

was for a separate period where there were no allegations of wrongdoing.² The Commission provided Mr. Lacy with 30 days, from the date of service of the October 17, 2024 Order, to file an amended complaint to establish a prima facie case.³ Mr. Lacy was served with a copy of the October 17, 2024 Order on November 29, 2024. As of the entry of this Order, no response has been received from Mr. Lacy.

LEGAL STANDARD

Commission regulation 807 KAR 5:001, Section 20, governs the filing of a formal complaint. In accordance with 807 KAR 5:001, Section 20(1)(c), a complaint must state “[f]ully, clearly, and with reasonable certainty, the act or omission” that the complaint alleges the utility failed to comply with and facts, with details, of the alleged failure. In accordance with 807 KAR 5:001, Section 20(4)(a), the Commission examines a complaint to determine whether the complaint establishes a prima facie case and conforms to the administrative regulation. A complaint establishes a prima facie case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant to the requested relief.

If a complaint fails to establish a prima facie case or conform to the administrative regulation, 807 KAR 5:001, Section 20(4)(a)(1), provides that the person filing the complaint be notified and provided an opportunity to amend the complaint within a specified time. Additionally, 807 KAR 5:001, Section 20(4)(a)(2), provides that if the complaint is not amended within the time that the Commission grants, then the complaint shall be dismissed.

² Order (Ky. PSC Oct. 17, 2024) at 6.

³ Oct. 17, 2024, Order at 6.

DISCUSSION AND FINDINGS

Based upon 807 KAR 5:001, Section 20(4)(a)(2) and the case record, the Commission finds that this case should be dismissed because Mr. Lacy has not responded to the October 17, 2024 Order to file an amended complaint that establishes a prima facie case within 30 days of the date of service of that Order, and more than 45 days have passed since service of that Order.

IT IS THEREFORE ORDERED that:

1. Mr. Lacy's complaint is dismissed.
2. This case is closed and removed from the Commission's Docket.
3. A copy of this Order shall be served on Mr. Lacy by U.S. Mail at 2048

Highway 705, West Liberty, Kentucky 41472.

PUBLIC SERVICE COMMISSION



Chairman

Commissioner



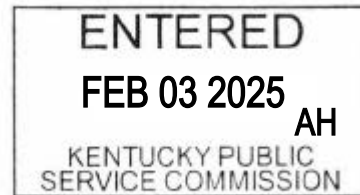
Commissioner

Commissioner John Will Stacy did not participate in the deliberations or decision concerning this case.

ATTEST:

Executive Director



Henry Heston Lacy
2048 Highway 705
West Liberty, KENTUCKY 41472

*Morgan County Water District
1009 Hwy 172
West Liberty, KY 41472

*Shannon Elam
General Manager
Morgan County Water District
1009 Hwy 172
West Liberty, KY 41472