

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KRISTYN KATE STASEL	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2025-00197
	)	
HARDIN COUNTY WATER DISTRICT NO. 2	)	
	)	
DEFENDANT	)	

ORDER

This issue arises from a complaint filed by Ms. Kristyn Stasel against Hardin County Water District No. 2 (Hardin District No. 2) concerning the disconnection of her water service at 620 Stewart Court, Apt. A, Elizabethtown, Kentucky 42701. For the reasons discussed below, the Commission finds that a prima facie case has not been established, and that Ms. Stasel 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 or service.<sup>1</sup> Commission regulation 807 KAR 5:001, Section 20(1)(c), requires each complaint to state fully, clearly and with reasonable certainty, the act or omission, of which failure to comply is alleged.<sup>2</sup> Furthermore, 807 KAR 5:001,

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<sup>1</sup> KRS 278.206.

<sup>2</sup> 807 KAR 5:001, Section 20(1)(c).

Section 20(4)(a), requires the Commission to examine the complaint to ascertain if the complaint establishes a prima facie case that the utility has violated a statute, regulation, tariff, or order for which the Commission may grant relief.<sup>3</sup> A complaint establishes a prima facie case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant to the requested relief. If a complaint fails to establish a prima facie case, it may be dismissed. However, 807 KAR 5:001, Section 20(4)(a)(1), allows a complainant to amend a complaint within a specified time.<sup>4</sup>

### BACKGROUND

On May 23, 2025, Ms. Stasel tendered a formal complaint with the Commission against Hardin District No. 2 concerning the disconnection of her water service on December 30, 2024.<sup>5</sup> In the complaint, Ms. Stasel alleged that Hardin District No. 2 illegally disconnected her water service during freezing cold temperatures without providing a disconnection notice,<sup>6</sup> that she was forced to pay \$100 in reconnection and penalty fees,<sup>7</sup> and has since received repeated penalty charges without transparent billing explanation.<sup>8</sup>

In addition, Ms. Stasel alleged that her initial informal complaint, submitted to the Commission on January 2, 2025, was closed without any notice, request for

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<sup>3</sup> 807 KAR 5:001, Section 20(4)(a).

<sup>4</sup> 807 KAR 5:001, Section 20(4)(a)(1).

<sup>5</sup> Complaint (filed May 23, 2025).

<sup>6</sup> Complaint at 4–5.

<sup>7</sup> Complaint at 5.

<sup>8</sup> Complaint at 6.

documentation or chance to respond in violation of 807 KAR 5:006, Section 13(2).<sup>9</sup> In addition, Ms. Stasel alleged a violation of 807 KAR 5:066, Section 5(2).<sup>10</sup>

### DISCUSSION AND FINDINGS

Ms. Stasel's complaint does not state fully, clearly and with reasonable certainty an act or omission by Hardin District #2 of which failure to comply is alleged. Nor does Ms. Stasel currently allege a violation of a regulation, Commission Order, tariff or statute by Hardin District No. 2.

Concerning the disconnection of water service on December 30, 2024, Ms. Stasel received Bill No. 9085818 on November 22, 2024, with a due date of December 8, 2024.<sup>11</sup> There were insufficient funds in her account and the payment was returned on December 9, 2024.<sup>12</sup> Ms. Stasel's account was adjusted with the addition of a \$12 return payment charge in accordance to Hardin District No. 2 tariff sheet 8.<sup>13</sup> Hardin District No. 2 issued a return payment notice on December 12, 2024, stating that payment must be received on or before December 23, 2024, or service would be disconnected for non-payment with an additional \$40 service fee charged to restore services, attached as

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<sup>9</sup> Complaint at 5; 807 KAR 5:006 section 13(2) states "[u]pon request that service be reconnected at a premises subsequent to the initial installation or connection to its service lines, the utility may, subject to subsection (3) of this section, charge the applicant a reconnect fee established in its filed tariff."

<sup>10</sup> Complaint at 6; 807 KAR 5:066 Section 5(2) states "(2) Pressure gauges. Each utility shall provide itself with one (1) or more recording pressure gauges to make pressure surveys as required by these rules. These gauges shall be suitable to record the pressure experienced on the utility's system and shall be able to record a continuous twenty-four (24) hour test. One (1) of these recording pressure gauges shall be maintained for a minimum of one (1) week per month in continuous service at some representative point on the utility's mains."

<sup>11</sup> Complaint at 13.

<sup>12</sup> Complaint at 13.

<sup>13</sup> P.S.C. Ky. No. 14, Sheet No. 8 (issued Aug. 5, 2024), effective Jul. 29, 2024.

Appendix A to this Order.<sup>14</sup> Regarding the lack of services during winter weather, while some states do have laws preventing utilities from disconnecting services when temperatures drop below freezing, Kentucky is not one of them.

As to Ms. Stasel being forced to pay \$100 in reconnection and penalty fees, the only fees added to her account were the \$12 return payment charge and the \$40 reconnect charge<sup>15</sup> in accordance to Hardin District #2 tariff sheet 8.<sup>16</sup> All penalty charges after the December 31, 2024 reconnection are late payment penalties of 10 percent, also in accordance to Hardin District No. 2 tariff sheet 8.<sup>17</sup>

Ms. Stasel's initial informal complaint, submitted to the PSC on January 2, 2025, was addressed by the Commission's Division of Consumer Services and resolved according to 807 KAR 5:001, Section 21. According to Subsection 4 of Section 21, in the event of failure to bring about satisfaction of the complaint, the proceeding shall be held without prejudice, allowing the complainant the right to file a formal complaint, which is the process used to develop Ms. Stasel's current complaint.<sup>18</sup>

Having reviewed Ms. Stasel's complaint and the case record, the Commission finds that Hardin District No. 2 has acted in accordance with their approved tariffs, and all applicable statutes and regulations. The Commission further finds that beyond the above finding, Ms. Stasel has not fully, clearly and with reasonable certainty stated the act or omission that Hardin District #2 is alleged to have committed as required by 807 KAR

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<sup>14</sup> The information attached was received from the Division of Consumer Services.

<sup>15</sup> Complaint at 5.

<sup>16</sup> P.S.C. Ky. No. 14, Sheet No. 8 (issued Aug. 5, 2024), effective July 29, 2024.

<sup>17</sup> P.S.C. Ky. No. 14, Sheet No. 8 (issued Aug. 5, 2024), effective July 29, 2024.

<sup>18</sup> 807 KAR 5:001, Section 21(4).

5:001, Section 20(1)(c), thus has failed to establish a prima facie case that the utility has violated a statute, regulation, tariff, or order for which the Commission may grant relief. The regulations that were cited are inapplicable and viewing the evidence in the light most favorable to complainant, there does not appear to be a violation of an applicable regulation, statute, or tariff.

In accordance with 807 KAR 5:001, Section 20(4)(a)(1), the Commission finds that Ms. Stasel should be afforded the opportunity to amend her complaint concerning the disconnection of her water service. The commission further finds that Ms. Stasel should file an amended complaint within 20 days of the date of service of this Order. Ms. Stasel may file her complaint by U.S. mail or by email to [PSCED@ky.gov](mailto:PSCED@ky.gov).

IT IS THEREFORE ORDERED that:

1. Ms. Stasel's complaint is rejected for filing for failing to state a prima facie case.
2. Ms. Stasel 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 5:001, Section 20(1), and that states a prima facie case.
3. Ms. Stasel may file the amended complaint with the Commission by U.S. Postal Service mail to 211 Sower Boulevard, Frankfort, Kentucky 40601 or by email to [PSCED@ky.gov](mailto:PSCED@ky.gov). Ms. Stasel shall include the case number 2025-00197 in all filings with the Commission.
4. A copy of this Order shall be served on the Complainant, Ms. Kristyn Stasel, by U.S. Postal Service, Certified Mail, Return Receipt Requested, and First-Class Mail, at (1) 600 Bellwood Court, Apt. C4, Elizabethtown, Kentucky 42701; and (2) 620 Stewart

Court, Apt. A, Elizabethtown, Kentucky 42701. Service shall be considered complete on the first day the U.S. Postal Service attempts delivery of the certified mail.

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PUBLIC SERVICE COMMISSION

Chairman

Commissioner

Commissioner

ATTEST:

Linda Birdwell   
Executive Director



Case No. 2025-00197

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2025-00197 DATED SEP 04 2025

TWO PAGES TO FOLLOW



**Hardin County Water District No. 2**  
1951 West Park Road \* P.O. Box 970 \* Elizabethtown, KY 42702  
Telephone (270) 737-1056 \* Fax (270) 737-2301 \* www.hcwd2.org

**Returned Payment Notice**

Date: Thursday December 12, 2024

Account Number: 75082-0

CID Number: 72529

Name: KRISTYN K. STASEL

Address: 620 STEWART ST #A

Dear Customer:

Your payment in the amount of \$42.68 was returned to our office on 12/12/2024 by the bank for the following reason(s):

\_\_\_\_\_ Insufficient Funds

\_\_\_\_\_ Account Closed/Frozen

\_\_\_\_\_ No Account/Unable to Locate

\_\_\_\_\_ Stopped Payment

\_\_\_\_\_ Other \_\_\_\_\_

Check Amount \$42.68

Service Charge \$12.00

**Amount Due \$54.68**

**Payment must be cash, money order, cashier's check or Visa/MasterCard** and must be received on or before 12/23/2024 or your service will be disconnected without further notice. Should your services be disconnected for non-payment, there will be an additional \$40 service fee to restore your services.

(We have temporarily blocked your portal access until payment for your return is made with one of the required payment methods listed above. Once that payment is made, we will restore your portal access so you can continue to pay online.)

(Effective 11/6/2024, the \$12 return fee is a pass-through fee from the payment processor. We are no longer able to refund this fee under any circumstances.)

Sincerely,

Accounts Receivable Department



What are you looking for?

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## EFT/ACH Reject Detail for Invoice: 9085818

**Reject Date:** 12/11/2024

**Customer:** "KRISTYN K. STASEL"

**Account #:** 75082-0

**Invoice #:** 9085818

**Transaction Type:** Debit

**Receiving Bank RTE:** 083000137

**Receiving Bank DDA:** XXXXX5662

**Amount:** 42.68

**Reject Code:** R01 - Insufficient Funds

**Correction Info:**



\*Kristyn Stasel  
620 Stewart Court  
Apt. A  
Elizabethtown, KY 42701

\*Hardin County Water District #2  
1951 West Park Road  
P. O. Box 970  
Elizabethtown, KY 42702-0970