

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WILLIAM FOX)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2020-00116
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

ORDER

On March 3, 2020, William Fox (Mr. Fox) filed a formal complaint (Complaint) against Louisville Gas and Electric Company (LG&E) alleging that his account was overbilled because it was classified in the incorrect customer class. In LG&E's Answer, it indicated that Mr. Fox began receiving gas and electric service at 138 Buchanan Street in February 2012 with the account in his name. On August 15, 2019, Mr. Fox changed the name on the service to Soup Coop, LLC. On December 14, 2019, Mr. Fox changed the service back into his own name.

In addition, LG&E described the customer classification under which electric and gas service was provided to the account in question. In February 2012, when Mr. Fox first began taking service, the electric account was classified as General Service (GS), and the gas account was classified as Commercial Gas Service (CGS). Consistent with LG&E's tariff, it conducted a rate validation review in 2013 and, based upon 12 months of usage data, determined that the account exceeded the maximum usage allowable

under the GS electric rate schedule. On June 8, 2013, LG&E transferred the account to Time of Day Secondary (TODS) rate schedule based upon the amount of electricity usage. LG&E explained that its electric rate schedules are not based on the type of business, but upon the amount of electricity used.

LG&E stated that, on July 23, 2013, it changed the account's rate classification from CGS to Industrial Gas Service based upon the type of activities conducted at the account address. LG&E maintained that Mr. Fox's business is a large, wholesale food producer that makes food in a plant setting to be sold in restaurants, which is consistent with the type of activity covered by IGS rate schedule. LG&E asserted that it conducted two additional rate checks in 2015 and 2019, and confirmed that Mr. Fox's business continued to meet the definition of industrial under LG&E's tariff.

Based upon a review of the Complaint and Answer, the Commission finds that Mr. Fox should provide additional information to assist the Commission in processing this matter. First, Mr. Fox should file a response stating whether it is correct that he initiated service at the address at issue in February 2012 in his own name, that he changed the name on the account to Soup Coop, LLC in August 2019, and that he changed the name on the account back to his name in December 2019.

Second, Mr. Fox should indicate his relationship to the business Soup Coop, LLC, and explain why the account is listed in his personal name.

Third, Mr. Fox should state in specific detail the nature of the activity conducted at the address in question, which LG&E described as a wholesale food producer that makes food in a plant setting to be sold in restaurants.

Fourth, Mr. Fox should provide a copy of the bills for the period that he alleges he was overbilled.

Fifth, Mr. Fox should indicate whether he alleges he was overbilled for electric service, for gas service, or for both gas and electric service, and the specific timeframe that he alleges he was overbilled.

The Commission further finds that Mr. Fox should file a response to the allegations raised in LG&E's Answer.

IT IS THEREFORE ORDERED that

1. Within 20 days of the date of this Order, Mr. Fox shall file the following information with the Commission:

a. A response stating whether it is correct that Mr. Fox initiated service at the address at issue in February 2012 in his own name, that he changed the name on the account to Soup Coop, LLC in August 2019, and that he changed the name on the account back to his name in December 2019.

b. A response that indicates his relationship to the business Soup Coop, LLC, and an explanation of why the account is listed in his personal name.

c. A response that states in specific detail the nature of the activity conducted at the address in question, which LG&E described as a wholesale food producer that makes food in a plant setting to be sold in restaurants.

d. A copy of the bills for the period that Mr. Fox alleges he was overbilled.

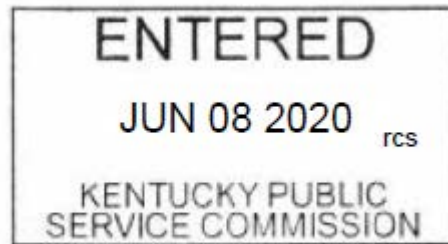
e. A response that indicates whether Mr. Fox alleges he was overbilled for electric service, for gas service, or for both gas and electric service, and the specific timeframe that he alleges he was overbilled.

2. Within 20 days of the date of this Order, Mr. Fox shall file a response to the allegations raised in LG&E's Answer.

3. Pursuant to the Commission's Order in Case No. 2020-00085,¹ any documents filed pursuant to ordering paragraphs 1 and 2 shall be filed by electronic mail at PSCED@ky.gov, and each message should include the case number in the subject line of the message and a read receipt to ensure the Commission received the message and documents.

¹ Case No.2020-00085, *Electronic Emergency Docket Related To The Novel Coronavirus Covid-19* (Ky. PSC Mar. 16, 2020) Order (establishing, among other things, electronic filing of documents and prohibiting filing of most paper documents during the public health state of emergency); Case No. 2020-00085 (Ky. PSC Mar. 24, 2020) Order (clarifying when paper documents should be filed after the state of emergency is lifted).

By the Commission



ATTEST:



Executive Director

Case No. 2020-00116

William Fox
1057 Washington Street
Louisville, KENTUCKY 40206

*Honorable Allyson K Sturgeon
Senior Corporate Attorney
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Michael Hornung
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

*Rick E Lovekamp
Manager Regulatory Affairs
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

*Robert Conroy
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Sara Judd
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010