

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CAROLYN F. DRAKE)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2025-00138
)	
LARUE COUNTY WATER DISTRICT #1)	
)	
DEFENDANT)	

ORDER

On May 1, 2025, Carolyn F. Drake (Complainant or Ms. Drake) filed a complaint alleging that Larue County Water District #1 (Larue District #1) failed to send notice prior to shutting off her water service for non-payment. For the reasons discussed below, the Commission finds that a *prima facie* case has not been established and that Complainant should be given 20 days to amend the complaint to establish a *prima facie* case or the case should be dismissed.

LEGAL STANDARD

Pursuant to KRS 278.260, the Commission has jurisdiction over complaints regarding rates of service. Commission regulation 807 KAR 5:001E, Section 20(4)(a), requires the Commission to examine the complaint to ascertain if the complaint establishes a *prima facie* that the utility has violated a statute, regulation, tariff, or order for which the Commission may grant relief.¹ A complaint establishes a *prima facie* case

¹ 807 KAR 5:001E, Section 20(4)(a).

when, on its face, it states sufficient allegations that, if uncontroverted by other evidence, would entitle the complainant to the relief requested.

If a complaint fails to establish a *prima facie* case or conform to the administrative regulation, 807 KAR 5:001E, Section 20(4)(a)(1) provides that the complainant be notified and provided an opportunity to amend the complaint within a specified time. Additionally, 807 KAR 5:001E, Section 20(4)(a)(2) provides that if the complaint is not amended within the time that the Commission grants, then the complaint shall be dismissed.

Commission regulation 807 KAR 5:006, Section 15 regulates the refusal or termination of service by a utility. In particular, Section 15(1)(f) states that “[a] utility may terminate service at a point of delivery for nonpayment of charges” and requires water utilities to give a 5-day written notice before terminating service for non-payment.

BACKGROUND

Complainant stated that on April 28, 2025, her water was cut off without notice by Larue District #1 for non-payment. She further stated that she had paid her bill online on April 7, 2025. The Complainant further alleged that Larue District #1 has a policy of sending no late notices.

DISCUSSION AND FINDINGS

While Ms. Drake’s complaint alleges that Larue District #1 has violated Commission regulation, she has not requested any specific relief from the Commission that it could grant, only that Larue District #1 failed to send advanced notice prior to shutting of her water service.

Having reviewed Ms. Drake’s complaint and the evidence submitted, the Commission finds that she has not established a *prima facie* case that the utility has

violated a statute, regulation, tariff, or order for which the Commission may grant relief. In accordance with 807 KAR 5:001E, Section 20(4)(a)(1)-(2), the Commission finds that the Complainant should be afforded the opportunity to amend her complaint. In this instance, the complaint may be determined to establish a *prima facie* case if a specific relief is requested that is within the Commission's authority to grant which may include refund of any reconnection fees if the utility is found to have disconnected the service in violation of regulation or tariff. The Commission further finds that Ms. Drake should file an amended complaint within 20 days of the date of service of this Order. Ms. Drake may file her amended complaint by U.S. mail or by email to PSCED@ky.gov.

IT IS THEREFORE ORDERED that:

1. Ms. Drake's complaint is rejected for filing for failing to state a *prima facie* case.
2. Ms. Drake shall have 20 days from the date of service of this Order to file an amended complaint with the Commission that conforms to the requirements of 807 KAR 5:001E, Section 20(1), and that states a *prima facie* case.
3. Ms. Drake may file her amended complaint with the Commission by U.S. mail to 211 Sower Blvd., Frankfort, Kentucky 40601 or by email to PSCED@ky.gov. Ms. Drake shall include the case number, 2025-00138, in all filings with the Commission.
4. A copy of this Order shall be served upon Ms. Drake by the U.S. Postal Service First-Class and Certified Mail, Return Receipt Requested, at 4194 Munfordville Road, Sonora, Kentucky 42776.

Entered on this 8th day of April, 2026.


PUBLIC SERVICE COMMISSION



Angie Hatton
Chairman



Mary Pat Regan
Commissioner



Andrew W. Wood
Commissioner

ATTEST:



Linda C. Bridwell, PE
Executive Director

Service List for 2025-00138

Carolyn F. Drake
4194 Munfordville Road
Sonora, KY 42776

* Larue County Water District #1
421 Strange Road
Hodgenville, KY 42748