

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MILES GRANT PUCKETT)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO.
)	92-127
LICKING VALLEY RURAL ELECTRIC)	
COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

O R D E R

On March 27, 1992, Miles Grant Puckett filed a complaint against Licking Valley Rural Electric Cooperative Corporation ("Licking Valley") charging that Licking Valley overcharged Mr. Puckett for electricity purchased in January 1992. In its answer, filed April 10, 1992, Licking Valley denied the allegation. A hearing was held before the Commission on August 27, 1992 at which both parties appeared, but only Licking Valley was represented by counsel.

FINDINGS OF FACT

Licking Valley is a cooperative corporation that owns, controls, and operates facilities used in the transmission and distribution of electricity to the public for compensation. Its principal offices are located in West Liberty. Mr. Puckett is a customer of Licking Valley who resides in Salyersville. The

electricity purchased by Mr. Puckett is used for heating, lighting, cooling, and other purposes normally associated with a residence.

Licking Valley charges its customers rates based on the quantity of electricity they use. Electricity is delivered to each customer through individual meters which the customers read on the 20th day of each month. The customers record the readings on their electric bills which they return to Licking Valley along with their payment. To verify the accuracy of the customers' readings, an employee of Licking Valley reads each customer's meter once a year.

Although Mr. Puckett normally reads his meter every month, he forgot to do so on December 20, 1991. Consequently, in calculating his bill for the period of November 20, 1991 to December 20, 1991, Licking Valley had to estimate Mr. Puckett's usage. On January 20, 1992, Mr. Puckett read his meter and submitted the reading with his payment for the period ending December 20, 1991. From the January 20, 1992 reading, Licking Valley calculated the amount of electricity used for the two-month period from November 20, 1991 through January 20, 1992, deducted the amount for which Mr. Puckett was billed in January, and charged Mr. Puckett for the difference. The result was a bill for \$404.30, which was much larger than the bill Mr. Puckett normally would have expected for that period. The large bill was apparently the result of Licking Valley underestimating Mr. Puckett's usage from November 20, 1991 to December 20, 1991.

When Mr. Puckett received his bill, he complained to Licking Valley about the size of the bill and Licking Valley offered to

test his electric meter for accuracy. Licking Valley, however, advised Mr. Puckett that he would be charged for the test if the meter was not found to be defective and Mr. Puckett refused the offer.

In comparing Mr. Puckett's electricity consumption for the same two-month period during the prior year, the consumption for the prior year was lower by 2,274 kwh. However, for the entire heating season of November through February, the consumption for the prior year was only lower by 207 kwh. Nevertheless, for the two-month period in controversy, there is no explanation for the significant difference in usage between the current year and the previous year.

Although Mr. Puckett declined to have his meter tested, Licking Valley decided that because of the complaint before the Commission it would test the meter on its own. The meter was tested on June 19, 1992 and was found to be 100.14 percent accurate. The same meter had also been tested on August 22, 1990 prior to its installation at Mr. Puckett's residence. In the earlier test, the meter was found to be 99.95 percent accurate.

CONCLUSIONS OF LAW

Licking Valley is a utility subject to the jurisdiction of this Commission. As a regulated utility, Licking Valley is required by 807 KAR 5:041, Section 16(5), to test its meters periodically and maintain their accuracy within two percent. Customers whose meters are found to be two percent fast or slow are entitled to refund or subject to back billing for the period during

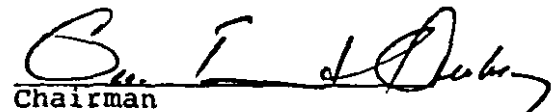
which the meter error is known to have existed, not to exceed three years. Because the meter when tested was found to be within allowable limits, the burden is on the customer to show that he was charged for more electricity than he consumed. While Mr. Puckett gave several reasons for his belief that he was overcharged, he was not able to offer any proof in support of his belief or that the meter readings were inaccurate. Therefore, the complaint should be dismissed.

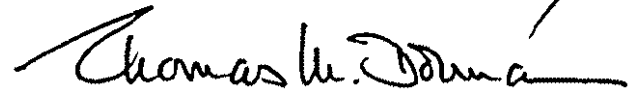
Based upon the foregoing Findings of Fact and Conclusions of Law and upon the entire record,

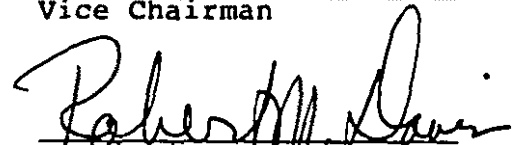
IT IS ORDERED that the complaint by Mr. Puckett against Licking Valley be and is hereby dismissed.

Done at Frankfort, Kentucky, this 13th day of October, 1992.

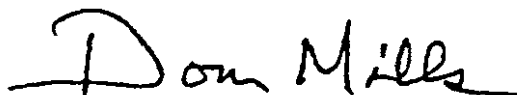
PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director