

RECEIVED

AUG 12 2024

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE
COMMISSION

In the matter of:

Belden Craig Gaines
(Your Full Name)

COMPLAINANT

VS.

Bullock Pen Water District
(Name of Utility)

DEFENDANT

COMPLAINT

The complaint of Belden Craig Gaines respectfully shows:
(Your Full Name)

(a) Belden Craig Gaines
(Your Full Name)

5005 Warsaw Rd, Dny Ridge, KY 41035
(Your Address)

(b) Bullock Pen Water District
(Name of Utility)

1 Farrell Drive, Crittenden, KY 41030
(Address of Utility)

(c) That: BPWD failed to address our concern regarding
(Describe here, attaching additional sheets if necessary,

the low pressure we were experiencing by not performing
the specific act, fully and clearly, or facts that are the reason

the requested test and not contacting us with the
and basis for the complaint.)

Findings.

Continued on Next Page

Formal Complaint

Belden Craig Gaines vs. Bullock Penwater District

Page 2 of 2

Please see attached sheets "Summary Complaint"
for full complaint, explanation and examples of
inconsistencies. (pages 1-3)

Also attached is the letter requested by BPWD
prior to the in person meeting with them and
a summary of flow rates & usages. (pages 4-6)

Wherefore, complainant asks I feel we should owe in the
(Specifically state the relief desired.)

range of \$500 after ~~and~~ estimated adjustment for
BPWD not catching the meter spinning during their
inspection either 5/20+5/23 as well as never fulfilling our
request for a "water main pressure test" and accompanying
follow up call from BPWD. (continued on attached pg 3)

Dated at Dry Ridge, Kentucky, this 6th day
(Your City)

of August, 20 24
(Month)


(Your Signature*)

(Name and address of attorney, if any)

8/6/24
Date

*Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

Summary complaint

BPWD failed to address our concern regarding the low pressure we were experiencing by not testing or checking the meter as requested and not contacting us regarding the test they performed instead. Our initial request to test at the meter was to determine if the problem was on our side of the meter or a change in service pressure. By not testing at the meter and testing instead the pressure at the house, the tech failed to note the actual drop in pressure because it was in the acceptable range of service pressure at 50psi.

If they had done their due diligence the leak would have been somewhere between the dates of 5/20 and 5/23, as we question the original date of service, and usage would have been minimal in comparison.

BPWD took 9 days from the time of our scheduled meter reading for the May-June billing period to contact us. 6/17/24-6/26/24

BPWD violated our Customer Rights by not allowing for us to be present during the service call or calling us with the findings. Based upon fact we were told that they were busy on the 20th and it would probably be a few days and they did not commit to a day or timeframe, just assured us they would follow up with us as we specifically requested in order to determine if we had a problem or if it was simply a pressure drop problem from them. We have lived here since 2011, so we new the pressure at the house was significantly reduced, but needed the main test to determine if we had a problem or they did. We have no way to test their pressure and are totally dependent on them to provide main pressures, as all customers and or plumbers etc would be to determine if there was a problem. We are not allowed to touch their meter to do the test we requested. To this day, no main pressure test at our home location has ever been done. Had it been done in May as originally requested, we would have immediately known we had a 20PSI discrepancy which would have informed us of a problem on our side.

BPWD's story changed during each conversation and meeting and again in the response to The Public Service Commission request. The issue was so poorly documented that they were relying on individuals memory of the situation at the time of each conversation.

Please see attached list of inconsistencies, the letter BPWD requested previously outlining the time line of the situation and detailed information on usage and flow rates.

Additional information and examples of inconsistencies

Inconsistencies including date of service, lack of records and documentation of inspection and follow up, stories kept changing

1- I was told a tech would not be able to come out for several days, but the tech reported he came out the same day we called. We were home that day and no one came out that day. It took several days before we saw the grass disturbed at the meter. 5/20-5/23 is our estimated date from our observation?

2- During calls and conversations, Amy and other Service Associates had to keep asking others in the office to fill in the story because lack of documentation. The story evolved and details changed during every conversation. She kept asking individuals in the office what had happened and what they remembered of the situation. I was also told that their system had been updated with more of the details on their system after the call from them on Jun 26th. Not sure why details wouldn't have been documented originally in May regarding original request?

3- I was originally told the bill would be \$3000 but it was actually just over \$3700. This was explained as June charged being added to May bill which would make sense, but. I had originally asked for a approximate number for all of the usage on the date of June 26th in regard to the reading they had on the date the meter was shut off and was told around \$3000. Somehow that later became \$3700

4- Because of inconsistencies on phone calls, Amber Gaines attended the meeting to have an extra person to verify the conversation that took place.

5- We were told at the in person meeting that BPWD's normal process took them 9 days to compare meter readings for excessive use. Asked them why it took so long and stated the seemed like a very long time to see that we had used 478,000 vs our normal 4000 gallons. Process was presented as normal vs. response letter says they were having issues with the new Neptune system and it took them 7 days to even start looking for discrepancies.

6- In our in person meeting with Amy and Paul we were told the tech made the decision to turn off the meter, the response states he was instructed to turn off the meter. We were told by Amy in the prior call to the in person meeting and it was verified by Amy and Paul in the in person meeting that the techs are instructed to turn off spinning meters for excessive use and to notify customers via their customer service team in the office. It was presented in both conversations that it was the service tech responsibility vs needing direction from the office.

7- In the in person meeting Paul stated that the tech could have done more and probably should have verified the pressure was not normal by testing at a hydrant (which we have on our property) or a neighboring property. He also agreed that the meter was probably spinning at a similar rate in May during original testing, as when the meter was checked and shut of on June 26th. Why wasn't this caught and shut off in May vs June. BWPD response letter says, "crock was too deep". To see crock depth, tech has to be looking at meter to determine depth.

Even though he agreed they could have done more, he was unwilling to accept any responsibility on behalf of BWPD and only offered the standard 40 percent bill reduction that is offered to all customers in the event of a water leak on their property.

8- Paul told us we could come to the monthly meeting to explain our situation but that they would not do anything above the bulk rate adjustment either and it would be a waste of time.

9- Based on flow rates and usage there is no way that the meter wasn't "flying" and "squealing" when the tech first came to the house to check the low pressure (5/20? 5/23?) see # 7 above

Failure to contact us with findings.

1- The person that supposedly made the call said when she called the number there was a beeping like a non-working number but that is actually what happens when a call is not connecting

2- There is no actual proof of trying to call us. No documentation. Amy had to ask the person in the office that made to call. I asked if they recorded calls or could pull phone records on outgoing call from the date they say they tried to call us. BWPD states they have no way of verifying their outgoing calls and do not record phone conversations.

We checked our records and AT&T shows no incoming calls from 5/20-5/23 from BPWD

3- She stated that she "did not try to get in touch with him further". BWPD told me they made one call, and did not follow up further.

4- BWPD Service Reps and Amy have been able to reach me on that same number, on 6/26 and other times thereafter, that they state that was none working on 5/20-5/23. I've had the same number for years and never had my service cut off for any reason.

Response to PSC Narratives dated: 7/3/2024

I did not contact BPWD on 7/19. PSC must have misunderstood timeline and documented call from me to BPWD incorrectly as June 19th. Timelines and dates of contact is stated in my letter to BPWD as 6/26/2024 in response to a voicemail from one of their customer service representatives about high usage.

Relief desired:

I feel we should owe in the range of \$500 after estimated adjustment for BPWD not catching the meter spinning during their inspection either 5/20-5/23 as well as never fulfilling our request for a "Water Main pressure test" and the accompanying follow up call from BPWD.

This accounts for a usage adjustment based upon daily average leak back to the May date as well as the normal customer service adjustment of 40 percent for a customer water leak per the BPWD Rules and Regulations, Customer Rights and Tariffs.

5005 Warsaw Road
Dry Ridge, KY 41035

July 1, 2024

Bullock Pen Water District
1 Farrell Dr
Crittenden, Ky 41030

Dear Bullock Pen Water District

Thank you the opportunity to relay the series of events that lead up to the finding of a hidden underground leak at our residence in Dry Ridge.

On May 20, 2024 I placed a call to BPWD to report a significant drop in pressure at our residence, 5005 Warsaw Road, Dry Ridge. I wanted to determine if we had an issue on our side of the meter or with the service from BPWD. I requested the following actions be taken:

- 1- Perform a water pressure test at the actual supply (at the meter).
- 2- Have the tech call me regarding the results of the test to have a conversation to determine next steps to correct the pressure issue.

I was told on that call May 20 that the tech would probably not be out that day due to his schedule but we both agreed that at this point that would be fine as neither of us was overly concerned about the problem at that point.

My understanding of what actually occurred based on the multiple conversations with BPWD on June 26 and later is that when the technician came to the house he tested the pressure at the back porch faucet at the house, not the meter as requested. I never received a call with this information.

The water pressure stayed at the significantly lower than normal level but was working reasonably enough to use.

On April 26, 2024 I received a voicemail asking me to call BPWD which I did within an hour of receiving the call. I was notified that we had used 478,000 gal of water since our last reading and the meter had been turned off.

Between the dates of 6/17/24 (our normal meter reading date) and 6/26/24 (when a tech had been sent out to verify the abnormal reading) we had used 109,720 gal (of the total 478k).

When I spoke with Amy Rourke and the service folks in the office and questioned why I had never gotten a call from BPWD regarding our requested service I was told that they had tried calling me but the number was not a working number. This was the same number that I had received the voicemail on 6/26.

We immediately located the hidden leak and fixed it the same day (6/26) by 6pm. Pressure returned to normal in the house. (Service tech reported 50psi, after the leak was fixed, tested at 70 psi.)

My concern is that we have now received an incredibly high water bill that we tried to avoid by contacting BPWD as soon as we noticed an issue. And although we understand that it is the owner's responsibility we also feel that there should be an exception made as we tried to identify the issue over a month earlier and there was a lack of follow through and follow up by BPWD.

Not testing at the meter or checking back with us after coming to the house contributed to the leak staying hidden for so long. By looking at the gallons used in the week of 6/17-6/26 it is apparent that the meter must have been running wide open at the time of the initial tech service call. Noting this amount of usage at that time should have lead to notifying us of a problem at the time of the service call.

I am asking for special consideration in an adjustment of this usage above the standard homeowner leak situation and to help us reach a reasonable total bill for both parties given the actual circumstances.

Please see that attached second page for additional information regarding the usage and pressure tests.

Sincerely,

Belden and Amber Gaines

- * 478,000 gallons used 5/14 - 6/26 (43 days)
- * 6 gallons per minute leak measured 6/26 (with pipe fully open vs. buried in clay and restricted for back pressure)
- * $6 \text{ gpm} \times 60 \text{ min} = 360 \text{ gallons per hour (GPH)}$
- * $24 \text{ hours} \times 360 \text{ gph} = 8640 \text{ gallons per day}$
- * $478,000 \text{ gallons less normal usage of } 3000 \text{ gallons} = 475,000 \text{ gallons in excess usage}$
- * $475,000 \text{ gallons} / 8640 \text{ gallons per day} = 53.98 \text{ days to use that much water at an average rate of } 6 \text{ gpm}$
- * 6/17/6/26 readings show average leak per day at 12,191 gallons
- * Logical to say that leak increased over time as pipe was buried initially and became worse over time as leak ate away at surrounding terrain
- * 5/14 reading vs. 6/26 phone call about usage. That's more than 12 days more than the last meter read date
- * Meter would have to have been spinning at the same or similar rate on 5/20 when the service tech was at the house, why wasn't this caught then?
- * Service tech reported 50 psi at the house. After leak was fixed, tested consistently at 70 psi on 6/26/24 6:30pm at time of repair and on 7/3 8:20 am
- * Inconsistency from rep follow up and follow through
 - * Scattered info, story evolved vs being solid
 - * Complacency in follow up and follow through
 - * No phone records-did someone call or? And why not follow up if call did not go through?
 - * Original bill estimate \$3000 vs \$ 3736.02
 - * Grass not disturbed in yard till 5/23 vs tech having documented 5/20 as service date, Phone rep told me they would not be out same day as well