

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JASON W. ASHCRAFT)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2024-00233
MONROE COUNTY WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

On July 19, 2024, Jason W. Ashcraft tendered a formal complaint against Monroe County Water District (Monroe District), alleging that Monroe District improperly billed him for water that he did not consume. He alleges that he should only be billed a corrected amount and should be compensated for any late fees that have accrued due to this matter.

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 complainant 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.

DISCUSSION AND FINDINGS

In his complaint, Mr. Ashcraft alleges that Monroe District improperly billed him for water that he did not use. However, he did not provide any bills to the Commission.

Based on a review of the complaint, the Commission is unable to determine, at this time, whether the complaint establishes a prima facie case because there are allegations but no documents regarding the basis for the bills. Because the allegations support further investigation into the merits of the complaint, the Commission finds that Mr. Ashcraft should file, within 20 days of service of this Order, certain information to support his claim, including copies of his Monroe District bills from January 2024 through July 2024.

Also, per 807 KAR 5:006, Section 19 (2), after the utility has performed a meter test, a customer of the utility may request a meter test by the commission upon written application. The complaint is unclear if the complainant seeks relief under 807 KAR 5:006, Section 19 (2).

IT IS THEREFORE ORDERED THAT:

1. Mr. Ashcraft shall file the following within 20 days of service of this Order:

A copy of Mr. Ashcraft's bills for service from January 2024 through July 2024.


2. Mr. Ashcraft shall respond in writing as to whether or not he is requesting a meter test be done by the Kentucky Public Service Commission and if so, if he would like to be present when the Commission tests the meter.

3. Mr. Ashcraft shall file the documents pursuant to ordering paragraph 1 and 2 by electronic mail to PSCED@ky.gov or by US Mail to P.O. Box 615, Frankfort KY 40602-0615.

4. A copy of this Order will be mailed via certified mail to Mr. Ashcraft at 525 County Farm Road, Tompkinsville, Kentucky 42167.


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PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman



Commissioner



ATTEST:



Executive Director

*Jason W. Ashcraft
525 County Farm Road
Tompkinsville, KENTUCKY 42167

*Monroe County Water District
205 Capp Harlan Road
Tompkinsville, KY 42167