

complaint within ten days of the date of service of this Order to show cause why her complaint against LG&E should not be dismissed. On December 2, 2024, KU filed an answer and motion to dismiss (KU's Motion to Dismiss) the complaint. Ms. Williams did not file an amended complaint in regard to LG&E; however, on December 27, 2024, Ms. Williams filed a response to KU's Motion to Dismiss.

LEGAL STANDARDS

The Commission has jurisdiction pursuant to KRS 278.260 over complaints as to rates or services of any utility. Commission regulation 807 KAR 5:001, Section 20(1)(c), requires a complaint to state “[f]ully, clearly, and with reasonable certainty, the act or omission” that the complaint alleges the utility failed to comply with and facts, with details, of the alleged failure. In accordance with 807 KAR 5:001, Section 20(4)(a), the Commission examines a complaint to determine whether the complaint establishes a *prima facie* case and conforms to the administrative regulation. A complaint establishes a *prima facie* case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant to the requested relief.

If a complaint establishes a *prima facie* case and conforms to the administrative regulation, 807 KAR 5:001, Section 20(4)(b), provides that the Commission shall serve an Order upon the person complained of and require that the matter complained of be satisfied, or that the complaint be answered in writing within ten days from the date of service of the Order.

If a complaint fails to establish a *prima facie* case or conform to the administrative regulation, 807 KAR 5:001, Section 20(4)(a)(1), provides that the complainant be notified and provided an opportunity to amend the complaint within a specified time. Additionally,

807 KAR 5:001, Section 20(4)(a)(2), provides that if the complaint is not amended within the time that the Commission grants, then the complaint shall be dismissed.

DISCUSSION

Ms. Williams alleged in her complaint that her electric bills were improperly calculated and that her money was stolen. She submitted copies of her electric bills that show she has been a customer of KU. The bills show she received residential electric service at an address in Elizabethtown, Kentucky, up until November 2023, and received residential electric service at a different address in Radcliff, Kentucky, commencing in December 2023. Bills submitted by KU¹ indicate that her first day of service at the Radcliff address was December 19, 2023.

The bills submitted by the parties show that Ms. Williams's electric usage at the Radcliff address has been significantly and consistently higher than her usage at her prior address in Elizabethtown. For example, a bill submitted by Ms. Williams with her complaint for the August 2023 billing period (mailed August 13, 2023) at the Elizabethtown address shows an average temperature of 78° and an average electric usage of 0.81 kWh per day.² A bill submitted by KU for the August 2024 billing period (mailed August 21, 2024) at the Radcliff address shows an average temperature of 78° and an average electric usage of 1.51 kWh per day.³ KU asserted in its answer that:

Electric usage is driven by many factors including the size of the residence at issue, the type of heating and cooling system installed, the amount of insulation and type of windows present, the energy efficiency of electric appliances, the weather, and personal usage habits. A difference in electric

¹ Answer (filed Dec. 2, 2024), Attachment 1.

² Complaint at 12.

³ Answer, Attachment 1.

bills between two residences can exist for a number of reasons involving all of these factors.⁴

KU asserted in its answer that it conducted a thorough examination of Ms. Williams' usage and billing history at the Radcliff residence from December 2023 through November 2024 and found no billing errors.⁵ KU further asserted that all of the charges are supported by meter readings and appropriate application of tariff provisions.⁶

KU stated that at Ms. Williams' written request, it tested her electric meter for accuracy, and that the meter tested at an accuracy level of 100.10 percent, which is within the acceptable meter accuracy range set forth in 807 KAR 5:041, Section 17(1).

In her response to KU's answer, Ms. Williams did not dispute the accuracy of any meter reading or calculation of any charges for electric usage. She did not contest the accuracy of the meter test results or present affirmative evidence to rebut the accuracy of the meter test of her current meter. She did not contest that, as shown by the bills submitted by the parties, her electricity usage at her current Radcliff residence has been consistently higher than her usage at her prior Elizabethtown address. Finally, Ms. Williams did not dispute that she is a customer of KU and not LG&E.

Based on the foregoing, the Commission finds that Ms. Williams has not established grounds for relief and that her complaint should be dismissed.

IT IS THEREFORE ORDERED that:

1. Ms. Williams' complaint is dismissed.
2. This case is closed and removed from the Commission's docket.

⁴ Answer at 1-2.

⁵ Answer at 2.

⁶ Answer at 7-8.

PUBLIC SERVICE COMMISSION



Chairman

Vice Chairman



Commissioner

ATTEST:



Executive Director

ENTERED
APR 14 2025 AH
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