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Legal Filing Claims WAPA Cut Power to Elderly Oxygen-Dependent Woman Despite Medical Exemption on File

A new motion against WAPA claims the utility disconnected power to 82-year-old Kathy Easterday, forcing her to crawl up 33 steps for help despite a medical letter on file and having made payments on disputed and allegedly inflated bills.

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Kathy Easterday

A new filing in the [proposed class action lawsuit](#) against the V.I. Water and Power Authority over defective smart meters alleges that WAPA has once again disconnected power to an elderly resident in poor health.

The motion, asking the court for a ruling on several pending motions, tells the story of Kathy Easterday, an octogenarian who relies on oxygen and a nebulizer. Her power went out at 3 p.m. on January 27. “At first, Mrs. Easterday thought it was a rolling blackout,” the motion says. By 6 p.m., Mrs. Easterday was in a panic because the power still had not returned. According to the motion, she “knew she didn’t have much time to get help because she could not breathe.” Because the top floor of her home had been damaged in the 2017 hurricanes, Mrs. Easterday now confined herself to the lowest level of the house. The 82-year-old, 97-pound woman “was forced to crawl up 33 steps to the road for help,” the filing claims. In the rain and the dark, she waited until someone called an ambulance. “Mrs. Easterday could have easily died on those steps or been hit by a car,” the filing says.

Eventually, the motion says, a kind neighbor made some calls and reportedly determined that WAPA had disconnected Mrs. Easterday’s power, notwithstanding the medical letter apparently on file. Further, it was discovered that the individuals who removed the meter from her home had damaged the base to such an extent that it would have to be replaced.

According to the filed motion, WAPA CEO Karl Knight was informed of Mrs. Easterday’s situation on the ninth day of her disconnection. He allegedly acknowledged that the elderly woman should not have been disconnected but chose to defer to the individual who, according to the motion, knowingly authorized the disconnection of a meter belonging to a woman dependent on electrical medical equipment for survival.

Reached for comment, WAPA Communications Director Shanelle Petersen explained that even with medical notes on file, consumers can still be disconnected after 60 days and multiple warnings. Sources with knowledge of the matter claim that Mrs. Easterday had been making payments on inflated and disputed bills, but was disconnected all the same.

The motion argues that Mrs. Easterday’s situation illustrates the dire circumstances faced by multiple plaintiffs in the putative class action. “Virgin Islands ratepayers, including the vulnerable elderly community, continue to receive bills not based on actual usage, with no resolution in sight,” the motion states.

Asking the court to rule on several pending motions—including dismissal motions filed by defendants WAPA, Itron, and Tantalus Systems, as well as a motion to lift an order from now-retired Judge Ruth Miller staying discovery—the filing highlights the passing of several plaintiffs. The lead plaintiff, a 94-year-old woman, has died, along with an 82-year-old woman who reportedly “spent the last 48 hours of her life worrying about her WAPA bill.” Additionally, the motion emphasizes that key witnesses, described as “pivotal” to the case, are elderly.

The motion contends that the court’s continued inaction threatens the plaintiffs’ ability to receive justice and undermines their chance at a fair hearing.

Meanwhile, Mrs. Easterday is reportedly practically homeless because the power she depends on for oxygen has been disconnected. She is currently bunking with a near-stranger, herself an elderly woman. The community has reportedly rallied around her, with businesses providing materials and a licensed electrician agreeing to do necessary repairs. The only uncertainty is whether WAPA will agree to reverse the woman’s disconnection.

Requests for comment from WAPA officials received no response as of press time.