

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CHRISTINA RULE)	
)	CASE NO.
VS.)	2017-00403
)	
DUKE ENERGY KENTUCKY, INC.)	

ORDER

On September 27, 2018, Christina Rule (“Ms. Rule”) filed a complaint alleging that Duke Energy Kentucky, Inc. (“Duke Kentucky”) overcharged Ms. Rule for utility service. At an informal conference held on January 25, 2018, Ms. Rule and Duke Kentucky entered into an agreement regarding a schedule for procedural events. By Order entered on February 19, 2018, the Commission directed Duke Kentucky to satisfy or file a written answer on or before February 22, 2018, to the allegation that it overcharged Ms. Rule for gas service between March 21, 2017, and May 19, 2017.¹

On February 19, 2018, Duke Kentucky filed an Answer and Motion to Dismiss in response to the complaint. Duke Kentucky asserts in this response that, because Ms. Rule’s gas meter does not have remote capabilities and is located within the property, Duke Kentucky must have access to the property to obtain an actual usage read. Duke Kentucky further states that it included in Ms. Rule’s monthly bills between April 20, 2016, and March 21, 2017, a message that it was unable to access the meter for reading, that

¹ By Order entered on January 9, 2018, the Commission dismissed portions of Ms. Rule’s original complaint as to allegations regarding electric service as well as gas service during other time periods.

usage on those bills was estimated, and requesting Ms. Rule to make arrangements for meter reading. Duke Kentucky states that, because Ms. Rule did not provide access, Duke Kentucky continued estimating readings until it obtained an actual reading on April 20, 2017.

According to Duke Kentucky, it billed Ms. Rule \$575.54 on or about March 24, 2017, based on estimated gas consumption, and billed Ms. Rule \$591.81 on or about April 21, 2017, based on actual gas consumption after an actual read of Ms. Rule's meter.

Duke Kentucky further states that, on or about May 30, 2017, it discovered that it had applied an incorrect Gas Cost Recovery ("GCR") rate in determining Ms. Rule's April 2017 gas charges. Duke Kentucky notes that this error did not affect the amount of gas consumption indicated on Ms. Rule's bills, only the rate to be applied to the consumption. Duke Kentucky states that it sent Ms. Rule a corrected bill on or about June 7, 2017, in which it applied the correct GCR rate for April 2017 to Ms. Rule's consumption. Duke Kentucky states that it obtained actual readings of Ms. Rule's gas meter for the months of June, July, August, and September 2017.

Additionally, Duke Kentucky asks that Ms. Rule's complaint be dismissed.

Based on the pleadings and being otherwise sufficiently advised, the Commission finds that Ms. Rule should file a response to Duke Kentucky's motion to dismiss within 14 days of the date of the entry of this Order.

IT IS THEREFORE ORDERED that:

Ms. Rule shall file a response to Duke Kentucky's motion to dismiss within 14 days from the date of the entry of this Order. The information should be sent to the Kentucky Public Service Commission, P.O. Box 615, 211 Sower Boulevard, Frankfort, Kentucky

40602-0615, with a reference to Case No. 2017-00403. Mailed documents should be sent with sufficient time to be received by the Commission on or before the due date.

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By the Commission

ENTERED
FEB 28 2018
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2017-00403

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Covington, KENTUCKY 41011

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