

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

FAMILY FEDERAL SAVINGS BANK)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO. 93-234
)	
KENTUCKY POWER COMPANY)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

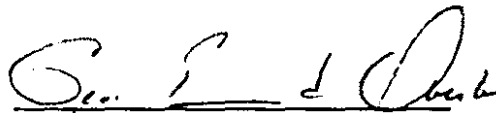
Kentucky Power Company ("KPC") is hereby notified that it has been named as defendant in a formal complaint filed on July 8, 1993, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, KPC is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

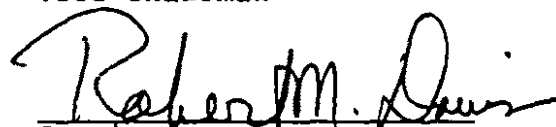
Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 15th day of July, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

BEFORE THE PUBLIC SERVICE COMMISSION

NO.

93-234

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PUBLIC SERVICE
COMMISSION

FAMILY FEDERAL SAVINGS BANK

COMPLAINANT

VS.

COMPLAINT

KENTUCKY POWER COMPANY

DEFENDANT

The Complaint of Family Federal Savings Bank
respectfully shows:

(1) That Family Federal Savings Bank, Raymond Mason, President, is located at 103 Main Street, Paintsville, Kentucky.

(2) That Kentucky Power Company is located at Box 9000, Ashland, Kentucky 41105.

(3) That as a result of a bankruptcy auction held on April 30, 1993, Claimant acquired a nursing home facility located at Mendota Village, Hager Hill, Kentucky 41222.

(4) That this facility was put into bankruptcy by Mr. Franklin Davidson, who listed as a debt on the bankruptcy petition the debt due and owing Kentucky Power for utility services. That the bills accrued for services provided to the nursing home were in the name of Mr. Franklin Davidson.

(5) That upon acquiring the nursing home, Family

Federal Savings Bank was informed by Kentucky Power that no utility services would be given to the nursing home until the previous balance owed to Kentucky Power by Mr. Davidson was paid despite the fact that these debts were listed on the bankruptcy petition and discharged in bankruptcy.

(6) That when Family Federal Savings acquired the nursing home facility, it acquired title free and clear and did not acquire any liabilities connected with the nursing home. Unreasonable bills have been presented to Family Federal since.

(7) That Kentucky Power, without authorization from the Claimant, Family Federal Savings, changed the name on the account number which was previously Mr. Davidson's to Family Federal Savings Bank. That Kentucky Power Company has made a practice of requiring Family Federal Savings Bank to pay the balance due on accounts for property that the bank has taken over. That the power company has unlawfully withheld power to certain facilities that have bills due in the name of other persons and Kentucky Power has required Family Federal Savings Bank to pay these overdue bills in order to get service.

WHEREFORE, Plaintiff demands that the public service commission orders Kentucky Power Company to cease attempting to collect past due bills in the name of Franklin Davidson for utilities provided to Mendota Village, Hager Hill, Kentucky prior to April 30, 1993 and that the Kentucky Power Company cease the practice of requiring new owners of property to pay overdue utility bills to Kentucky Power which were in the name of the former owners of the property after sale of the property has occurred. The Plaintiff asks for a Judgment in its favor for amounts

paid to Kentucky Power by Family Federal Savings Bank in the
past to Kentucky Power for overdue utility bills in the name of
former owners after property has been transferred to Family Federal
and for punitive damages;
Savings Bank /and for any and all other relief deemed appropriate by
the Commission.

Dated at Paintsville, Kentucky this the 7th day of
July, 1993.

Claimant
FAMILY FEDERAL SAVINGS BANK

Robert G. Miller, Jr.
ROBERT G. MILLER, JR.
PERRY & PRESTON
P.O. DRAWER C
PAINTSVILLE, KY 41240
(606) 789-5395
ATTORNEY FOR PLAINTIFF