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MAY 29 2026

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

PUBLIC SERVICE
COMMISSION

In the matter of:


Teresa Biagi Raphe Ellis
(Your Full Name) COMPLAINTANT

VS.

Ky. American Water
(Name of Utility) DEFENDANT

COMPLAINT

The complaint of Teresa Biagi Raphe Ellis respectfully shows:
(Your Full Name)

(a) Teresa Biagi Raphe Ellis
(Your Full Name)
1585 Butler Inn Rd. Worthville, Ky. 41098


(b) Kentucky American Water
(Name of Utility)
(Address of Utility)

(c) That: Address of offending meter is 2710 Hwy. 227 N. Worthville, Ky. 41098
(Describe here, attaching additional sheets if necessary, the specific act, fully and clearly,
*see attached description
or facts that are the reason and basis for the complaint.)

Teresa Biagi Rephe E/ls vs. Ky. American Water

Wherefore, complainant asks

* see attached description

(Specifically state the relief desired.)

Dated at Worthville Kentucky, this 29 day of

(Your City)

May, 2026

(Month)

Teresa Biagi Rephe E/ls
(Your Signature)

5/29/2026

Date

(Name and Address of Attorney, if any)

*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.

Teresa Biagi & Raphe Ellis VS. Kentucky American Water

COMPLAINT

(c)

That: Offending address of 2710 Hwy. 227 North Worthville, KY 41098 - Kentucky American Water is maintaining an unauthorized foreign utility line and water meter on our private property (address stated above) without a recorded easement. This infrastructure blocks our only state-approved driveway site, serves zero purpose for our property, and acts as an unauthorized transmission line. Despite KAW's lack of an easement, this line services a cluster of three independent households via a downstream splice, directly violating standard PSC residential metering tariffs.

Chronological Timeline of Events:

October 29, 2025: Met on-site with KAW representative Jeremy Dempsey. Mr. Dempsey explicitly pointed to a spot on the neighbor's property (Mr. Duvall, whose home is served by the line) and asked if we were okay with placing the meter there. Mr. Duvall replied, I'll do what I got to do. Mr. Dempsey then explicitly promised that as soon as we secured our state encroachment permit, KAW would move the meter to that spot.

October 30, 2025: Based on KAW's verbal commitment, we immediately applied for our driveway encroachment permit with Rick Shay at the Kentucky Transportation Cabinet (KYTC).

February 18, 2026: Emailed John Magner (KAW) explicitly requesting the removal of the KAW meter because it is actively causing our property to be landlocked.

February 23, 2026: John Magner replied stating that the KAW legal team was actively reviewing the matter.

March 5, 2026: After investigating the source of the downstream splice, I emailed John Magner to explicitly inform KAW that their single meter was unlawfully servicing three separate households.

March 25, 2026: The KYTC officially issued our encroachment permit. We immediately informed KAW of the issuance, triggering the verbal agreement made by Mr. Dempsey. KAW instead stalled and provided a vague 45-day resolution window.

May 6, 2026: After KAW blew past their 45-day estimate, John Magner finally emailed to admit that multiple properties are served by the single meter. Breaking Mr. Dempsey's original promise, he suggested a possible option to temporarily relocate the meter only if we signed a simple right-of-entry agreement.

May 14, 2026: Anne Trout (Vice President and General Counsel for KAW) emailed claiming they have a solution that accomplishes the meter removal from our driveway site, but conditioned it by demanding written permission to relocate a temporary meter elsewhere on our private property.

Mid-May 2026 (Phone Call with Jeremy Dempsey): Mr. Dempsey stated on the phone that he could physically move the meter in a single day, proving the 45+ day delay is purely administrative and intentional.

Current Week of May 2026 (Follow-up Call with Jeremy Dempsey): I asked Mr. Dempsey why their proposed temporary fix had to sit on our land. He admitted that KAW requires it because that's where Mr. Duvall's line lays now for the tie in. KAW is openly admitting they want to occupy our private land solely to accommodate a neighbor's private line.

Current Status Utility Non-Compliance: We have officially rejected KAWs conditional proposals. KAW has no recorded easement on our property deed. This infrastructure operates functionally as an unauthorized commercial distribution main to service a three-house compound. KAWs executive legal team is breaking the verbal agreement made by their own representative on October 29th and is instead attempting to leverage our landlocked status to force us to sign a right-of-entry agreement to maintain this illegal configuration on our private land. KAW continues to stall access to our landlocked property based on unrecorded 24-year existence claims.

Wherefore, complainant asks:

Desired Resolution: We request that the PSC order KAW to fulfill the original agreement made by Jeremy Dempsey on October 29, 2025, and permanently move the water meter, service line, and all associated third-party infrastructure entirely off our private property and onto Mr. DuVall's property or the public right-of-way.

We can provide you with files of our deed to the 2710 Hwy. 227 North property, the KYTC encroachment permit for the driveway access, and all the emails that have been sent and received as outlined in this complaint.