

Commonwealth of Kentucky
Before the Public Service Commission

In the Matter of:

Belden Craig Gaines (complainant)

Case No 2024-00262

v

Bullock Pen Water District (defendant)

Response from Belden Craig Gaines to you your last document dated September 5, 2024

Enclosed you will find the **requested water bills from Bullock Pen Water District** (Referenced ongoing as BPWD) Additionally I have included a copy of **BPWD's notes from the 6/17/2024 meter readings** as previously referenced in our claims and their responses. The copy of the notes was provided to me on 9/19/2024 by Amy Little (BPWD employee) via email.

I am **requesting relief in the form of a bill reduction of BPWD's original bill for July 2024**, due on 7/15/2024 for the meter read dates of 5/14/20-6/26/2024 of \$3,736.02 to **\$369.82**. This includes and accounts for a Bulk Rate Adjustment of 40% as included in BPWD'd tariff. Before the Bulk Rate Adjustment, the amount would be approximately \$500 which is the amount referenced in the original filing. Please see additional info and attached Calculations sheet to see how I arrived at this number.

The BPWD bills and 6/17/2027 BPWD notes document were used for the basis for the claim and allegations in this case and the relief sought. The bills, BPWD Notes and other documents provide a timeline of events and indisputable proof of multiple allegations and failures to provide proper service by BPWD below.

The verified readings by BPWD of 620,000 on 6/17/2024 and 729,000 on 6/26/24 were used for the calculations below and on **Timeline** and **Calculation** documents I have included for better illustration purposes for the case.

729,000-620,000 gallons proves usage of 109,000 gallons over 9 days for an average of 12,111 gallon average per day from 6/17/24 through 6/26/2024. Therefore 369,000 gallons were used from somewhere between the 34 day period of 5/14/2024 to 6/17/2024, for an average of 10,852.94 gallons per day. Using the 12,111 gallon number, it would have taken 30.5 days for 369,000 gallons to leak out. Thus providing a baseline for daily average leakage. The most probable assumption leak did not start until sometime between 5/14 and 5/20. I used 12,111 gallons to back into the date the lead most likely started.

See attached Timeline sheet and Calculation sheet for additional details

Allegation: "Mr. Gaines alleged that his Customer Rights were violated by not allowing him to be present during the service call."

Response:

1. When the original call was made to BPWD to report the drop in pressure and ask for the meter test (aka Bench Test, referred to as Meter test through this and other documents), BPWD said that they could not guarantee when a tech could be out to do the test. I was told only that it would be in the next few days. By not scheduling a specific date and time appointment window my right to be present was negated. In lieu of an appointment I asked to have the tech call me while he was at my property and BPWD agreed they would. However, the tech never called during the visit or left any other communication to indicate he had come and BPWD did not follow up after and therefore failed to act to complete the follow up call and the omission of the results and change in test caused the leak to go undetected until 6/26/24.
 1. In the PSC response letter as well as conversations with BPWD, they admitted that they only tried to call once and got a **"beeping sound like a non-working number... and did not try to get in touch with {him} again"**.
 2. Call history from ATT shows no incoming calls from BPWD between 5/20 and 6/25. (See attached ATT call history document.)
 3. The tech did not leave a note at the house saying he had been to the house or otherwise communicate his service call or findings.
 4. BPWD did not send a letter or any other form of communication to relay the information regarding change of test or findings as was promised.
 5. **By not informing me prior to the tech service call, during the service call or after the service call, my Customer Rights to be present were violated. Had I been present, I would have explained again the reason for the requested test at the meter vs the house and had I gotten the test results, the leak would have been identified at the initial tech visit 5/20-5/23.**
2. Supporting Documentation: **copy of ATT phone records from 5/20/2024 through 6/25/2024** that prove no calls from BPWD ever came through to my phone, proving that BPWD failed to follow through with the original service request and all of the associated details and my claims regarding follow up from them in lieu of the opportunity to be present during the 5/20/24 service request.

Allegation: "Mr. Gaines alleged that, because of BPWD's failure to test his meter as requested, and failing to allow him to be present during the service call, there was a delay in detecting a leak."

Response:

1. Based on the calculations showing an average usage of 12,111 g/day over 30.5 days, the meter had to have been running at the same or very similar rate during the original test date of 5/20/24 as it was on 5/26/24 when the BPWD tech reported the meter to be "flying and screaming".
2. It proves that my suspicion of a problem and the reason for the service test call on 5/20/24 was ultimately related to a water leak and was being expressed as low water pressure in the house compared to the historical typical water pressure that I have had at the house for the past 14 years. Thus validating the reason I specifically requested a Street Pressure test,

not a house pressure test (which is after a regulator therefore a completely different test) to determine if BPWD had a problem with water pressure or I did. Had they provided me with the proper test, I would have known, based on 30+ years experience in the mechanical trades and technical college training with Northern Ky Vo-Tech, I had a pressure drop compared to the supply pressure and would have looked for a leak at that time thus delaying the identification of the leak.

3. The tech reported, and is detailed in the **Utility response letter** dated 7/10/2024, **"The crock was too deep to check the pressure at the crock, so the pressure was checked at the spigot at customers house"**.
 1. This shows that they tech was initially directed to test at the meter.
 2. The tech had to uncover and look at the meter to note that it was too deep.
 3. When the tech checked the depth of the crock, he failed to note the "flying and screaming" meter as it is proved by the usage calculation that it was leaking at that point.
 4. Instead of turning off the meter as is expected of the tech in the case of leakage or high usage, he disregarded the meter activity and decided to check the pressure at the house, disregarding our request and the service request to check the pressure at the meter.
 5. **This proves an act or omission by the BPWD tech to provide the standard of service on 5/20-5/23 as described to us by BPWD in our meeting on 7/3/24 and is expected of a service provider base line of standard of service. Shutting off fast spinning meters is an expectation of the techs as verified by BPWD themselves. The leak should have been identified at this point.**
4. The calculations also proves and emphasizes how the delay of 9 days from 6/17-6/26 by BPWD's Neptune system problems created additional delays in the lack of normal service standards for contacting us for high usage and therefore compound the days of leakage even further. The delay is verified on BPWD **Utility Response letter** to PSC dated 7/10/24. **"We began checking the meters for high usage on June 24. This took longer than usual... because we have a new Neptune meter reading system and had problems getting the meter readings transfer... to our billings system... we got to his on 6/26."**
 1. The Utility response letter is the first time BPWD had expressed any issue with their system or that they were using a new system. In our meeting 7/3/24 BPWD told us that the 9 days was normal and that the process they used was their normal process.
5. Supporting Documentation:
 1. BPWD Bills. Statement Dates: 5/15/24, 6/15/24, 7/15/24, 8/15/24
 2. Email from BPWD employee Amy Little verifying Neptune meter reading for 6/17/24 sent on 9/19/24, 2:50 pm.
 3. Timeline showing key dates with corresponding meter readings and details.
 4. Calculations showing explanation of relief sought based on meter readings, usages and BPWD tariff rates.
 5. Copy of BPWD Monthly Water Rates from page 4 of the Tariff.

Allegation: *"Mr. Gaines also alleged that BPWD never filled their request for a water main pressure test and did not call for a follow-up regarding the results of the test."*

Response:

1. See responses above proving BPWD did not perform the requested and ordered test at the meter and proving they did not follow up with any communication of any kind.

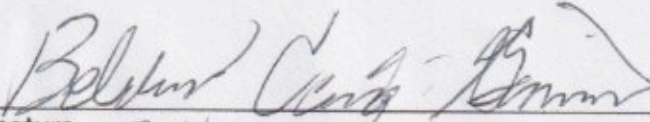
Allegation: "... bills received was approximated to be \$3000 but ended up being \$3700."

Response:

1. I was told by BPWD during a phone call on 6/27/24 that the bill would be approximately \$3000. I cannot explain how they came up with that amount. It somewhat ties back to the meter reading and usage as of 6/17/24 but I did not provide the math for that on the calculations sheet.
2. I asked BPWD about this discrepancy in our meeting on 7/3/24 and was told it was just an estimate but illustrates the lack of consistencies in the explanation I was given by BPWD over the course of the situation.

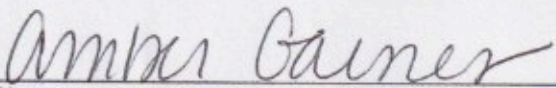
Summary of Documentation provided with this response includes:

- 1- Timeline that is a visual representation of events noted in this response with dates corresponding to meter readings and usages.
- 2- Calculations showing explanation of relief sought based on meter readings, usages and BPWD tariff rates.
- 3- Copies of BPWD Bills. Statement Dates: 5/1/24, 6/3/24, 7/1/24, 8/1/24.
 - * Statements clearly show typical monthly usage is around 3000 gal with a cost of around \$41.93.
 - * BPWD bills show a historical average usage of 3800 gallons, however this is taking into account usage in 2023 to water a garden that I do not have in 2024. Therefore my current average is 3000 gallons.
 - * Normal meter readings occur on the 8th-14th of the month and in June was performed on the 17th.
- 4- Copy of email from BPWD employee Amy Little verifying Neptune meter reading for 6/17/24 sent on 9/19/24, 2:50 pm.
- 5- Copy of my ATT usage details for Belden Craig Gaines wireless phone number [REDACTED] for Dates 5/3/24-6/2/24 showing call to BPWD to report the issue and no incoming phone calls from BPWD to follow up.
- 6- copy of BPWD Monthly Water Rates from page 4 of the Tariff.



Signature Belden Craig Gaines

9/23/2024
Date



Signature - witness to meeting and conversations with BPWD
Amber Gaines

9/23/2024
Date