

RECEIVED

JAN 02 2025

PUBLIC SERVICE
COMMISSION

McKinney Water District
PO Box 7
McKinney, Ky 40448
606-346-2220
Fax 606-346-5145
mckinneywaterdistrict@gmail.com

Response to Customer Complaint Case 2024-00379

Case No. 2024-00379

Response to Complaint Michael and Syke Dick

Please see Previous Response to the Complaint dated 10-08-24 as attached.

Following is the complaint outline and answered for the open case.

Mr. Dick Wrote:

Around November of 2023, we (Michael and Skye Dick) were looking at a property on McDaniel Lane in Stanford, Lincoln county, Kentucky. Around this time, I (Skye Dick) contacted McKinney Water company via phone to inquire about the availability of water service to the property. I was assured by an employee over the phone that there was a water main on McDaniel Lane and that procuring service there would not be an issue. We later purchased the property, and closed in August of 2024.

Answer:

In discussion with the office staff they do not recall a call for information in November 2023. They indicate that they would only indicate that McKinney Water District was the water provider for the area in question. Further, that they would never guarantee availability or conditions of any water service on common call for information without referring it to the manager for review and confirmation.

Mr. Dick Wrote:

After speaking with McKinney Water District via phone, Michael went in a few days later to pay for the new service. On September 13¹ Michael went in person and delivered a check to McKinney Water District for \$2,040.85. This was the fee for a new 1" line and water meter to be placed at 147 McDaniel Lane. Michael told him that we would be very open to that idea, because we may need a couple more meters in the future; but we would like to build our home now, so he showed Mr. Brown where we would like the meter placed, next to the drive on McDaniel Lane- right across the street from the meters currently in place for 120 and 200 McDaniel Lane (It should be noted that the main line actually runs up McDaniel Lane along 147 McDaniel Lane. It has lines added that cross under the road to the neighboring properties).

Answer:

The Office Staff recalls the conversation with Mr. Dick about the requested service tap. The staff questioned the need for a 1-inch water meter on the property for a house. Mr. Dick indicated that there may be additional houses built on the property at some point in the future and that he was concerned about water pressure that may result from a smaller water meter and service line. The staff charged Mr. Dick based on the current rate schedule for a 1-inch meter tap and service. Mr. Brown responded to the request in a timely manner, but realized that there were extenuating circumstances that will be discussed later in this response to the complaint.

Mr. Dick Wrote:

Mr. Brown said that would not be an issue, and that he thought that we could get the line brought all the way into the existing private road (now recorded with Lincoln County as "Cowboy Way"). Mr. Brown returned a couple of times over the next two weeks or so, and brought with him the Chairman of the Board, a Mr. Matt Rankin, as well as a couple of other officials, to discuss the extension of the road and the existing main water line on McDaniel Lane. He also left Michael several small flags and asked him to place the flags along Cowboy Way where we thought water meters might be

needed in the future, which he did. On September 23rd, 2024, I (Skye Dick) called McKinney Water District and spoke with the receptionist, who had Mr. Brown call me back later that same day. When I spoke with Mr. Brown, I asked him when we should expect him to be placing the meter for 147 McDaniel Lane. Mr. Brown told me that he had to meet with some more engineers and the judge about extending the road. He told me that this process could take a year and a half to two years. I told him okay, but we would like to have the meter for our home placed as soon as possible as we were building now. Mr. Brown told me that they couldn't bring it all the way in to Cowboy Way until the road was extended. I told him I understood, but since we were starting construction on our home now, we were fine with the meter being placed next to the driveway on McDaniel Lane, and we could add the other meters later, after the road was extended. Mr. Brown said that he would be out over the next couple of weeks to place the meter. My conversation with Mr. Brown was cordial and I had no reason to believe that I had upset him in any way.

Answer:

Mr. Brown realized at this point that the private driveway they were calling "Cowboy Way" was not a public street with right of way and as such the water line could not be extended to accommodate the original request. The extension of Lincoln County public roads falls under the Planning and Zoning Subdivision Regulations and is the responsibility of the developer/ property owner for the construction and cost to County Standards in order for the road to be accepted into County maintenance. He realized that the District did not have access to this part of the property. He further discovered that the water line on McDaniel Lane was only 2-inch water line. After looking at the proposed location of the house and the small water line with already existing water customers and the potential for several more houses Mr. Brown starting looking for alternatives for the requested water service. Mr. Brown was concerned that the requested service line would not provide the minimum water pressure required by Kentucky Division of Water regulations. Additional discussions were held with the owners of the property between Mr. Rankin the Chairman of the Board of Commissioners and Mr. Brown. The results of which were not to the satisfaction of Mr. and Ms. Dick.

Ms. Dick Wrote:

On September 26th 2024, Michael called me upset because someone from the water company was out on the border of Tract A, on Neals Creek, marking along the road. When Michael approached the worker, He said that he was marking for the new water service for 147 McDaniel Lane. Michael told the worker that he was in the wrong place, and that no water meter should be placed there. The worker called Mr. Brown from his personal cell phone and had Mr. Brown on speaker to speak with Michael. Michael told Mr. Brown that he was marking the wrong tract, and that this is not where we wanted the meter to be placed, as it is a long way from the building site, and not even on the same tract. Mr. Brown stated over the phone on speaker in front of witnesses, "Well, you need to get your woman in check," and "I can put the meter wherever I want to,". Michael told Mr. Brown, that no, we don't want the meter all the way down on Neals Creek, because it's nearly one thousand feet away from where it should be. Shortly after this encounter, the worker left.

Answer: Mr. Brown spoke out of policy when he talked to the customer in this way. Mr. Brown has been issued a letter of reprimand over the issue. This is a personnel action and as such is not subject to publication and is not included in this response.

Mr. Dick Wrote:

Following this, I (Skye Dick) called Mr. Rankin, and spoke to him. I told him of Mr. Brown's sexist comments and behavior after I asked him to place our (already paid in full) water meter before the extension of McDaniel Lane. I asked that the meter be moved to the already agreed upon location on McDaniel Lane. Mr. Rankin told me then that they thought that McDaniel Lane had a 3" water main on it, but that they had discovered that it may only be a 2" line. Mr. Rankin told me that their paperwork and maps all showed a 3" main. He also stated that a 2" main "isn't even allowed" (He also offered no evidence of this). He thought that may be why Mr. Brown wanted to put the service on Neals Creek, because he thought that a 2" line may not support a 1" service. I told him if that was the case, someone could have just told us that, and reducing the service to a ¾" service was acceptable, if necessary, we would just ask that the difference be refunded. I also told Mr. Rankin that no one had told us anything about that, and that the only reasoning given to us was from Mr. Brown when he told Michael that he should get "his woman in check", and that he could put the meter "wherever he wants". At this time I asked Mr. Rankin to resolve the issue by placing the meter on McDaniel Lane as agreed, and that if the service needed to be reduced to ¾" we were fine with that. He told me that he would get back with me after speaking with Mr. Brown. I never heard back from Mr. Rankin.

I gave Mr. Rankin about a week to return my call, and when he did not, I reached out to the Public Service Commission, where I spoke with Rosemary.

October 10th-12th

, Michael was in Tennessee and North Carolina with a few other firefighters for Hurricane relief and support. It just so happened that Mr. Rankin was at the same camp at the same time. Mr. Rankin approached Michael and told him that he should "talk to Punkin" because "Punkin found out that he couldn't put a meter there". Michael told Mr. Rankin that it seemed to be convenient that "Punkin only "found this out" after he was asked to go ahead and place the meter by his (Michael's) wife, and after a complaint was made.

Answer:

Mr. Rankin checked on the issue at hand and found that the District did not have access to this part of the property. He further discovered that the water line on McDaniel Lane was only 2-inch water line.

Mr. Dick Wrote:

On October 23, 2024, I called the Public Service Commission back for a follow-up. I spoke with Rosemary again, who told me that the response to my complaint from McKinney Water District was that the line on McDaniel Lane "could not support multiple meters on the large parcel of property in question". We have at this point only requested (and paid for) a single water meter, to be placed at the drive within 50 ft of the water main, in accordance with 807 KAR 5:066 Section 11. Although, we were told on multiple occasions (November 2023, August 2024, September 2024) that water service was available, and that we could have multiple services in the future if needed.

Answer:

Water service is available and a meter for this service has been set on the property of the requesting customer. It is however not where the customer has requested but many feet away on a larger water main. The McKinney Board of Commissioners has taken this issue under advisement. The Board discussed the pressure situation with the existing customers on McDaniel Lane and they expressed some concern that their pressure would be affected and that they were already noticing pressure fluctuations in their water supply. The measured pressure at 120

McDaniel Lane was 61psi on 12/13/24. Additional investigation of the pressure and flow conditions of the water mains on Neal's Creek Road and McDaniel Lane has been conducted. The static pressure at the proposed meter location will be estimated to be 74 psi. This is above the targeted 35 psi at the meter location. A calculation was made based on the existing 2-inch line and it should be able to flow about 35 gpm without dropping the pressure of the house at 120 McDaniel Lane below 35 psi. The Board has determination that there is sufficient flow and pressure in the water system on McDaniel Lane to allow additional taps to be made at the requested location. However it is anticipated base on the possible locations of the house on the property that the house will not have sufficient pressure to operate properly. The pressure could drop to as low as -41 psi if the house is set at the highest part of the property. Although this is not expected there is significant elevation change on the property. The Board has directed the staff to install the 1-inch meter at the location requested by the customer at no additional cost. Future meters and connection will be taken on case by case basis to determine if sufficient water is available without upsizing the water main on McDaniel Lane. The customer will be asked to sign a waiver indicating that additional water pressure for the house will be their responsibility as long as the District maintains the required pressure at the meter.

Mr. Dick Wrote:

We made the decision to purchase this land based, in part, on the information provided by McKinney Water District that water service would be available to the property for a home and for livestock.

Answer:

In discussion with the office staff they do not recall a call for information in November 2023. They indicate that they would only indicate that McKinney Water District was the water provider for the area in question. Further, that they would never guarantee availability or conditions of any water service on common call for information without referring it to the manager for review and confirmation. It would have been the due diligence of the property owner to confirm the cost of the infrastructure to be installed including the water service. This cannot be done by a cold call to the clerical staff without additional investigation and reply.

Summary:

The Board of Commissioners feels this corrects the disagreement with the customer and should resolve the issues in question with the Kentucky Public Services Commission.

Submitted by Matt Rankin, Chairman
McKinney Water District

10/8/24

Donna Yocum, McKinney Water District, McKinney ,Kentucky

Response to the PSC for the customer complaint attached below: .

*PSC Consumer Inquiry System 10/7/2024 Complaint: 2024-00891 Entry Date: 10/7/2024 Closed Date:
Contact Type: Hotline Name: Dick, Michael Utility:*

*McKinney Water District Address: 147 McDaniel Lane Stanford, KY 40484 County: Lincoln Home: Work:
Fax: CBR Nbr: (859) 399-8647 Mich Cell: (859) 325-3555 Email: Utility Nbr: 25300 Location: Residence
Utility Type: Water Districts Reason: Rates/Policies (Objects to utility policy/practices) (none) ((none))
Complaint referred by: Contacted Utility? Spoke with:*

*Lonnie Brown Cust Relations:Failed To Correct Problem Utility Contact: Donna Yocum Contact's (606)
346-2220 Preliminary Description: Other Contacts: placement of meter*

*Processor: ROSEMARY See File Case Related Staff Referral Confidential Info Only Formal Forms Ref to Util
Customer Yes Satisfied No PSC Narratives:*

Investigator: ROSEMARY Date: 10/7/2024 12:59:40 PM

*Customer states they had met with water company to discuss placement of a meter. According to
customer the water line runs right down the property so don't know why the meter can not be placed
where customer wants it. Please give background to PSC*

The McKinney Water District Lead Operator Lonnie Brown considered the request for the customer service on McDaniel Dr. The Operator determined the existing 2" water main did not have sufficient water pressure to supply the requested water service at the location requested. The existing 2" water main already has several customers on the line and it was considered in sufficient to add additional customers. The property is 90 + acres and may be providing service to more than one household. A decision was made to locate the meter on the existing 6" water main on Neal's Creek Rd.

In addition the property has an increase in elevation of 17 feet to the requested location and additional elevation of 53 feet on the property for a total of 70 feet of elevation head. The operator believes the 6" water main will provide the best water service to the property. The property owner disagrees.

Please see the diagram below.

