

From: [Melnykovych, Andrew \(PSC\)](#)
To: [Arms, Justin M.](#)
Subject: RE: Bush Gardens Case: 2015-00306
Date: Thursday, April 14, 2016 12:45:50 PM

Dear Mr. Arms-

A final order has been issued in this case and the record has been closed. Therefore, your e-mail will be placed into the post-case correspondence file in this matter.

Thank you for your continued interest.

Andrew Melnykovych

Director of Communications
Kentucky Public Service Commission
502-782-2564 (direct) or 502-564-3940 (switchboard)
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Andrew.Melnykovych@ky.gov

RECEIVED

By Kentucky PSC at 12:54 pm, Apr 14, 2016

From: Arms, Justin M. [REDACTED]
Sent: Monday, April 11, 2016 11:39 PM
To: PSC - Public Information Officer
Subject: Bush Gardens Case: 2015-00306

To Whom It May Concern,

My name is Justin Arms, current resident of 11 Tobacco Rd. in Sitka. In August of 2011, my wife and I purchased our very first house in the Bush Gardens Subdivision. It was a place that we believed would be a starter house and move on to another in time. However, over that time, it has grown in to something much more than a house. It is our home. Since living in Bush Gardens, our family has grown from two to now a family of four. This is the place where our many memories were made; birthday's, Christmases, and first steps were taken to name a few.

Over the past calendar year, Mr. Dave Bowling along with his legal representation has been in contact with all residents in our subdivision regarding setting a rate for the sewer system. When our home was purchased, my wife and I purchased it under the presumption that there is a working sewage treatment facility and we would be required to pay a reasonable and nominal rate. Not once did we expect or anticipate receiving this service free but we had yet to receive any type of bill even when requested through other members of our community.

Presently, we are now presented with the possibility of paying over \$120/month for sewage services. Not only is that roughly twice the amount that other residents of our county pay for the same services, but it would put a financial hardship on the residents of our subdivision, including myself. My wife is a medical assistant and has been out of work since the birth of

our daughter last year due to her employer relocating. As a secondary teacher, I have a fixed income and am struggling monthly living paycheck to paycheck. I should not be forced to make a decision of paying an outrageous fee or provided the necessary items for my wife and children. Bush Gardens was founded upon the idea of providing reasonable housing for lower income families. Now, ironically we are being asked to pay some of the highest rates for services in the entire Commonwealth.

During the public hearing in March, I was unable to attend due to being sick with the flu. I did however attempt to call with my statements and view the online live stream, but unfortunately those efforts were unsuccessful. Although late, I do hope that you take my statement in to consideration before ultimately coming to a final decision. Thank you.

JUSTIN ARMS
ENGINEERING & MATHEMATICS TEACHER
ASSISTANT FOOTBALL & BASEBALL COACH
257 N. MAYO TRAIL
PAINTSVILLE, KY 41240



From: [Melnykovych, Andrew \(PSC\)](#)
To: "Ash Litteral"
Subject: RE: Public Comments Regarding Case No. 2015-00306
Date: Thursday, April 14, 2016 12:46:45 PM

Dear. Ms. Litteral:

A final order has been issued in this case and the record has been closed. Therefore, your e-mail will be placed into the post-case correspondence file in this matter.

Thank you for your continued interest.

Andrew Melnykovych

Director of Communications
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RECEIVED

By Kentucky PSC at 12:53 pm, Apr 14, 2016

From: Ash Litteral [REDACTED]
Sent: Tuesday, April 05, 2016 1:00 PM
To: PSC - Public Information Officer
Subject: Public Comments Regarding Case No. 2015-00306

To whom it may concern at the PSC,

I am one of the residents of the Bush Garden Subdivision and my name is Ashley Litteral. While I will readily acknowledge that a rate needed to be set in this case, I am absolutely appalled that a rate of \$123.65 was given. I thought the Public Service Commission existed to protect the interests of the public? That clearly is not the case in this situation. After attending the rate hearing in person, and hearing the testimony of the people the rate was given to, I am absolutely stunned that this decision was reached. While I can certainly understand the predicament the PSC was put in regarding this case, I simply cannot fathom how after all that was said and not done on behalf of the company wanting the rate, it was decided that this was the best course of action for everyone involved. The sewer plant in question still isn't running right, and will never run correctly how it is set up now. The many citations given over the years prove this point, yet this was ignored. The system as it is now will NEVER run properly because it is "starved" for solids which are required for the system to run properly. I dare say no other people in the entire United States pay a rate this high for basic sewer services. The fact that sewage systems like the one that serves my subdivision can even be installed in the first place is baffling to me. These should be against the law if any rate proposed can be given regardless of how well said system performs.

Given all of this, I think it would be in the residents of Bush Garden's best interests if you did indeed mediate talks between the two parties as you have offered on page 14 of the order giving the initial rate. I would certainly love to just move on at this point and put in my own septic system. Given \$123 a month, even if it costs me \$4000 to put one in, I would be much better off in the long run. However, there is no guarantee I can even do so. The cost to do so is a major concern but my bigger concern is if I even have enough land/space to do so. Keep in mind I have more space on my property than many others do. So they are in even worse shape than me. Again, I completely understand that a rate had to be set. No one is arguing that fact in any way. I would even agree that a rate needed to be given that was higher than what most people pay, but \$123.65 is just completely absurd.

Thank you for your time and concern in this matter,

Ashley Litteral

From: [Melnykovych, Andrew \(PSC\)](#)
To: ["James Melvin"](#)
Subject: RE: Bush Gardens LLC Case No. 2015-00306
Date: Thursday, April 14, 2016 12:46:12 PM

Dear. Mr. Melvin:

A final order has been issued in this case and the record has been closed. Therefore, your e-mail will be placed into the post-case correspondence file in this matter.

Thank you for your continued interest.

Andrew Melnykovych

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RECEIVED

By Kentucky PSC at 12:53 pm, Apr 14, 2016

From: James Melvin [REDACTED]
Sent: Friday, April 08, 2016 6:13 PM
To: PSC - Public Information Officer
Subject: Bush Gardens LLC Case No. 2015-00306

To whom it may concern:

My name is James Melvin and I live in Bush Gardens Subdivision. I know a rate needed to be set. but the rate of \$123.65 that was given is beyond understanding. I attended a hearing and heard the testimony of the people the rate was given to. The evidence that the Attorney General presented at the hearing said the sewer plant was in violation as early as 2003 and has had 8 violations from 2005 thru 2016. The violations from 2005 thru 2016 state that the plant is being starved for solids, meaning it is not operating correctly. This condition still exists due to the septic tanks in our yards (that we didn't know we had when we bought our house). This plant was not working correctly and is not working correctly, but the Public Service Commission chose to make Bush Gardens LLC a utility and give it a rate of \$123.65. How is that SERVING the PUBLIC!

I think that this rate is higher than any of the Commissioners or the Public Service Commission staff pay. I received my first bill dated March 30, 2016. The bill was for 8 days (3/24/16 - 3/31/16) the amount of the bill was \$31.92. That's \$3.99 per day. This is equal to lunch at a fast food restaurant per day. This rate is and will be a hardship on the families of this subdivision.

At the hearing I asked for someone to define what Bush Gardens LLC as a utility consists of? What are their responsibilities to the resident, what do they maintain and what is the home owner to maintain. But I have yet to receive an answer. Bush Gardens LLC has been made a utility with no defined responsibilities to it's customers. We are just to hand over \$123.65 per month (\$3.99 per

day). I ask how is this serving the public?

I would like to ask the Public Service Commission to mediate between all interested parties as offered on page 14 of the order giving the rate.

Thank you for your consideration,
James Melvin

Sent from [Mail](#) for Windows 10,

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