

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MICHAEL TERRY)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2025-00109
)	
POWELL'S VALLEY WATER DISTRICT)	
)	
DEFENDANT)	

ORDER

Powell's Valley Water District (Powell's Valley District) is hereby notified that it has been named as a Defendant in a formal complaint filed on April 3, 2025, a copy of which is attached as an Appendix to this Order and incorporated herein.

The Commission finds that pursuant to 807 KAR 5:001, Section 20, Powell's Valley District should satisfy the matters complained of or file a written answer to the complaint within ten days from the date of service of this Order. The Commission directs Powell's Valley District to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission.

IT IS THEREFORE ORDERED that:

1. Powell's Valley District shall satisfy the matters complained of or file a written answer to the complaint within ten days from the date of service of this Order.

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission mandated the use of the electronic filing procedures found in 807 KAR 5:001, Section 8, except for *pro se* formal complaints filed against utilities).

2. Powell's Valley District shall serve any filing made in this matter upon the complainant at the address set forth in ordering paragraph 3.

3. A copy of this Order shall be served by U.S. Postal Service, First Class Mail, on Michael Terry at 1182 Darrell Randall Rd., Stanton, KY 40380.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PUBLIC SERVICE COMMISSION

Signed
w/permission

Angie Hatten
Chairman

Andrew D Wood
Commissioner

Mary Pat Regan
Commissioner

ATTEST:

Linda Bridwell RP
Executive Director



Case No. 2025-00109

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00109 DATED AUG 19 2025

SIX PAGES TO FOLLOW

RECEIVED

MAR 19 2025

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE
COMMISSION

In the matter of:

Michael Terry
(Your Full Name)
COMPLAINANT

VS.

Powell Valley water
(Name of Utility)
DEFENDANT

COMPLAINT

The complaint of Michael Terry
(Your Full Name) respectfully shows:

(a) Michael Terry
(Your Full Name)

1182 Darrell Randall Rd Stantonky 40380
(Your Address)

(b) Powell Valley Water
(Name of Utility)

31 ADAMS Ridge Rd Clay City ky 40312
(Address of Utility)

(c) That: Powell Valley is Refusing to install our water line
(Describe here, attaching additional sheets if necessary,

on our Residence instead they have set our meter Pit on our neighbors Property
the specific act, fully and clearly, or facts that are the reason

230 Ft From our property. IN turn having me dig all of that worms yard
and basis for the complaint.)

up cause i couldnt get through the rock all along there not being able to

water line deep enough also paid for + Brought in Fill dirt to try to
get Coverage. Crossing her walkways + 2 drive ways we have spent mon
on Fixing, Still cant get deep enough. Powell Vally has a Bore machine
for these purposes stating in their Contract its to be located on our property

Continued on Next Page

Formal Complaint

_____ vs. _____

Page 2 of 2

Wherefore, complainant asks _____
(Specifically state the relief desired.)

Dated at Stanton, Kentucky, this 16th day
(Your City)

of March, 2025
(Month)

(Your Signature*)

(Name and address of attorney, if any)

3-16-25
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.

3/16/25

Kentucky Public Service Commission

211 Sower Blvd.

Frankfort, KY 40601

To Whom it May Concern;

My complaint regarding the water company's refusal to extend the distribution system to our property, as mentioned on page 36, section V.1, of the Powell's Valley Water District Rules and Regulations. The water line was discussed with a representative from Powell's Valley Water District, who instructed us to dig our water line across our neighbor's property and driveway. Page 32 of the rules and regulations, paragraphs 2-4 state that, (2.) Obtaining easement and right-of-ways necessary to extend service will be the responsibility of the utility. (4.) Utility cannot require a prospective customer to obtain easements or right-of-way on property not owned by the prospective customer as a condition for providing service.

To connect to the city's service, we need to cross the neighbor's property, and there is no way to avoid crossing her very small driveway. This leaves her without access to her home or the ability to park her car. This neighbor has lodged numerous complaints about our initial attempts to connect to Powell Valley Water service on her property after we were instructed by the utility to do so. She has contacted various officials to voice her concerns. Additionally, her yard consists of solid rock beneath the surface, which prevents us from burying the line deep enough.

My belief, according to the Rules and Regulations the utility has set forth, is that the utility should be responsible for bringing the water distribution to our property.

Regards,

Mike Terry

FOR Clay City, Rural Powell and Estill Counties
in Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 36

Powell's Valley Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

RULES AND REGULATIONS

pressure at the customer's service pipe under normal conditions fall below thirty- (30) psig nor will the static pressure exceed 150 psig.

2. Pressure surveys. At least once a year the utility will make a survey of pressures in its distribution system of sufficient magnitude to indicate the quality of service being rendered at representative points in its system. Pressure charts for these surveys will show the date and time of beginning and end of the test and the location at which the test was made. Records of these pressure surveys will be maintained at the utility's office and will be made available to the Public Service Commission upon request.

V. Service Lines & Connections.

1. The utility will furnish and install at its own expense for the purpose of connecting its distribution system to the customer's premises that portion of the service connection from its main to and including the meter and meter box. The utility will recoup this expense from the customer in accordance with KRS 278.0152.
2. In areas where the distribution system follows well-defined streets and roads, the customer's point of service will be located at that point on or near the street right-of-way or property line most accessible to the utility from its distribution system. In areas where the distribution system does not follow streets and roads, the point of service will be located as near the customer's property line as practicable. Prior to installation of the meter the utility will consult with the customer as to the most practical location.
3. Depth of service line. All service lines must be laid at a sufficient depth (a minimum of 24 inches) to prevent freezing during the coldest weather normally experienced except where services are not intended for use during freezing weather and are actually drained during such periods.

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY Steph Evers
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

NOV 14 2003

PURSUANT TO 807 KAR 5.011
SECTION 9 (1)

BY Charles H. Dumas
EXECUTIVE DIRECTOR

FOR Clay City, Rural Powell and Estill Counties
in Kentucky
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 32

Powell's Valley Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RULES AND REGULATIONS

1. The utility shall at all reasonable hours have access to meters, service connections, and other property owned by it and located on customer's premises for purposes of installation, maintenance, meter reading, operation, replacement or removal of its property at the time service is terminated. Any employee of the utility whose duties require him/her to enter the customer's premises will wear a distinguishing uniform or other insignia identifying him/her as an employee of the utility, or show a badge or other identification which will identify him/her as an employee.
 2. Obtaining easements and right-of-ways necessary to extend service will be the responsibility of the utility.
 3. All customers must grant, convey, or cause to be granted or conveyed to the utility a perpetual easement and right-of-way across any property owned or controlled by the customer wherever necessary for the utility's facilities in order to provide service.
 4. The utility cannot require a prospective customer to obtain easements or rights-of-way on property not owned by the prospective customer as a condition for providing service. However, the cost of obtaining easements or rights-of-way will be included in the total per foot cost of an extension, and will be apportioned among the utility and customer in accordance with the applicable extension administrative regulation.
- P. Location of Records. All records required by Public Service Commission rules and regulations will be kept in the office of the utility and will be made available to representatives, agents or staff of the Public Service Commission upon reasonable notice at all reasonable hours.
- Q. Safety Program. The utility will adopt and execute a safety program, appropriate to the size and type of its operations. At a minimum, the safety program will:
1. Establish a safety manual with written guidelines for safe working practices and procedures to be followed by utility employees.

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY [Signature]
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION

IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

NOV 14 2003

PURSUANT TO 807 KAR 5:011
SECTION 9 (1)

BY [Signature]
EXECUTIVE DIRECTOR

1997

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LEONARD E. KIRCH
CAROL KIRCH
BORN 1918 - 1919
FAC 12-1-1919

H. & S. LONDON
24, FLEET ST. E.C. 4

OWNERS/CUENTS
JERRY L. MILLER
P.O. BOX 1320
STANTON, KY 40380
FRANK & PEGGY ELKINS
340 FAULKNER LANE
STANTON, KY 40380

PROPERTY LOCATIONS: QUEEN, BRUNSWICK, ST. LOUIS, POLAR, BOSTON, JERSEY

SOLE 1-220	CRD FILE PETERAN2	CRD FILE PETERAN	FILE NO. Q1-490
SUBMITTED BY WILLIAM E. POWELL MAR 28 1975 FBI REC-485 FBI OF 40312		FBI REC-485 MAR 28 1975 FBI REC-485 FBI OF 40312	FILE NO. Q1-490 MAR 28 1975 FBI REC-485 FBI OF 40312

Michael Terry
76 Baber Hollow Road
1182 Darrell Randell Road Stanton, KY
Clay City, KY 40312

*Powell's Valley Water District
31 Adams Ridge Road
P. O. Box 550
Clay City, KY 40312