

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

EARL D. ISON, JR AND BRENDA C. ISON)	
)	
COMPLAINANTS)	
)	
V.)	CASE NO.
)	2019-00093
)	
KENTUCKY-AMERICAN WATER COMPANY)	
)	
DEFENDANT)	

ORDER

Kentucky-American Water Company (Kentucky-American) is hereby notified that it has been named as the defendant in a formal complaint (Complaint) filed on March 14, 2019, a copy of which is attached hereto. The Complaint, filed by Earl Douglas Ison and Brenda C. Ison (jointly, Mr. and Ms. Ison), alleges that Kentucky-American used readings from a defective water meter to overcharge Mr. and Ms. Ison for service from January 25, 2019, to February 21, 2019.

In their Complaint, Mr. and Ms. Ison stated that they received a new water meter on February 7, 2019, due to previous water bills that seemed abnormally high. Since its installation, the new water meter has been inspected three times by Kentucky-American to determine whether the previous inflated bills might have been the result of a water leak. After each inspection, Mr. and Ms. Ison said that they were told that the new water meter was functioning properly and the old water meter was not working correctly. To satisfy their Complaint, Mr. and Ms. Ison are requesting that readings from the defective water

meter be disregarded and that any monthly statements in dispute be determined by using estimates from the new, functioning water meter.

Based on a review of the Complaint and being otherwise sufficiently advised, the Commission finds that there is insufficient information to determine whether Mr. and Ms. Ison have presented a *prima facie* case. For instance, the Complaint states that there is a monthly bill in dispute, but it does not state for what period or for what amount. Similarly, the Complaint alleges that Mr. and Ms. Ison were told that the old water meter was not reliable, but it does not state whether the old water meter was tested. Due to the insufficient information in the Complaint, the Commission finds that Kentucky-American should file a detailed response to the Complaint to assist the Commission in determining whether the Complaint should move forward. Kentucky-American's response should include the disputed billing amount, copies of all bills from Mr. and Ms. Ison's account from December 2018 to the present, and a statement as to whether the old water meter was tested for accuracy, including the results of any testing.

Based on the foregoing, it is HEREBY ORDERED that:

1. Within ten days of the date of entry of this Order, Kentucky-American shall file a detailed response to the Complaint. Kentucky-American's response shall include the disputed billing amount, copies of all bills from Mr. and Ms. Ison's account from December 2018 to the present, and a statement as to whether the old water meter was tested for accuracy, including the results of any testing.
2. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

3. Documents of any kind filed with the Commission in the course of this proceeding shall also be served on all parties of record.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By the Commission



ATTEST:


Executive Director

ATTACHMENT

ATTACHMENT TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2019-00093 DATED **MAY 02 2019**

FOUR PAGES TO FOLLOW

RECEIVED

MAR 08 2019

PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Earl Douglas Ison Jr and Brenda C. Ison
(Your Full Name)

COMPLAINANT

VS.

Kentucky American Water
(Name of Utility)

DEFENDANT

COMPLAINT

The complaint of Earl Douglas Ison, Jr. respectfully shows:
(Your Full Name)

(a) Brenda C. Ison
(Your Full Name)

1404 Saddle Club Way, Lexington, Ky 40504
(Your Address)

(b) Kentucky American Water
(Name of Utility)

2300 Richmond Rd., Lexington, Ky 40502
(Address of Utility)

(c) That: The defendant knowingly used readings from a
(Describe here, attaching additional sheets if necessary,

defective water meter to over charge the complainant for
the specific act, fully and clearly, or facts that are the reason

water service from January 25, 2019 to February 21, 2019.
and basis for the complaint.)

The defective meter had been replaced with a new meter

Continued on Next Page

Formal Complaint

Earl Douglas Ison, Jr and Brenda C. Ison vs. Kentucky American Water

Page 2 of 2 (See attachment 1)

on February 7, 2019 due to grossly inflated previous readings that could not be substantiated. The new meter has been inspected three times since it was installed for any leaks to the system and for accuracy of the readings by the defendants employees. Each time the technician advised both the complainant + defendant that this meter was functioning properly and that the replaced meter was not reliable

Wherefore, complainant asks _____

(Specifically state the relief desired.)

That all meter readings from the defective water meter be disregarded and that the monthly statement in dispute be determined by averaging the daily usage from the new water meter for the period billed.

Dated at Lexington, Kentucky, this 7th day
(Your City)

of March, 2019.
(Month)

Earl Douglas Ison Jr Brenda C. Ison
(Your Signature)

(Name and address of attorney, if any)

Date: Tuesday, March 5, 2019 1:10 PM
From: [REDACTED]
To: [REDACTED]
Subject: FW: Account No. [REDACTED]

From: Joshua D Riley
Sent: Tuesday, February 19, 2019 12:02 PM
To: DOUG & BRENDA ISON
Subject: RE: Account No. [REDACTED]

Good Afternoon,

Please forgive my delayed response as I have been out of the office. After requesting the paperwork and the meter to be pulled it was discovered that your bills had gone out with a clerical error. I have made the request for your bill to be adjusted and I have attached the data log provided by the last service tech. Please let us know if you have any other questions, thank you.

Joshua Riley
Service Specialist
Kentucky American Water
2300 Richmond Road
Lexington KY 40502
[REDACTED]
[REDACTED]

From: DOUG & BRENDA ISON [REDACTED]
Sent: Friday, February 15, 2019 2:31 PM
To: Joshua D Riley [REDACTED]
Subject: FW: Account No. [REDACTED]

EXTERNAL EMAIL - "Think before you click!"

Today you sent Bryan out to inspect our new meter. He advised you wanted him to test the meter for hourly usage since the installation on Feb 7 which was 8 days ago. He also confirmed once again there is no leak in our system. The reading is now 11.6 units used since the installation. He also installed a new meter box cover that incorporates the scanners in the cover. This should improve your accuracy for future readings since it is clear the inaccurate previous readings for the past year were estimates and not actual readings as was presented in your billing statements

We are averaging 1.45 units of water used daily based on your new meter. There are only two residents at this address. We have no swimming pool or irrigation system installed. Both of your employees have confirmed we have no leakage. The previous meter was broken and replaced due to the inability to read any usage accurately. Your last billing statement of Feb 7 for \$365.32 should be corrected to reflect \$0.00 due and new billing to be started as of the date the new meter was installed on Feb 7. This is the only reasonable solution to this issue since you cannot accurately document the usage for the period in question and it would be impossible for my wife and I to use as much water as we were billed for.

I expect to hear from you soon.

Doug Ison

From: DOUG & BRENDA ISON
Sent: Thursday, February 14, 2019 3:59:15 PM
[REDACTED]
Subject: Account No. [REDACTED]

Joshua Riley,

This is a follow up to our meeting of Tuesday Feb 12 regarding the error meter reading and billing statement for my account. Robert was here yesterday to read the new meter he installed on Feb 07 and we had used 9.3 units in the previous 6 days. It is clear there is no leak in our system and that the estimated billing sent us dated Feb 7 for the last 7 months is vastly overinflated.

You advised me to remind you today if I had not heard from you as you were waiting for an email from someone about our issue. Based on this new information from the newly installed meter I expect a corrected billing. Please advise what Kentucky American Water intends to do to correct this and insure that future statements reflect the accurate meter readings.

Thank You
Doug Ison
1404 Saddle Club Way
Lexington, KY 40504-1696
[REDACTED]

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the sender. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of American Water Works Company Inc. or its affiliates. The recipient should check this email and any attachments for the presence of viruses. American Water accepts no liability for any damages caused by any virus transmitted by this email. American Water Works Company Inc., 1 Water Street, Camden, NJ 08102 www.amwater.com

*Brenda & Doug Ison
1404 Saddle Club Way
Lexington, KENTUCKY 40504

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

*Elaine K Chambers
Director, Rates and Regulatory
Kentucky-American Water Company
2300 Richmond Road
Lexington, KY 40502