

*all 3 of us heard him.*

\*\*\*GIVE NEW CUSTOMERS THE BLUE FLAG TO MARK METER LOCATION\*\*\*

FORMER OWNER/RENTER \_\_\_\_\_  
FORWARDING ADDRESS: \_\_\_\_\_  
OPEN BALANCE ON INACTIVE ACCOUNT \$ \_\_\_\_\_

CHANGED ON:

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> CUSTOMER FILE FOLDER    | <input checked="" type="checkbox"/> COMPUTER             | <input checked="" type="checkbox"/> PAPER MAP       |
| <input checked="" type="checkbox"/> ROLODEX ACCT CARD       | <input checked="" type="checkbox"/> ROLODEX ADDRESS CARD | <input checked="" type="checkbox"/> METER TEST CARD |
| <input checked="" type="checkbox"/> COMPUTER MAPPING SYSTEM | <input checked="" type="checkbox"/> METER MASTER         |   |
| <input checked="" type="checkbox"/> AUTO W/D PAPERWORK      | <input checked="" type="checkbox"/> SIGNED CONTRACT      |   |
| <input checked="" type="checkbox"/> MAXIMUM DIGITS READ     | <input checked="" type="checkbox"/> METER MASTER NUMBER  |   |



Permit No: 173562

Department of Housing, Building & Construction

Plan No.

Cost of Permit: \$95

Division of Plumbing

Case No.

Date: 8/13/2009

101 Sea Hero Road, Frankfort, KY 40601

Type: Contractor

Receipt for Plumbing Construction Permit Application

Master Plumber Information:

Master Plumber's Name: Neal Napier

Master Plumber Number: m5119

Address: 804 St Rt. 949 Dunmor, KY 42239

Phone: 270-657-2193

Cellphone:

*computer meter master*  
*computer mark*  
*11/5/09*  
*0000000*  
*beginning meter reading*

Construction Location:

Subdivision:

Address: 222 Scott Rd Sharon Grove, KY 42260


County: Todd


Owner or Company's Name: Thomas Gupton

Owner or Company's Phone: 931-436-3785

Public Building Name:

*012-00806*

Ert.  
13 19678707  


  
09437481  
meter SN

Construction Details:

New Single Family Water Supply - Municipal Sewage Disposal - Private (Onsite #: 0821063)

Water Closets	<input type="text" value="3"/>	Bath Tubs	<input type="text" value="2"/>	Lavatories	<input type="text" value="3"/>	Showers	<input type="text"/>
Urinals	<input type="text"/>	Sinks	<input type="text" value="1"/>	Service (sinks)	<input type="text"/>	Drinking Fountains	<input type="text"/>
Dishwashers	<input type="text"/>	Special Fixture	<input type="text"/>	Laundry Trays	<input type="text"/>	Floor Drains	<input type="text"/>
Sewage Ejector Pumps	<input type="text" value="1"/>	Sand Traps	<input type="text"/>	Automatic Washers	<input type="text" value="1"/>	Roof Drains	<input type="text"/>
Open Receptacles	<input type="text"/>	Water Service	<input type="text" value="1"/>	House Sewers	<input type="text" value="1"/>	Water Heaters	<input type="text" value="1"/>
Interior Grease Trap	<input type="text"/>						

Your online plumbing construction permit application is complete. Depending on the number of inspection days in the county, it may require up to one week or next inspection day for the inspector to review and approve the application. Please use your permit number to Check the approval status later on this site. Thank you for using our online application. If you have any questions please contact us at: 502-573-0397

Click to return to the receipt list

00007

TODD COUNTY WATER DISTRICT  
CUSTOMER STATUS SHEET

REASON FOR CHANGE:

NEW CUSTOMER  
NAME CHANGE  
DISCONNECTED AT OWNERS REQUEST

ADDRESS CHANGE  
PROPERTY RENTED

PROPERTY SOLD  
RENTAL BACK TO OWNER  
STATUS CHANGED

DATE 11/16/09

STATUS: A OR I  
TYPE: R OR C  
OWNER OR RENTER

ACCOUNT NUMBER 108459  
LOCATION NUMBER 12.806  
NAME Thomas Gupton  
ADDRESS: 915 Dula's Dr.  
Clarksville, TN  
37040

PHONE NUMBER: \_\_\_\_\_  
METER SERIAL #: \_\_\_\_\_  
INSTALL DATE: \_\_\_\_\_  
METER SIZE: \_\_\_\_\_  
METER READING: \_\_\_\_\_

SOCIAL SECURITY #: \_\_\_\_\_  
SERVICE ADDRESS: \_\_\_\_\_  
BUD CONFIRMATION #: \_\_\_\_\_  
DATE TO BE LOCATED: \_\_\_\_\_  
SALES TAX CODE: 1  
WATER/SEWER CODE: 1  
POSTAL CODE: 1  
TYPE: RESIDENTIAL R01  
COMMERCIAL C01

READ BY CUSTOMER OR TCWD  
SPOUSE NAME: \_\_\_\_\_  
# OF OCCUPANTS: \_\_\_\_\_

DATE TAP FEE PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_

DATE NAME CHG PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_

DATE RECONNECT FEE PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_

LOCATION OF PROPERTY \_\_\_\_\_

\*\*\*GIVE NEW CUSTOMERS THE BLUE FLAG TO MARK METER LOCATION\*\*\*

FORMER OWNER/RENTER \_\_\_\_\_  
FORWARDING ADDRESS: \_\_\_\_\_  
OPEN BALANCE ON INACTIVE ACCOUNT \$ \_\_\_\_\_

CHANGED ON:

<input checked="" type="checkbox"/> CUSTOMER FILE FOLDER	<input checked="" type="checkbox"/> COMPUTER	<input type="checkbox"/> PAPER MAP
<input checked="" type="checkbox"/> ROLODEX ACCT CARD	<input checked="" type="checkbox"/> ROLODEX ADDRESS CARD	<input type="checkbox"/> METER TEST CARD
<input checked="" type="checkbox"/> COMPUTER MAPPING SYSTEM	<input checked="" type="checkbox"/> METER MASTER	
<input type="checkbox"/> AUTO W/D PAPERWORK	<input checked="" type="checkbox"/> SIGNED CONTRACT	
<input checked="" type="checkbox"/> MAXIMUM DIGITS READ	<input checked="" type="checkbox"/> METER MASTER NUMBER	

012-00806

24 November 2009

T. E. Gupton  
915 Dumas Dr  
Clarksville, TN 37040

- Mailed rules &  
regulations &  
info pamphlet  
12-9-09

Gentlemen:

The purpose is to request your assistance in bringing about a resolution to an issue (mine) regarding billing for service at 1060 Scott Rd by the Todd County Water District during the time for which I did not have access. In other words, I had a *meter box* but *no meter*.

I contacted Todd County Water District (TCWD) on Friday, 17 Jul 09, requesting service and that the lines be marked. I paid \$550 (Tap fee-S Knight) and was given a flag for placement of the desired location of the meter. I placed the flag. The meter box was installed by Wednesday, 12Aug09, the day that I meet the Plumber (Napier). Napier did the "rough-in". On 4Nov09 when I met Napier for installing the Septic tank, there was no water meter. I called TCWD requesting that the meter be installed. I was told that there was no request for a permit. I spoke with Mr. Napier and was informed that he had faxed a request for a permit on 13Aug09, but would send another. The following day he (Mr. Napier) faxed another request and called TCWD.

On 5Nov09, I received a call (while en route to Scott Rd) from TCWD. I was told that I had an overdue bill. I went to the TCWD office and was surprised to find that the bill had been sent to the construction site even though I had informed them that I was living in Tenn. I gave them the Tennessee address and informed them that I would look into the matter of billing for service when there was none. The meter was installed on 6Nov09.

*Why was I billed for service for which I had no access?*

T. E. Gupton

00009

1st Drawer  
Map p. 90

TODD COUNTY WATER DISTRICT  
CUSTOMER STATUS SHEET

REASON FOR CHANGE:

NEW CUSTOMER  
NAME CHANGE  
DISCONNECTED AT OWNERS REQUEST

ADDRESS CHANGE  
PROPERTY RENTED

PROPERTY SOLD  
RENTAL BACK TO OWNER  
STATUS CHANGED

DATE 7/17/09

ACCOUNT NUMBER 108459 ✓  
LOCATION NUMBER 012-00806 ✓  
NAME Thomas Gupton  
ADDRESS: 1060 Scott Rd.  
Sharon Grove, ky ✓  
42280

STATUS: A OR I  
TYPE: R OR C  
OWNER OR RENTER  
PHONE NUMBER: Cell 931-436-3785  
METER SERIAL #: \_\_\_\_\_  
INSTALL DATE: 8/14/09 ✓  
METER SIZE: \_\_\_\_\_  
METER READING: \_\_\_\_\_

date meter  
box was  
installed

Called in  
7-20-09

SOCIAL SECURITY #: 10601  
SERVICE ADDRESS: Scott Rd  
BUD CONFIRMATION #: 6907200650  
DATE TO BE LOCATED: 7-22-09  
SALES TAX CODE: 1  
WATER/SEWER CODE: 1 12:30 pm  
POSTAL CODE: 1  
TYPE: RESIDENTIAL R01 AT  
COMMERCIAL C01

READ BY CUSTOMER OR TCWD  
SPOUSE NAME: \_\_\_\_\_  
# OF OCCUPANTS: \_\_\_\_\_  
DATE TAP FEE PAID 7/17/09  
AMOUNT PAID \$ 550.00 pd  
DATE NAME CHG PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_  
DATE RECONNECT FEE PAID \_\_\_\_\_  
AMOUNT PAID \$ \_\_\_\_\_

LOCATION OF PROPERTY digging footer  
off Mt. Sharon Rd - on Scott Rd - on the south side  
(left)

\*\*\*GIVE NEW CUSTOMERS THE BLUE FLAG TO MARK METER LOCATION\*\*\*

FORMER OWNER/RENTER \_\_\_\_\_  
FORWARDING ADDRESS: \_\_\_\_\_  
OPEN BALANCE ON INACTIVE ACCOUNT \$ \_\_\_\_\_

CHANGED ON:  
 CUSTOMER FILE FOLDER  
 ROLODEX ACCT CARD  
 COMPUTER MAPPING SYSTEM  
 AUTO W/D PAPERWORK  
 MAXIMUM DIGITS READ  
 COMPUTER  
 ROLODEX ADDRESS CARD  
 METER MASTER  
 SIGNED CONTRACT  
 METER MASTER NUMBER  
 PAPER MAP  
 METER TEST CARD  
 ADDRESS LIST

mb

03-10

John said it took  
this long to set  
meter because he (Mr.  
Gupton)  
did not have his flag up  
And said he was waiting

for the plumber to set up flag.

# Todd County Water District

Post Office Box 520  
617 West Main Street  
Elkton, Kentucky 42220



Telephone (270)265-2229  
Fax (270)265-2035

email: toddcountywaterdist1@mchsi.com  
The Todd County Water District is an equal opportunity provider and employer.

September 14, 2009

Thomas Gupton  
1060 Scott Road  
Sharon Grove, KY 42280

*copy*

Account Number: 012-00806

While checking over our records on your water service, we found that we do not have a copy of your plumbing permit.

You or your plumber would have obtained the permit from the State Plumbing Inspector at the time your water service was installed.

Please forward a copy of the permit, or send us the permit and we will make a copy and send the original permit back to you. The Water District must have a copy of the permit to keep on file for your water service to continue. Please send the permit as soon as possible.

If you have any further questions concerning this matter, please call the office at the above telephone number.

Sincerely,

Todd County Water District

A handwritten signature in cursive script that reads "Brenda Adler".

Brenda Adler  
Clerk

00011

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THOMAS E. GUPTON

COMPLAINANT

V.

TODD COUNTY WATER DISTRICT

DEFENDANT

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

CASE NO.  
2010-00045

DATA REQUEST OF COMMISSION STAFF  
TO TODD COUNTY WATER DISTRICT

Todd County Water District ("Todd Water"), pursuant to 807 KAR 5:001, is to file with the Commission the original and three copies of the following information, with a copy to all parties of record. The information requested herein is due on or before May 18, 2010. Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response 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 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.

Todd Water shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which Todd Water fails or refuses to furnish all or part of the requested information, Todd Water shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

All social security numbers, tax identification numbers, financial account numbers, and any dates of birth and e-mail addresses of individuals should be redacted from material to be filed herein. Careful attention should be given to copied 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.

1. Todd Water is to file copies of all documents that are related to the service or new tap-on service for Thomas E. Gupton, including, but not limited to:
  - a. Customer's service agreement; and
  - b. Utility's work order to install/provide water service, including the date the meter box/vault was installed and the date the meter was installed.
2. Did the meter show any usage when it was set? If so, why?
3. Why did the utility request the customer's plumbing permit?
4. Todd Water has referenced a signed Agreement which refers to a meter base being set. File a copy of this Agreement.

00013

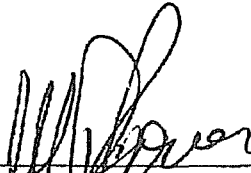
5. Is the Agreement referenced in Item 4 above the same agreement referenced in Tariff Sheet No. 3, #4, Application for Service, in Todd Water's tariff?

- a. If no, what is the difference?
- b. Provide a copy of the form agreement.

6. Todd Water's Tariff Sheet No. 5 at #10, Billing, states, "On a new tap-on, the billing for this new service shall begin at the time the District makes water available to the customer, regardless of whether the consumer is connected to the meter." This provision seems to imply that a meter is set at the tap-on and, once the meter is in place, "water is available" and the billing commences whether or not the consumer connects to the meter. Todd Water's Answer states, "From the time the meter box is installed, a minimum billing statement for the water available to the customer is made."

- a. What is the utility's definition of when "water is available" for billing purposes?
- b. Does the term "meter box" appear in Todd Water's tariff? If not, where does it appear?

7. Was the water bill mailed to an address different than that given in the Agreement? If so, why?

  
\_\_\_\_\_  
Jen Detouen  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

DATED: MAY - 6 2010

cc: Parties of Record

00014





Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

David L. Armstrong  
Chairman

James Gardner  
Vice Chairman

Charles R. Borders  
Commissioner

March 12, 2010

Dr. George Brown  
Todd County Water District  
P. O. Box 520  
617 West Main Street  
Elkton, KY 42220

RE: Case No. 2010-00045

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen  
Executive Director

JD/tw

Enclosure

00045

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THOMAS E. GUPTON )  
 )  
 ) COMPLAINANT )  
 )  
 v. ) CASE NO. 2010-00045 )  
 )  
 TODD COUNTY WATER DISTRICT )  
 )  
 ) DEFENDANT )

ORDER TO SATISFY OR ANSWER

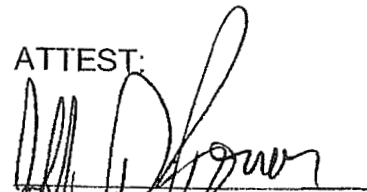
Todd County Water District ("Todd District") is hereby notified that it has been named as defendant in a formal complaint filed on February 1, 2010, a copy of which is attached.

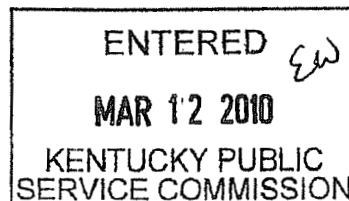
Pursuant to 807 KAR 5:001, Section 12, Todd District is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaints within 10 days of the date of service of this Order.

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.

By the Commission

ATTEST:

  
Executive Director



00016

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

FEB - 1 2010

PUBLIC SERVICE COMMISSION

In the matter of:

THOMAS E. GUPTON

(Your Full Name)

COMPLAINANT

VS.

ROD COUNTY WATER DISTRICT

(Name of Utility)

DEFENDANT

RECEIVED

FEB - 2 2010

GENERAL COUNSEL

2010-00045

COMPLAINT

The complaint of THOMAS E. GUPTON respectfully shows:  
(Your Full Name)

(a) THOMAS E. GUPTON  
(Your Full Name)

915 DUMAS DR. CLARKSVILLE, TN 37040  
(Your Address)

(b) ROD COUNTY WATER DISTRICT  
(Name of Utility)

P.O. BOX 520 617 WEST MAIN ST ELLETTSVILLE, KY. 42220  
(Address of Utility)

(c) That SEE ATTACHED  
(Describe here, attaching additional sheets if necessary,

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

and basis for the complaint.)

Continued on Next Page

00017

Formal Complaint

vs.

Page 2 of 2

Wherefore, complainant asks

That I am <sup>①</sup> billed for service

(Specifically state the relief desired.)

that is available, ② reconnected without a  
connect fee and that I am not assessed other  
charges during this period a Resolution Center  
is forwarded

Dated at Shaw Grove, Kentucky, this 15<sup>th</sup> day  
(Your City)

of Jan, ~~2010~~ 2010  
(Month)

*Shirley A. Gustin*  
(Your Signature)

(Name and address of attorney, if any)

**My issue is billing without access (availability) of water.**

I contracted with Todd County Water District (TCWD) on Friday, 17 Jul 09, requesting service and that the lines be marked. I paid \$550 (Tap fee-S Knight) and was given a flag for placement of the desired location of the meter. I placed the flag. The meter box was installed by Wednesday, 12Aug09, the day that I met the Plumber (Napier). Napier did the "rough-in". On 4Nov09 when I met Napier for installing the Septic tank, there was no water meter. I called TCWD requesting that the meter be installed. I was told that there was no request for a permit. I spoke with Mr. Napier and was informed that he had faxed a request for a permit on 13Aug09, but would send another. The following day he (Mr. Napier) faxed another request and called TCWD.

On 5Nov09, I received a call (while en route to Scott Rd) from TCWD. I was told that I had an overdue bill (for usage prior to meter installation - 6Nov09). I went to the TCWD office and was surprised to find that the bill had been sent to the construction site even though I had informed them that I was living in Tenn. I gave them the Tennessee address and informed them that I would look into the matter of billing for service for I had received no service (availability of water) only the facility (meter box) . The meter was installed on 6Nov09. It registered 8 gallons.

I spoke with TCWD personnel (Carol and/or Jennie) explaining that I had no access to water prior to 6Nov09 and should not be billed. In short, I was told that if I did not pay the "service would be terminated (disconnected)". I inquired as to whom I may speak to arrive at a resolution. I was informed that the water board would meet on 7Dec09 at the District office at 6:30pm. I was also told that I must pay something to avoid service termination/disconnection.

On 7Nov09, I met with the board (letter attached). I requested and received (about 15Nov09) a copy of the tariff (Effective Feb. 23, 1996. I have yet to receive a reply from the board. On page 5, PSC KY NO 2008-00304, Eff date: 2/23/1996 (given me by TCWD), it states "On a new tap-on, the billing for the new service shall begin at the time the District makes water available to the customer, regardless of whether the consumer is connected to the meter." The converse, from my perspective, would be no billing unless water is available.

On 19Nov09, I paid TCWD \$20 to avoid service termination/disconnection.

On 17Nov09, I wrote to KY-PSC but received no reply. (Rosemary, PSC, said (13Jan10) that the letter was not received.)

On 12Jan10, I received a letter stating "The water was disconnected on December 29, 2009."

On 13Jan10, I spoke with TCWD (Mgr/supervisor) about the termination. I was interested in knowing why the service was terminated when I was trying to resolve the

24 November 2009

T. E. Gupton  
915 Dumas Dr  
Clarksville, TN 37040

*Letter to the  
TCWD board*

Gentlemen:

The purpose is to request your assistance in bringing about a resolution to an issue (mine) regarding billing for service at 1060 Scott Rd by the Todd County Water District during the time for which I did not have access. In other words, I had a *meter box* but *no meter*.

I contacted Todd County Water District (TCWD) on Friday, 17 Jul 09, requesting service and that the lines be marked. I paid \$550 (Tap fee-S Knight) and was given a flag for placement of the desired location of the meter. I placed the flag. The meter box was installed by Wednesday, 12Aug09, the day that I meet the Plumber (Napier). Napier did the "rough-in". On 4Nov09 when I met Napier for installing the Septic tank, there was no water meter. I called TCWD requesting that the meter be installed. I was told that there was no request for a permit. I spoke with Mr. Napier and was informed that he had faxed a request for a permit on 13Aug09, but would send another. The following day he (Mr. Napier) faxed another request and called TCWD.

On 5Nov09, I received a call (while en route to Scott Rd) from TCWD. I was told that I had an overdue bill. I went to the TCWD office and was surprised to find that the bill had been sent to the construction site even though I had informed them that I was living in Tenn. I gave them the Tennessee address and informed them that I would look into the matter of billing for service when there was none. The meter was installed on 6Nov09.

*Why was I billed for service for which I had no access?*

T. E. Gupton

00020

Loc# 012-00806

Acct# XXXXXXXXXX

GUPTON, THOMAS  
222 SCOTT RD.  
SHARON GROVE

FOR DISCONNECT ON 12/29/2009  
METER # 19678707  
AMOUNT DUE \$46.54

*+25.00 reconnect*

71.54

Once service is terminated, payment of all charges, plus a Termination Fee must be paid before your service can be restored. After hours restoration of

# Todd County Water District

Post Office Box 520  
617 West Main Street  
Elkton, Kentucky 42220



Telephone (270)265-2229  
Fax (270)265-2035

email: [toddcountywaterdist1@mehsi.com](mailto:toddcountywaterdist1@mehsi.com)  
The Todd County Water District is an equal opportunity provider and employer.

January 11, 2010

Thomas Gupton  
915 Dumas Drive  
Clarksville, TN 37040

Account Number: [REDACTED]

This letter is to inform you the water account listed above has been repossessed due to non-payment of water bills. The water service was disconnected on December 29, 2009.

The charge to reconnect the water service is \$25.00 plus all water bills owed. If you wish to have the service reconnected, contact the Water District office for the total amount owed.

Sincerely,

Todd County Water District

A handwritten signature in cursive script, appearing to read "Brenda Adler".

Brenda Adler  
Clerk

ba



8/6/09 - 9/3/09

1060 SCOTT RD

ARR: BAL FORWARD 20.22  
LTF: LATE FEES 1.96

10/26/09

22.18

012-00806

THOMAS GUPTON:

NIXIE 408 CC 1 10/22/09

RETURN TO SENDER  
NO POSTAL RECORD  
UNABLE TO FORWARD

EC: 42220052020 \*2270-00100-00-05

MUST BE PAID BEFORE AT 9:00 AM (RECONNECT

Local County Water District, PO Box 620, Elkhart, KY 42220

8/6/09 - 9/3/09

1060 SCOTT RD

RETURN SERVICE REQUESTED

CODE	PRESENT	PREVIOUS	USAGE	CHARGES
WAT	0	0	0	19.63
TXU	UTILITY TAX			.59

ACCOUNT 22.18 DATE 10/10/09

012-00806

THOMAS GUPTON:

CLASS R 22.18

YOU NO LONGER METER. CUT OFF:

NIXIE 408 CC 1 10/05/09

RETURN TO SENDER  
NO POSTAL RECORD  
UNABLE TO FORWARD

EC: 42220052020 \*2270-00700-04-06

Local County Water District, PO Box 620, Elkhart, KY 42220

9/3/09 - 10/2/09

222 SCOTT RD

ARR: BAL FORWARD 42.40  
LTF: LATE FEES 1.96

11/30/09

MUST BE PAID BEFORE 11/30/2009 AT 9:00 AM (RECONNECT FEE \$25.00)

2000

Todd County Water District, P.O. Box 520, Clarksville, KY 40220  
 Phone: (502) 255-5222


RETURN SERVICE REQUESTED

RESERVED  
 FIRST CLASS MAIL  
 PERMIT NO. 68  
 CLARKVILLE, KY 40220

ACCOUNT		11/3/09 - 12/2/09										
SERVICE AT 222 SCOTT RD												
CODE	PRESENT	PREVIOUS	USAGE	CHARGES								
ARR	BAL FORWARD			44.58								
LTF	LATE FEES			1.96								
WAT	800	0	800	19.63								
TXU	UTILITY TAX			.59								
<table border="1"> <thead> <tr> <th>CLASS</th> <th>AMOUNT</th> <th>DUE DATE</th> <th>PAY THIS AMOUNT</th> </tr> </thead> <tbody> <tr> <td>R</td> <td>68.72</td> <td>1/11/10</td> <td>66.76</td> </tr> </tbody> </table>					CLASS	AMOUNT	DUE DATE	PAY THIS AMOUNT	R	68.72	1/11/10	66.76
CLASS	AMOUNT	DUE DATE	PAY THIS AMOUNT									
R	68.72	1/11/10	66.76									

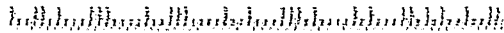
ACCOUNT	DUE DATE
	1/11/10
68.72	1.96
PAY THIS AMOUNT	
66.76	

012-00806



PLEASE RETURN THIS BILL WITH PAYMENT

THOMAS GURTON  
 915 DUMAS DR  
 CLARKSVILLE TN 37040



Todd County Water District, P.O. Box 520, Clarksville, KY 40220  
 Phone: (502) 255-5222


RETURN SERVICE REQUESTED

RESERVED  
 FIRST CLASS MAIL  
 PERMIT NO. 68  
 CLARKVILLE, KY 40220

ACCOUNT		9/3/09 - 10/2/09										
SERVICE AT 1060 SCOTT RD												
CODE	PRESENT	PREVIOUS	USAGE	CHARGES								
ARR	BAL FORWARD			20.22								
LTF	LATE FEES			1.96								
WAT	0	0	0	19.63								
TXU	UTILITY TAX			.59								
<table border="1"> <thead> <tr> <th>CLASS</th> <th>AMOUNT</th> <th>DUE DATE</th> <th>PAY THIS AMOUNT</th> </tr> </thead> <tbody> <tr> <td>R</td> <td>44.36</td> <td>11/10/09</td> <td>42.40</td> </tr> </tbody> </table>					CLASS	AMOUNT	DUE DATE	PAY THIS AMOUNT	R	44.36	11/10/09	42.40
CLASS	AMOUNT	DUE DATE	PAY THIS AMOUNT									
R	44.36	11/10/09	42.40									

ACCOUNT	DUE DATE
	11/10/09
44.36	1.96
PAY THIS AMOUNT	
42.40	

012-00806



THOMAS GURTON  
 1060 SCOTT RD  
 SHARON GROVE KY 42280

N14R

Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Dr. George Brown  
Todd County Water District  
P. O. Box 520  
617 West Main Street  
Elkton, KY 42220



Commonwealth of Kentucky  
**Public Service Commission**  
211 Sower Blvd.  
P.O. Box 615  
Frankfort, Kentucky 40602-0615  
Telephone: (502) 564-3940  
Fax: (502) 564-3460  
psc.ky.gov

David L. Armstrong  
Chairman

James Gardner  
Vice Chairman

Charles R. Borders  
Commissioner

March 12, 2010

RE: Case No. 2010-00045

We enclose one attested copy of the Commission's Order in the above case.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Derouen".

Jeff Derouen  
Executive Director

JD/tw

Enclosure

00025

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THOMAS E. GUPTON	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 2010-00045
	)	
TODD COUNTY WATER DISTRICT	)	
	)	
DEFENDANT	)	

ORDER

On February 1, 2010, Thomas E. Gupton filed with the Commission a formal complaint against Todd County Water District. This complaint contained, *inter alia*, documents that reflected the Complainant's utility account numbers. Utility account numbers are considered confidential and exempted from disclosure under the Kentucky Open Records Act.<sup>1</sup>

Accordingly, the Commission, on its own motion, HEREBY ORDERS that:

1. The utility account numbers contained in the Complaint shall be afforded confidential treatment.
2. The Executive Director shall remove the Complaint from the Commission's public files and shall substitute a copy in which all utility account numbers have been redacted.

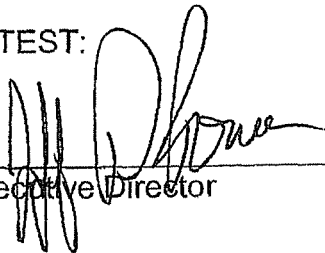
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<sup>1</sup> See, e.g., Ky. OAG 98-ORD-7 (Jan. 16, 1998); Ky. OAG 94-ORD-91 (July 29, 1994).

By the Commission

ENTERED *aw*  
MAR 12 2010  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

00027

Case No. 2010-00045

**Kathy Conyea**

**From:** Kathy Conyea [toddcountywaterdist1@mchsi.com]

**Sent:** Monday, March 01, 2010 1:17 PM

**To:** 'Tutt, Rosemary (PSC)'

**Subject:** RE: 2010\_5789.pdf Gupton

The only time Mr. Gupton has had his water cut off was on December 29, 2009. He paid that bill on January 29, 2010 and had his service restored on January 29<sup>th</sup>. He made his February payment (due 2/10) on February 24<sup>th</sup>, avoiding having his service cut off on February 25<sup>th</sup>. He has a hard time understanding that payments made late, after we have printed the next month's water bills, will not show up on the next printed bill, ie we printed the March bills on 2/23/2010, he made a payment on 2/24/2010, and is upset that the 2/24 payment is not reflected on the March bill. Thank you for your help.

Todd County Water District

Kathy Conyea

**From:** Tutt, Rosemary (PSC) [mailto:Rosemary.Tutt@ky.gov] ✓

**Sent:** Monday, March 01, 2010 12:30 PM

**To:** toddcountywaterdist1@mchsi.com

**Subject:** 2010\_5789.pdf Gupton

PSC Consumer Inquiry System

3/1/2010

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<b>Complaint:</b> 2010-05789	<b>Entry Date:</b> 3/1/2010	<b>Closed Date:</b>	<b>Contact Type:</b> Hotline
<b>Name:</b> Gupton, Thomas		<b>Utility:</b> Todd County Water District	
<b>Address:</b> 1060 Scott Road Sharon Grove, KY 42280		<b>Utility Nbr:</b> 31100	<b>Location:</b> Residence
<b>County:</b> Todd		<b>Utility Type:</b> Water Districts	
<b>Home:</b>	<b>Work:</b>	<b>Reason:</b> Billing ( Billing policies/practices ) (none) ( none )	
<b>Fax:</b>	<b>CBR Nbr:</b> (931) 436-3785	<b>Complaint referred by:</b>	
<b>Cell:</b>	<b>Email:</b>		
<b>Contacted Utility?</b> <input type="checkbox"/>	<b>Spoke with:</b>		
	<b>Cust Relations:</b> None		
<b>Utility Contact:</b> Kathy Conyrea		<b>Contact's</b> (270) 265-2229	
<b>Preliminary Description:</b> payment not posted		<b>Other Contacts:</b>	
<b>Processor:</b> ROSEMARY.TUTT			
<b>See File</b> <input type="checkbox"/>	<b>Case Related</b> <input type="checkbox"/>	<b>Staff Referral</b> <input type="checkbox"/>	<b>Confidential</b> <input type="checkbox"/>
<b>Info Only</b> <input type="checkbox"/>	<b>Formal Forms</b> <input type="checkbox"/>	<b>Ref to Util</b> <input checked="" type="checkbox"/>	<b>Customer Satisfied</b> Yes <input type="radio"/> No <input type="radio"/>

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**PSC Narratives:**

**Investigator:** ROSEMARY.TUTT

**Date:** 3/1/2010 12:36:51 PM

Customer is disputing a payment was made on account however it was not posted in a timely manner and resulted in water being disconnected. Please give bacakground.

00029

BY: 1

Customer History Report  
 Select Customer By: Account Range: From 108459 To 108459  
 Status: All Accounts  
 Transaction Types:

Date	Type	Cls	Amount	Paid	Reference	Usage	Balance
Account: 108459 GUPTON, THOMAS							
Location: 012-00806 1060 SCOTT RD							
09/22/09	WATER	WAT	19.63	19.63	A8/14/2009		19.63
09/22/09	UTILITY TAX	TXU	0.59	0.59			20.22
10/13/09	ADJUSTMENT	LTF	1.96	1.96	LATE CHARGE		22.18
10/21/09	WATER	WAT	19.63	19.63	M8/14/2009		41.81
10/21/09	UTILITY TAX	TXU	0.59	0.59			42.40
11/13/09	ADJUSTMENT	LTF	1.96	1.96	LATE CHARGE		44.36
11/20/09	PAYMENT	CHK	-20.00				24.36
11/20/09	WATER	WAT	19.63	19.63	M8/14/2009 19678707		43.99
11/20/09	UTILITY TAX	TXU	0.59	0.59			44.58
12/15/09	ADJUSTMENT	LTF	1.96	1.96	LATE CHARGE		46.54
12/21/09	WATER	WAT	19.63	19.63	M12/2/2009 19678707	800	66.17
12/21/09	UTILITY TAX	TXU	0.59	0.59			66.76
12/29/09	ADJUSTMENT	REC	25.00	25.00	DEC REC FEE		91.76
01/29/10	PAYMENT	CHK	-71.54				20.22
02/23/10	WATER	WAT	19.63		800-800 A1/29/2010 19		39.85
02/23/10	UTILITY TAX	TXU	0.59				40.44
02/24/10	PAYMENT	CHK	-20.22				20.22
							-----
	ENDING BAL						20.22

\* Denotes an unposted transaction.

&lt;&lt; End of Customer History Report: 1 Page(s) &gt;&gt;





265-2054

Attn: Mac Johns

DATE: 5/12/2010 11:52:40 AM

TODD COUNTY WATER DISTRICT

PAGE NO: 1

BY: 1

Customer History Report  
Select Customer By: Account Range: From 108459 To 108459  
Status: All Accounts  
Transaction Types:

Date	Type	Cls	Amount	Paid	Reference	Usage	Balance
Account: 108459 GUPTON, THOMAS Location: 012-00806 1060 SCOTT RD							
09/22/09	Oct Billing WATER	WAT	19.63	19.63	A8/14/2009		19.63
09/22/09	UTILITY TAX	TXU	0.59	0.59			20.22
10/13/09	ADJUSTMENT	LTF	1.96	1.96	LATE CHARGE		22.18
10/21/09	WATER	WAT	19.63	19.63	M8/14/2009		41.81
10/21/09	Nov Billing UTILITY TAX	TXU	0.59	0.59			42.40
11/13/09	ADJUSTMENT	LTF	1.96	1.96	LATE CHARGE		44.36
11/20/09	PAYMENT	CHK	-20.00				24.36
11/20/09	WATER	WAT	19.63	19.63	M8/14/2009 19678707		43.99
11/20/09	Dec UTILITY TAX	TXU	0.59	0.59			44.58
12/15/09	ADJUSTMENT	LTF	1.96	1.96	LATE CHARGE		46.54
12/21/09	WATER	WAT	19.63	19.63	M12/2/2009 19678707	800	66.17
12/21/09	Jan 2010 UTILITY TAX	TXU	0.59	0.59			66.76
12/29/09	ADJUSTMENT	REC	25.00	25.00	DEC REC FEE		91.76
01/29/10	PAYMENT	CHK	-71.54				20.22
02/23/10	Feb 2010 WATER	WAT	19.63	19.63	800-800 A1/29/2010 19		39.85
02/23/10	UTILITY TAX	TXU	0.59	0.59			40.44
02/24/10	PAYMENT	CHK	-20.22				20.22
03/09/10	PAYMENT	CHK	-20.22				0.00
03/22/10	WATER	WAT	20.77	20.77	800-900 M3/2/2010 196	100	20.77
03/22/10	April UTILITY TAX	TXU	0.62	0.62			21.39
04/08/10	PAYMENT	CHK	-21.39				0.00
04/19/10	WATER	WAT	20.77	20.77	900-900 M3/31/2010 19		20.77
04/19/10	May UTILITY TAX	TXU	0.62	0.62			21.39
05/11/10	PAYMENT	CHK	-21.39				0.00
	ENDING BAL						0.00

No meter

No meter

Meter Serial #

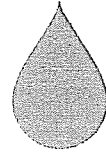
- rate increase

\* Denotes an unposted transaction.  
<< End of Customer History Report: 1 Page(s) >>

date change was made on computer

# Todd County Water District

Post Office Box 520  
617 West Main Street  
Elkton, Kentucky 42220



Telephone (270)265-2229  
Fax (270)265-2035

email: [toddcountywaterdist1@mchsi.com](mailto:toddcountywaterdist1@mchsi.com)  
The Todd County Water District is an equal opportunity provider and employer.

September 14, 2009

Thomas Gupton  
1060 Scott Road  
Sharon Grove, KY 42280

*copy*

Account Number: 012-00806

While checking over our records on your water service, we found that we do not have a copy of your plumbing permit.

You or your plumber would have obtained the permit from the State Plumbing Inspector at the time your water service was installed.

Please forward a copy of the permit, or send us the permit and we will make a copy and send the original permit back to you. The Water District must have a copy of the permit to keep on file for your water service to continue. Please send the permit as soon as possible.

If you have any further questions concerning this matter, please call the office at the above telephone number.

Sincerely,

Todd County Water District

A handwritten signature in cursive script that reads "Brenda Adler".

Brenda Adler  
Clerk