

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LINDA C. CHATMON)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO.
)	92-067
LOUISVILLE GAS AND ELECTRIC)	
COMPANY)	
)	
DEFENDANT)	

O R D E R

This case involves a complaint filed by Linda C. Chatmon ("Mrs. Chatmon") against the Louisville Gas & Electric Company ("LG&E").

On March 27, 1992, the Commission by Order directed the parties to request a hearing if one was desired or submit additional information for the record. No request for a hearing or any additional information has been submitted by either party.

The subject matter of this complaint concerns an estimated bill LG&E charged Mrs. Chatmon for the period of January 9, 1991 to January 9, 1992 in the amount of \$117.41 due to a malfunctioning meter. Mrs. Chatmon alleges in her complaint that LG&E sent her a bill and letter stating that her gas meter had been non-operational for one year, that the meter had been fixed, and that she owed for one year of service. Mrs. Chatmon further states that LG&E never informed her that the meter was

malfunctioning during the one-year period. Mrs. Chatmon requests as relief that she not be required to pay the estimated bill due to the meter malfunctioning for one year.

LG&E asserts that a reading of the meter on December 9, 1991 revealed that the meter was not recording consumption; and a subsequent field inspection indicated that the meter had stopped. Additionally, LG&E states that the gas meter was changed on January 2, 1992 and a test of the removed meter revealed that the meter malfunction had been caused by a defective wormwheel. LG&E further avers that a subsequent review of Mrs. Chatmon's gas usage indicated that no gas usage had been recorded on her meter since January 9, 1991. Based upon the gas usage as recorded by the meter at Mrs. Chatmon's residence from June 1989, when service began, through December 1991, LG&E rendered an estimated bill for the period of January 9, 1991 to January 9, 1992. LG&E further states that Mrs. Chatmon declined to participate in a partial payment plan for the estimated bill.

Commission Regulation 807 KAR 5:006, Section 10(2),¹ requires a utility to recompute a bill and adjust the account due to a malfunctioning meter for the period during which the meter error is known to have existed. Mrs. Chatmon's meter had reported no consumption of gas for each month from January to December of 1991. Since the meter had recorded consumption properly prior to January of 1991 and subsequent to the replacement of the defective

¹ Formerly 807 KAR 5:006, Section 9(3).

meter, the meter malfunction existed during the period from January 9, 1991 to January 2, 1992. Mrs. Chatmon has offered no evidence to suggest that her usage dropped significantly during the period of the malfunction nor did she state that all gas consumption had ceased.

LG&E properly based Mrs. Chatmon's estimated bill upon the historic usage data for the customer over the previous time period from June 1989, when service began, through December 1991. However, in its Answer, LG&E states that the defective meter was replaced on January 2, 1992. Hence, the estimated bill period should have ended on that date, not January 9, 1992. Accordingly, the estimated bill should be adjusted downward from \$117.41 to \$115.16.²

Based upon the foregoing, the corrected estimated bill rendered to Mrs. Chatmon is in accordance with applicable Commission regulations and no evidence has been established to support Mrs. Chatmon's claims that LG&E acted improperly, unreasonably, or illegally.

IT IS THEREFORE ORDERED that:

1. LG&E shall adjust the estimated bill from \$117.41 to \$115.16.
2. Mrs. Chatmon's request to not be charged the estimated bill in the amount of \$115.16 for the period of January 9, 1991 through January 2, 1992 is denied.

² $\frac{358}{365} \times \$117.41 = \115.16

3. LG&E shall not require Mrs. Chatmon to pay the \$115.16 charge in a period shorter than 12 months, the period of the underbilling.

Done at Frankfort, Kentucky, this 14th day of May, 1992.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director, Acting