

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WILLIAM ELLIS BOLLINGER III)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2019-00016
)	
KENTUCKY-AMERICAN WATER COMPANY)	
)	
DEFENDANT)	

ORDER

On January 4, 2019, William Ellis Bollinger III (Mr. Bollinger) tendered a formal complaint with the Commission against Kentucky-American Water Company (Kentucky-American) in which he alleges that Kentucky-American had overcharged him for water that he did not use.¹ Mr. Bollinger states that after Kentucky-American replaced the water meter his bill “went down to a normal usage.”² Mr. Bollinger asserts that in order to remedy this situation, Kentucky-American should be required to reimburse him \$350 dollars for the alleged overcharged water consumption.³

The Commission issued an Order on February 19, 2019, requiring Mr. Bollinger to file copies of all water bills issued to him by Kentucky-American that support the

¹ Complaint at unnumbered page 1.

² *Id.* at 1–2.

³ *Id.* at 2.

allegations made in his complaint. On March 4, 2019, Mr. Bollinger filed copies of his water bills into the record and stated that a new water meter was placed on August 16, 2018, and that after this replacement there was a drastic reduction in his water consumption. The Commission then issued an Order on June 14, 2019, notifying Kentucky-American that it had been named as a Defendant in a formal complaint, attached a copy of said complaint, and stated that Kentucky-American was to satisfy the matters complained of or file a written answer to the Complaint within ten days from the date of the Order.

Kentucky-American filed an Answer and Motion to Dismiss on June 24, 2019, and asserts that the meter in place at Mr. Bollinger's premises during the billing period in question had been tested and met all applicable accuracy requirements.⁴ Kentucky-American provided a copy of the meter test results indicating the same.⁵ Kentucky-American further contends that because the water meter tested accurately, the water meter readings in question did pass through the meter and therefore the customer is liable for all of the amounts that were billed.⁶ Finally, in response to Mr. Bollinger's assertions that after his water meter was replaced the water usage went back down to normal levels, Kentucky-American contends that Mr. Bollinger's daily water usage actually began to decline prior to his meter being replaced on August 16, 2018, and provided a Usage Data Logging Report to substantiate this claim.⁷

⁴ Kentucky-American's Answer and Motion to Dismiss at 2.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

Commission Staff issued three rounds of discovery to Kentucky-American to fully explore Mr. Bollinger's allegations, to which Kentucky-American filed responses in the case record to the same. No party requested to intervene in the present case.

Having reviewed the evidentiary record and being otherwise sufficiently advised, the Commission finds that because Mr. Bollinger is alleging that Kentucky-American overcharged him for water service and because the only evidence in the record indicates that Mr. Bollinger's old meter has tested accurately, Mr. Bollinger shall have an additional 20 days from the date of this Order to submit additional evidence in support of his complaint.

The Commission directs Mr. Bollinger to the Commission's March 16, 2020 Order in Case No. 2020-00085⁸ regarding the filing of physical documents with the Commission. In the March 16, 2020 Order, the Commission stated that if a non-electronic case is not converted to an electronic case, the Commission will grant a deviation from the filing requirements 807 KAR 5:001, Section 7(1), insofar that a filer may file one original document with no copies or send an electronic mail message with an electronic copy of the document to the Commission and to parties to the matter. The Commission expects that original documents will be filed with the Commission within 30 days of the lifting of the current state of emergency.⁹ Any electronic email filed in this manner should be sent to this email: PSCED@ky.gov, and each message should include the case number in the subject line of the message and a read receipt to ensure the Commission received the

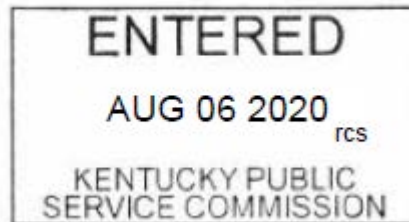
⁸ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020).

message and documents. If electronic mail is used, please limit the size of the documents to 5MB.

IT IS HEREBY ORDERED that within 20 days of the date of this Order, Mr. Bollinger may file additional information into the record in support of his complaint.

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By the Commission



ATTEST:



Acting Executive Director

William Ellis Bollinger III
5875 Paris Pike Road
Georgetown, KENTUCKY 40324

*Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Kentucky-American Water Company
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502

*Honorable Lindsey W Ingram, III
Attorney at Law
STOLL KEENON OGDEN PLLC
300 West Vine Street
Suite 2100
Lexington, KENTUCKY 40507-1801