

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOHN C. DE MOISEY	)	
	)	
COMPLAINANT	)	CASE NO.
	)	2018-00054
V.	)	
	)	
KENTUCKY UTILITIES COMPANY	)	
	)	
DEFENDANT	)	

ORDER

On January 26, 2018, John De Moisey filed a formal complaint against Kentucky Utilities Company (“KU”). Mr. De Moisey alleges that KU has provided him with a defective meter that is causing him to be overcharged and that KU does not want to pay to replace the meter. As a remedy, Mr. De Moisey requests that KU be ordered to pay an independent company to read his meter and to check its accuracy. Additionally, Mr. De Moisey requests that KU be ordered to credit his account any time that it is discovered that he was overcharged on his past KU bills.

Pursuant to 807 KAR 5:001, Section 20(4)(a), upon receipt of a formal complaint, the Commission must determine whether the complaint states a *prima facie* case. Based on a review of the Complaint, the Commission was unable to determine whether the Complaint established a *prima facie* case because the Complaint did not include evidence that Mr. De Moisey’s meter was defective or that he was overcharged. In its

order entered February 19, 2018, the Commission requested that Mr. De Moisey file supporting information and documentation in order to support his claim against KU.

On March 28, 2018, Mr. De Moisey brought to the Commission's office copies of his bills and his calculation of monthly amounts he paid in the past year in order to support his claim against KU. Mr. De Moisey informed Commission Staff that his meter had never been tested for accuracy. Mr. De Moisey agreed that he will request a meter test from KU under 807 KAR 5:006, Section 19 and, if the meter test reflects that the meter accuracy is outside the limits set forth in 807 KAR 5:041, Section 17(1), he will refile his Complaint.

Based on a review of the record and being otherwise sufficiently advised, the Commission finds that Mr. De Moisey failed to establish a *prima facie* case pursuant to 807 KAR 5:001, Section 20(1)(c), and that a hearing is not necessary or in the public interest or for the protection of substantial rights. The Commission further finds that the Complaint should be dismissed, without prejudice. Mr. De Moisey has the right to refile the Complaint provided that he provides evidence that his meter is defective and that he was overcharged due to an inaccurate meter.

IT IS THEREFORE ORDERED that this proceeding is dismissed and shall be removed from the Commission's docket.

By the Commission



ATTEST:

  
Executive Director

Case No. 2018-00054

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