

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

HERREN & ADAMS	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO. 2011-00047
	)	
KENTUCKY UTILITIES COMPANY	)	
	)	
DEFENDANT	)	

ORDER

On December 10, 2010, Herren & Adams filed a Complaint against Kentucky Utilities ("KU") alleging that its September 2010 bill was nearly triple that of its September 2009 bill while it used 1,100 kWh less. The Complainant asked that its electric bills for August, September, and October 2010 be reviewed and recalculated and that the amounts it had been overcharged be refunded with interest. Complainant received service under Rate PS for periods with bill due dates of August 30, 2010, September 28, 2010, and October 27, 2010.

On March 7, 2011, Defendant KU filed its Answer. KU stated that it had recently credited Complainant's account in the amount of \$1,599.18 for the difference between the amounts Complainant was charged during August, September, and October 2010 under Rate PS and the amounts Complainant would have been charged for those periods under Rate GS. KU further explained that, in its most recent rate case, the Commission approved changes to KU's Rate PS, effective August 1, 2010, to include

the addition of a minimum demand charge and limiting the rate to customers with minimum secondary loads of 50 kW and maximum secondary loads of 250 kW. KU's Answer stated that customers who had previously been served on the Rate PS had been grandfathered in previous rate cases and were permitted to stay on the rate, even if their loads did not otherwise meet the stated load criteria. The Complainant's load was less than the monthly minimum for Rate PS. "As a result of their usage, beginning on August 1, 2011, the base demand minimum was applied to Herren & Adams' account each month."<sup>1</sup>

On May 5, 2011, the Commission entered an Order giving the Complainant 20 days from the date of entry of the Order to file a statement explaining why its complaint had not been satisfied, with citations to the particular provision of KRS 278, the Commission's regulation, or KU's tariffs that it alleged KU was in violation of, and the relief it sought from the Commission. That Order also stated that the Commission would issue an Order dismissing this case unless Complainant filed a statement within 20 days from the date of entry of the Order.

The Commission finds that Complainant has failed to file a statement in the record explaining why its complaint against KU has not been satisfied.


Based on the foregoing, the Commission HEREBY ORDERS:

This case is DISMISSED and is hereby removed from the Commission docket.

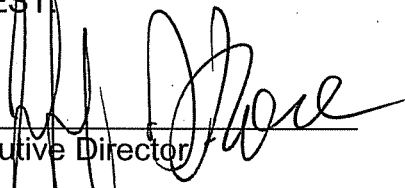
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<sup>1</sup> Answer of Kentucky Utilities Company, filed March 7, 2011, at paragraph 3.a.

By the Commission

ENTERED   
JUL 14 2011  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST

  
\_\_\_\_\_  
Executive Director

Charles C Adams, Jr.  
Herren & Adams  
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