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March 10, 2025

Linda C. Bridwell, Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd., PO Box 615  
Frankfort, KY 40602-0615

**Via Email: [PSCED@ky.gov](mailto:PSCED@ky.gov)**

In re: PSC Complaint  
Case No. 2024-00262  
Belden Gaines v. Bullock Pen Water District

Dear Ms. Bridwell:

Attached, please find Bullock Pen District's Response to Commission Staff's Third Request for Information with regard to Case No. 2024-00262. Should you have any questions regarding this filing, please feel free to call.

Very truly yours,

*//s//Thomas R. Nienaber*  
THOMAS R. NIENABER

TRN/krp

cc: Bullock Pen Water District  
Attention: Chairman Charles Givin

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

In the **Matter of:**

<b>BELDEN CRAIG GAINES</b>	)	
	)	
<b>COMPLAINANT</b>	)	
	)	
<b>v.</b>	)	<b>CASE NO.</b>
	)	<b>2024-00262</b>
	)	
<b>BULLOCK PEN WATER DISTRICT</b>	)	
	)	
<b>DEFENDANT</b>	)	

**BULLOCK PEN DISTRICT’S RESPONSE TO  
COMMISSION STAFF’S THIRD REQUEST FOR INFORMATION**

Comes now Bullock Pen Water District (Bullock Pen District) and submits the following Response to the Commission Staff’s Third Request for Information.

1. Refer to Bullock Pen District’s response to Commission Staff’s Second Request for Information, Item 2 and Bullock Pen District’s Answer.
  - a. Explain, including all inputs, how Bullock Pen District calculated the bulk rate adjustment that would lower Mr. Gaines’ bill to \$1,756.40. Include in this calculation the average monthly bill for Mr. Gaines calculated as an average of the twelve- month period preceding the leak, and Bullock Pen District’s wholesale water rate nearest to Mr. Gaines’ residence.
  - b. Explain whether Bullock Pen District offered this adjustment for multiple months or only one month.

**Response:**

(a) The district used Mr. Gaines' 12-month average of 4,000 gallons and including utility tax, totaled \$52.51 for the month.

The remaining 474,000 gallons were charged at the City of Williamstown's bulk rate, a rate of \$3.49 per thousand gallons. The total cost of the remaining 474,00 gallons, including utility tax, equals \$1,703.89.

(b). The bulk rate adjustment was only offered for 1 month. There were no other months in which the usage was greater than 200% additional usage.

2. Provide all written communication between Bullock Pen District and Mr. Gaines.

**Response:**

Attached are all email communications between District employees and the Gaines Family.

**VERIFICATION**

Comes now Bullock Pen District, through its Superintendent, Paul Harp, and states that he has reviewed the foregoing Responses to the Commission Staff's Third Request for Information and that the statements contained therein are true and correct to the best of his knowledge and belief.

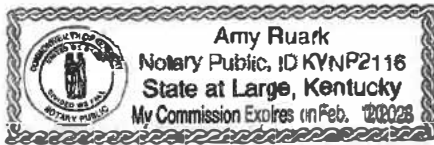
BULLOCK PEN WATER DISTRICT:

BY:   
PAUL HARP, SUPERINTENDENT

COMMONWEALTH OF KENTUCKY

COUNTY OF GRANT

Subscribed, sworn to, and acknowledged before me by Paul Harp, Superintendent, for and on behalf of Bullock Pen Water District, on this the 10th day of March, 2025.



*Amy Ruark*  
NOTARY PUBLIC, State at Large  
My Commission Expires: *2-26-28*  
Notary ID#: *KYNP2116*

CERTIFICATE

The undersigned counsel hereby certifies that a copy of Bullock Pen District's Answer to Commission Staff's Third Request for Information to Bullock Pen Water District was served on: Linda C. Bridwell, PE, Executive Director, Public Service Commission, P.O. Box 615, Frankfort, KY 40602, via email @ PSCED@ky.gov; and the Complainant, Belden Craig Gaines, at 5005 Warsaw Road, Dry Ridge, Kentucky, 41035, by depositing a copy thereof in the United States Mail, postage prepaid, this 10th day of March, 2025.

Respectfully submitted,

*//s// Thomas R. Nienaber*

THOMAS R. NIENABER, KBA #51820

SKEES, WILSON & NIENABER, PLLC

7699 Ewing Blvd., P.O. Box 756

Florence, KY 41022-0756

Phone: (859)371-7407/Fax: (859)371-9872

Email: [tnienaber@fuse.net](mailto:tnienaber@fuse.net)

## Amy Ruark

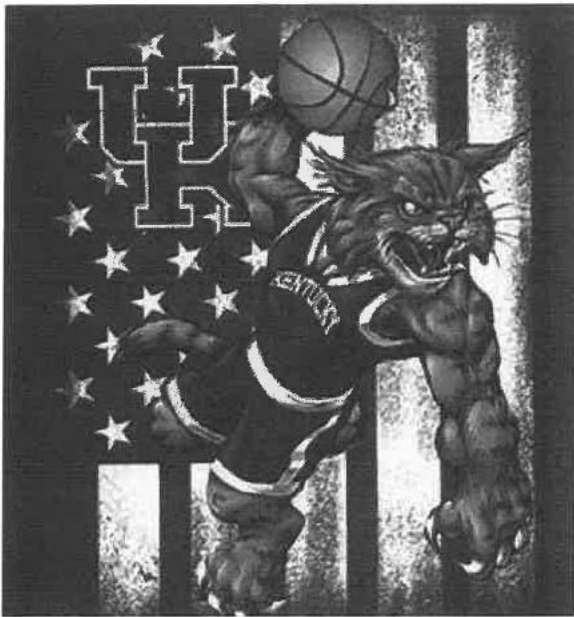
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**From:** Amy Ruark  
**Sent:** Wednesday, July 3, 2024 12:57 PM  
**To:** Craig Gaines  
**Subject:** RE: 110-22100-02

The file is too big. It will not let me send it. It is on our website. Copy and paste the link below and it will take you to it.

[Tariff-Dates-7.5.23.pdf\(bpwd.org\)](#)

Kind Regards,  
Amy Ruark, Office Manager  
Bullock Pen Water District  
Grant County Sanitary Sewer District  
(859) 428-2112 (Main)  
(859) 428-1293 (Fax)



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**From:** Craig Gaines  
**Sent:** Wednesday, July 3, 2024 11:57 AM  
**To:** Amy Ruark <aruark@bpwd.org>  
**Subject:** Re: 110-22100-02

Can you send me a copy of Bullock Pen Tariff?

Thanks,  
Craig Gaines

On Jul 3, 2024, at 11:52 AM, Amy Ruark <aruark@bpwd.org> wrote:

Received. Thank you.

Kind Regards,  
Amy Ruark, Office Manager  
Bullock Pen Water District  
Grant County Sanitary Sewer District  
(859) 428-2112 (Main)  
(859) 428-1293 (Fax)

<image001.jpg>

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**From:** Craig Gaines  
**Sent:** Wednesday, July 3, 2024 10:43 AM  
**To:** Amy Ruark <aruark@bpwd.org>  
**Subject:** 110-22100-02

<image002.jpg>

Thanks,  
Craig Gaines

## Amy Ruark

---

**From:** Amy Ruark  
**Sent:** Wednesday, July 3, 2024 11:53 AM  
**To:** Craig Gaines  
**Subject:** RE: 110-22100-02

Received. Thank you.

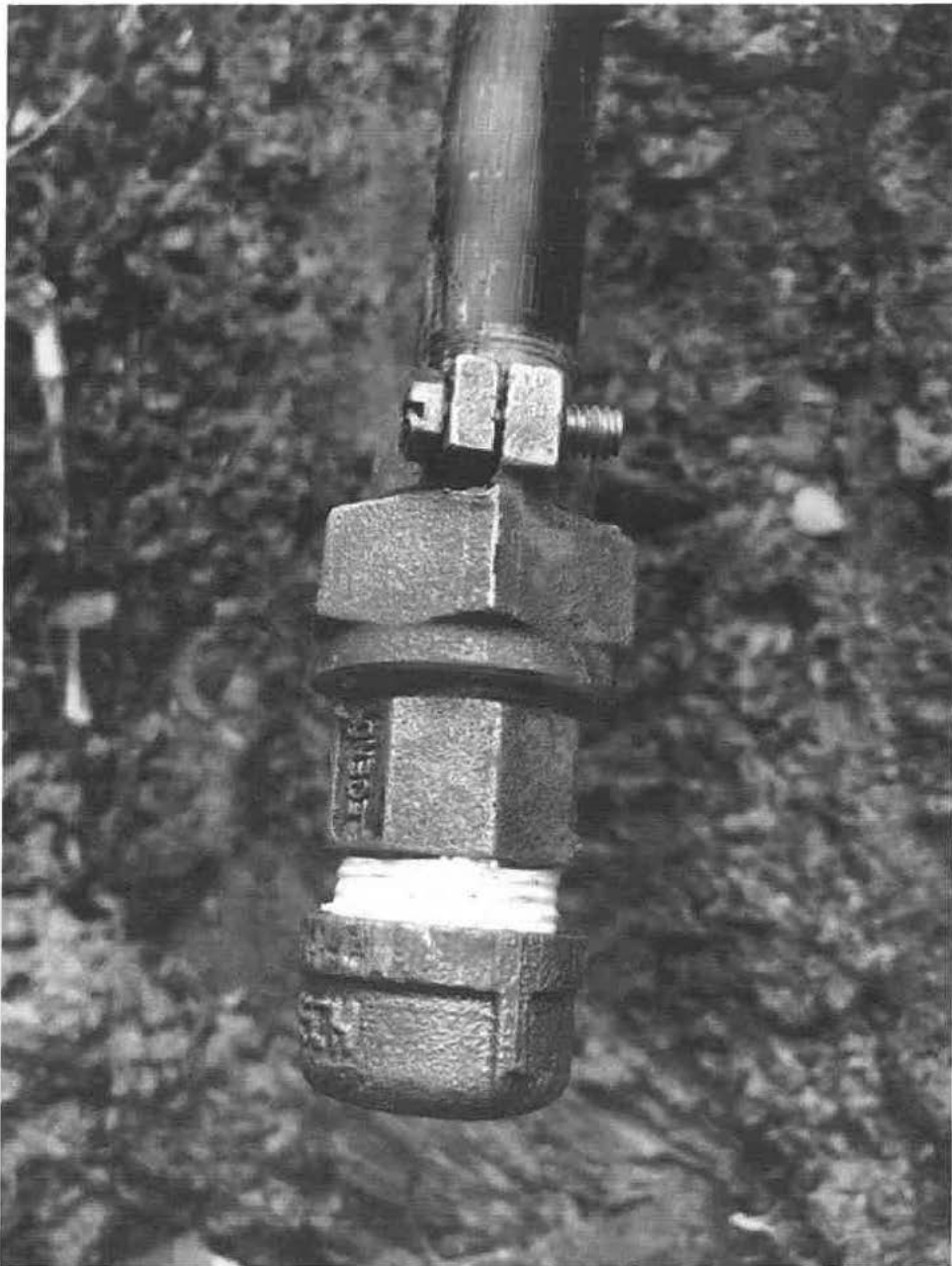
Kind Regards,  
Amy Ruark, Office Manager  
Bullock Pen Water District  
Grant County Sanitary Sewer District  
(859) 428-2112 (Main)  
(859) 428-1293 (Fax)



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---

**From:** Craig Gaines <  
**Sent:** Wednesday, July 3, 2024 10:43 AM  
**To:** Amy Ruark <aruark@bpwd.org>  
**Subject:** 110-22100-02



Thanks,  
Craig Gaines



## Paul Harp

---

**From:** Paul Harp  
**Sent:** Friday, January 24, 2025 2:44 PM  
**To:** Amber Summers  
**Subject:** RE: New issue with RE: Water Main Leak

Amber,

Once again, I'm not purposefully putting you guys off and making you wait for a response from me, this weather is absolutely killing me and I'm just stretched thin.

Amy, from our office, said that she talked to Belden on the phone today but here is what happened: When we repaired the leak in your yard, I reinstalled the meter and I simply installed it backwards. What this resulted in is when meters were read this month the reading totaled up to a negative water usage for the month, which is obviously impossible. I personally went out and figured out it was in backwards and just turned the meter around to the correct position.

You don't have an issue on your side at all, the water that was in the crock was just ground water and snow that had fallen in and melted.

Again, apologies for the late response again, and if you need anything else, please just let me know.

Thanks,

*Paul Harp*

*Superintendent*

*Bullock Pen Water District*

*Grant Co. Sanitary Sewer District*

*1 Farrell Dr.*

*Crittenden, Ky. 41030*

*(859) 428-2112*

**From:** Amber Summers  
**Sent:** Friday, January 24, 2025 12:20 PM  
**To:** Paul Harp <pharp@bpwd.org>  
**Subject:** Fwd: New issue with RE: Water Main Leak

Paul

Following up on your text from Saturday re: possible new leak at the meter and crock full of water and the discrepancy you mentioned in our last meter reading that you were going to send me an explanation on Tuesday. Can you let me know when and if someone has been out to check the meter to make sure it isn't leak?

Can you please verify the reason for additional reading and discrepancy? Do we have a problem or not?

Per your text: "we will get someone out there to look at it"

Per your text: "We did have to verify a reading this week that didn't make sense."

Thank you

Amber Gaines

(Craig)

----- Forwarded message -----

From: **Amber Summers** ·

Date: Sat, Jan 18, 2025 at 12:10 PM

Subject: New issue with RE: Water Main Leak

To: Paul Harp <[pharp@bpwd.org](mailto:pharp@bpwd.org)>

Paul

We noticed that there were tracks to and from in the snow the meter. Not sure why anyone was there physically at the meter. Was there an issue reading the reading or a high usage issue to flag someone to come out to check the meter?

So we thought we should check the meter today to make sure there wasn't an issue. The crock is completely full of water so we are not sure if there is a leak on your side or ours or if it is snow melt but can't see the meter to make sure it isn't running.

We also noticed that the top section of the crock is broken from when the work was done previously.

We need to have someone come out to check why the crock is full of water especially given the previous issues.

We wanted to report it right away so that it could be addressed as soon as possible.

Please let me know when we can expect to see someone out to check the meter.

Amber and Craig Gaines

On Thu, Jan 9, 2025 at 11:33 AM Paul Harp <[pharp@bpwd.org](mailto:pharp@bpwd.org)> wrote:

Ms. Gaines,

I sincerely apologize, I overlooked this email. When the snow melts off we can certainly do that. Once again my apologies, I just simply "missed" that email from you. Also, a full cleanup will be done this spring, I would estimate sometime in the month of April, that's usually when the weather breaks well enough for us to get some grass seed sown.

Thanks,

*Paul Harp*

*Superintendent*

*Bullock Pen Water District*

*Grant Co. Sanitary Sewer District*

*1 Farnell Dr.*

*Crittenden, KY, 41030*

*(859) 428-2112*

**From:** Amber Summers  
**Sent:** Tuesday, January 7, 2025 9:50 AM  
**To:** Paul Harp <[pharp@bpwd.org](mailto:pharp@bpwd.org)>  
**Subject:** Re: Water Main Leak

Mr Harp

Just following back up on the message below to see if you can let us know when this is on your schedule?

Thanks

Amber Gaines

On Tue, Dec 3, 2024 at 12:26 PM Amber Summers <

wrote:

Mr Harp

There seem to be several large clods and quite a bit of dirt scattered on the surrounding grass that was undisturbed. I would appreciate you having someone stop by in the next day or two to at least clean the dirt up off of the sod and grass that was covered with the dirt that was dug out and putting that where the hole was dug so we don't end up with a larger spot than necessary to be fixed. That should be able to be done by hand with a rake. Then if you need to fix the spot that was dug by grading and reseeding in the Spring that would be fine.

Please provide me an estimate of when that work might be completed in the spring?

I am also not sure if the tracks marks are going to settle by spring or will need to be addressed.

Amber and Craig Gaines

On Mon, Dec 2, 2024 at 2:38 PM Paul Harp <[pharp@bpwd.org](mailto:pharp@bpwd.org)> wrote:

Mr. & Mrs. Gaines,

The repair was made to the water line this morning, the meter setter had to be replaced. When we arrived back to our office, one of the maintenance guys said he thought he may have ran over one of the cinder blocks out by the driveway, but wasn't sure. If you see one of the blocks damaged or needs moved or rearranged, please just let me know. Also, generally we wait until spring time to re-seed and straw the yard back, when we have a repair in winter months, if that sounds sufficient then expect us in spring, we will level the area back down to "grade", then seed and straw the area. If you need anything else or have questions, please don't hesitate to reach out to me.

Thanks,

*Paul Harp*

*Superintendent*

*Bullock Pen Water District*

*Grant Co. Sanitary Sewer District*

*1 Farrell Dr.*

*Crittenden, Ky. 41030*

*(859) 428-2112*

**From:** Amber Summers <\_\_\_\_\_  
**Sent:** Monday, December 2, 2024 9:19 AM  
**To:** Paul Harp <pharp@bpwd.org>  
**Subject:** Re: Water Main Leak

Paul

Please follow the response sent back in text. Thanks

Amber

Sent from my iPhone

On Dec 2, 2024, at 8:02 AM, Paul Harp <pharp@bpwd.org> wrote:

I am available to go with the maintenance crew this morning to make the repair if that is still ok like we discussed yesterday. Please just let me know this morning. I fear that if we wait until after 2 we could have emergencies especially with cold weather, this afternoon and end up not making it to your residence until tomorrow. I would like to make the repair this morning. Please just let me know.

Thanks,

Paul Harp

Superintendent

Bullock Pen Water District

Grant Co. Sanitary Sewer District

859-428-2112

859-428-3060

Sent from iPhone

On Dec 1, 2024, at 9:23 AM, Amber Summers  
wrote:

Thanks Paul

Just to confirm per our conversation, we expect someone after 2pm tomorrow so we can be present while the work is being completed. (per BPWD Customer Bill of Rights - right to be present during service). We will not be available earlier in the day.

Please have someone verify that we are here before any work is started.

Amber and Craig Gaines

On Sun, Dec 1, 2024 at 9:10 AM Paul Harp <[pharp@bpwd.org](mailto:pharp@bpwd.org)> wrote:

Mr. and Mrs. Gaines,

As we discussed, there is a small pinhole in the meter setter. It isn't deemed an emergency for the district nor would it be determined to be an emergency by Kentucky 811 underground markings. There will be a crew on site tomorrow December 2nd, after an underground marking is completed. If the leak were to get worse or you lost water service, please don't hesitate to call our emergency number at 859-428-1235. If you have any questions or need anything else please just let me know.

Thanks,

Paul Harp  
Superintendent  
Bullock Pen Water District  
Grant Co. Sanitary Sewer District  
859-428-2112  
859-428-3060  
Sent from iPhone

> On Dec 1, 2024, at 7:58 AM, Paul Harp <[pharp@bpwd.org](mailto:pharp@bpwd.org)> wrote:

>

> Mr. and Mrs. Gaines,

> I will be headed into the office and will be at your residence within approximately an hour. Please bear in mind there is a state right of way

and a water line easement that grants the district access should equipment be needed. However, let's wait to have that discussion until I see exactly what the problem is. I will call when I arrive on site, but I will not track down to the actual residence.

>

> Thanks,

> Paul Harp

> Superintendent

> Bullock Pen Water District

> Grant Co. Sanitary Sewer District

> 859-428-2112

> 859-428-3060

> Sent from iPhone

>

>> On Dec 1, 2024, at 7:45 AM, Amber Summers

wrote:

>>

>> We called you this morning 12/1/24 at 7:00 twice from [redacted] to report that there is a leak on your side of the water meter that is filling up our meter base.

>> The emergency tech called us back and we requested an email address to send information in writing.

>> Paul Harp called us back at 7:39 and gave us his email address.

Requests for communication in writing was expressed to him at that time.

>> Our water is turned off and it is still leaking into the meter base / crock (where the meter is and has to be the main as our water is turned off at the meter and it is still filling up).

>> Before someone comes out to inspect it we must be notified by phone (the number above) and in writing as well as someone verifies someone is home when they arrive and are here when the work is performed. We will be home today, but still must be verified.

>> This is a working number and is on.

>> No one is to be on our property without us being there.

>> No equipment is to be on the property until you have hand dug to find the problem.

>> No work is to be done without us being there.

>> There will be minimal disturbance to our property. Meter should be accessed from the road.

>> Before work starts, someone needs to come to the house and let us know. If no one answers, they need to call us at [redacted]

>> All communication needs to be in writing, including before work starts, during repairs and coordinating fixing any and all damage done to the yard by the repairs.

>> You are to work from the road, not from our driveway or parking lot. It is a nasty muddy mess due to the weather. The use of our drive and parking lot is prohibited.

>>

>>

>> Amber and Craig Gaines

>> 5005 Warsaw Road

>> Dry Ridge, ky 41035



You are currently editing your reply in a separate window. Show your draft here.