

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

GOLDIE CALLIHAN	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO. 2003-00485
	)	
GRAYSON RURAL ELECTRIC	)	
COOPERATIVE CORPORATION	)	
	)	
DEFENDANT	)	

O R D E R

On December 18, 2003, Goldie Callihan filed a complaint against Grayson Rural Electric Cooperative Corporation ("Grayson RECC"), requesting that the Commission order Grayson RECC to extend service to Mrs. Callihan without requiring Mrs. Callihan to become a member of Grayson RECC. Mrs. Callihan also made other allegations in her complaint over which the Commission has no jurisdiction and which need not be ruled upon here.

Grayson RECC answers that it cannot extend service to Mrs. Callihan because Mrs. Callihan made no formal application to Grayson RECC for service.

DISCUSSION

It is undisputed that, prior to filing her complaint, Mrs. Callihan made no formal application for service to Grayson RECC, opting to file this complaint with the Commission. Attached to the complaint is a document that is purported to be an

application for service to Grayson RECC from Mrs. Callihan. In other pleadings Mrs. Callihan claims that the application attached to the complaint is sufficient to constitute an application for service to Grayson RECC.

In response to Commission Staff's Data Request, Grayson RECC responded that the application attached to the complaint was not sufficient to enable Grayson RECC to extend service to Mrs. Callihan.<sup>1</sup> In its response, Grayson RECC explains the procedure for completing an application for service.<sup>2</sup>

Article 1, Section 7, of the By-laws of Grayson RECC provides that service, with Board approval, can be provided to people who are not members.<sup>3</sup> A person who desires to receive service without becoming a member of Grayson RECC must first receive Board approval. After receiving Board approval, the applicant must pay all appropriate fees and security deposits and provide pertinent personal information.

The record does not reflect that Mrs. Callihan has complied with Grayson RECC's procedure regarding application of service. Her complaint to the Commission is premature. In order for Mrs. Callihan to be considered to have been refused service, she must first have complied with all of Grayson RECC's requirements regarding application for service. Mrs. Callihan has not been denied service and, therefore, there is no legal basis for her complaint.

IT IS THEREFORE ORDERED that this complaint is dismissed.

---

<sup>1</sup> Grayson RECC's Response to Data Request No. 4.

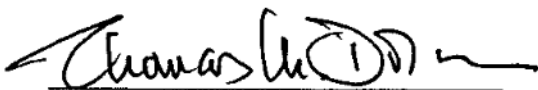
<sup>2</sup> Grayson RECC's Response to Data Request No. 3.

<sup>3</sup> The total number of non-members may not, however, exceed 10 percent of Grayson RECC's total customers.

Done at Frankfort, Kentucky, this 18<sup>th</sup> day of March, 2004.

By the Commission

ATTEST:

A handwritten signature in black ink, appearing to read "Thomas H. Dixon", written over a horizontal line.

Executive Director

Case No. 2003-00485