

Friday, June 12, 2026

In the Matter of:

CASE NO. 2026-00152

**TERESA BIAGI AND RAPHE ELLIS – COMPLAINANT
KENTUCKY-AMERICAN WATER COMPANY – DEFENDANT**

RECEIVED
JUN 12 2026
**PUBLIC SERVICE
COMMISSION**

MOTION FOR EMERGENCY RELIEF AND EXPEDITED STATUS CONFERENCE

Complainant, Teresa Biagi and Raphe Ellis, respectfully move the Kentucky Public Service Commission (PSC) to grant Emergency Relief and order an Expedited Status Conference on this matter.

In support of this Motion, Complainant states as follows:

1. Immediate Material Harm: Defendant, Kentucky-American Water (KAW), maintains a water meter infrastructure directly inside Complainant's legally permitted driveway site, completely halting property use and development.
2. Admission of Regulatory Violation: On May 6, 2026, KAW Engineer John Magner admitted via email that KAW is fully aware this single meter infrastructure actively serves multiple separate customer households, none of which reside on the Complainant's property. This infrastructure configuration represents a flagrant, ongoing violation of 807 KAR 5:066, Section 15, which mandates separate meters for distinct customer service connections.
3. Coercive Leverage: KAW Chief Legal Counsel Anne Trout and Engineer John Magner have refused Complainant's requests for a physical site inspection, offering only an un-surveyed aerial photo sketch. KAW is actively using the stalled status of Complainant's permitted property access as financial leverage, conditioning a one-week relocation on Complainant signing a "Temporary Right-of-Entry" to grant KAW expanded rights over private land to maintain an improper utility configuration.
4. Relief Requested: Complainant requests that the Commission:
 - o Shorten Defendant's time to answer this emergency motion to five (5) business days.
 - o Order KAW to immediately cease pressure tactics regarding the Temporary Right-of-Entry.
 - o Order an immediate site inspection by independent PSC Engineering Staff to document the encroachment and trace the multi-customer tap.
 - o Compel an Expedited Status Conference to order KAW to permanently relocate the meter and separate the service lines at KAW's sole expense.

Respectfully submitted,
Teresa Biagi & Raphe Ellis

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