

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ROSEMARY SPICER)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2021-00287
)	
JACKSON ENERGY COOPERATIVE)	
CORPORATION)	
)	
DEFENDANT)	

ORDER

On June 28, 2021, Rosemary Spicer filed a complaint alleging that Jackson Energy Cooperative Corporation (Jackson Energy) refused to install an electric service to her property after she had received a waiver for electric service by the Kentucky River District Health Department. On July 22, 2021, the Commission ordered Jackson Energy to satisfy the complaint or file an answer with the Commission. On July 30, 2021, Jackson Energy filed its response stating that pursuant to Jackson Energy's tariff on file with the Commission, it is only required to provide electric service extensions up to 1,000 feet if the structure is a permanent dwelling. Jackson Energy further stated that to be considered a permanent dwelling, according to its tariff, the structure must have onsite sewage disposal.¹ Jackson Energy stated that pursuant to its staff's conversations with

¹ Answer at 2, citing Jackson Energy's Tariff Sheet 111.

the Kentucky River District Health Department, the permit deviation was issued by mistake and was rescinded.

On September 2, 2021, the Commission entered an Order that required Ms. Spicer to file a response to Jackson Energy's allegations and provide documentation that the release for electric service from Kentucky River District Health Department was in full force and effect. The Commission's September 2, 2021 Order also required Jackson Energy to file documentation in support of its allegation that the Kentucky River District Health Department revoked the permit for electric service it issued on April 29, 2021. As of the date of this Order, Ms. Spicer has not filed a response with the Commission. However, on September 2, 2021, Jackson Energy filed a response along with copies of an email communication dated July 14, 2021, with the Kentucky River District Health Department's Environmental Program Manager, James E. Whisman. Mr. Whisman indicated that the Kentucky River District Health Department was rescinding the permit it had previously issued Ms. Spicer. On September 30, 2021, Jackson Energy filed a motion to dismiss the complaint.

The Commission, on its own motion, finds that the Complainant, Rosemary Spicer, should file a response to Jackson Energy's motion to dismiss the complaint. Ms. Spicer should include documentation from Kentucky River District Health Department affirming that the release for electric service remains in full force and effect.

IT IS THEREFORE ORDERED that:

1. That within 20 days of the entry of this Order, that Rosemary Spicer shall file documentation from the Kentucky River District Health Department that the release for electric service issued on April 29, 2021, remains in full force and effect.

2. Documents filed pursuant to ordering paragraph 1, shall be filed by e-mail at PSCED@ky.gov or by U.S. Mail at P.O. Box 615, Frankfort, Kentucky 40602-0615.

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By the Commission



ATTEST:


Executive Director

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