

DEC 07 2021

PUBLIC SERVICE COMMISSION

Before the Public Service Commission

Victor L Mollett	)	
Complainant	)	
	)	No. _____
vs.	)	(To be inserted by the secretary)
	)	
Kentucky Utilities	)	
Defendant	)	

COMPLAINT

The complaint of Victor L Mollett respectfully shows:

- (a) That Victor L Mollett, Programmer, 3837 Muirfield Pl, Lexington, KY 40509.
- (b) That Kentucky Utilities, 1 Quality St, Lexington, KY 40507.
- (c) That Kentucky Utilities knowingly and willfully changed electric rates for residential time of day subscribers without notice to subscribers or approval from the Kentucky Public Service Commission.

WHEREFORE, complainant asks

That Kentucky Utilities retroactively change its Winter on-peak time of day times back to 7 until 11 a.m. until such time that Kentucky Utilities can notify all time of day subscribers of on-peak time changes and those subscribers have adequate time to prepare or change plans.

Dated at Lexington, Kentucky, this 6th day  
of December, 20 21.

Victor L Mollett  
(Name of each complainant)

\_\_\_\_\_  
(Name and address of attorney, if any)

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

<u>Victor L Mollett</u> (Your Full Name)	)	
	)	
	)	COMPLAINANT
	)	
VS.	)	
	)	
	)	
<u>Kentucky Utilities</u> (Name of Utility)	)	
	)	
	)	DEFENDANT

COMPLAINT

The complaint of Victor L Mollett respectfully shows:  
(Your Full Name)

(a) Victor L Mollett  
(Your Full Name)

3837 Muirfield Pl, Lexington, KY 40509  
(Your Address)

(b) Kentucky Utilities  
(Name of Utility)

1 Quality St, Lexington, KY, 40507  
(Address of Utility)

(c) That: Please see attached document.  
(Describe here, attaching additional sheets if necessary,

the specific act, fully and clearly, or facts that are the reason  
and basis for the complaint.)

Continued on Next Page

Formal Complaint

Victor L Mollett

vs.

Kentucky Utilities

Page 2 of 2

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Wherefore, complainant asks for adjustment of peak times of day for all time  
(Specifically state the relief desired.)

of date rate subscribers to be returned to 7 a.m. until 11 a.m. until such time that

Kentucky Utilities can notify all time of day subscribers and those subscribers have

had adequate time to prepare or change plans. It is expected that this change would

be retroactive to the beginning of the Winter time of day rate schedule, 2021.

Dated at Lexington, Kentucky, this 6th day  
(Your City)

of December, 2021.  
(Month)

  
(Your Signature)

(Name and address of attorney, if any)

## Introduction

Kentucky Utilities (KU) has, for a number of years, offered a program referred to as Residential Time of Day rates. In essence, KU offers discount electric rates at off peak times, but drastically surcharges rates during peak times, to encourage subscribers to minimize utilization during peak times. Subscribers accept this, in good faith, and go about their days taking the program into account as they utilize electricity. It really is a win-win situation, as KU gets a reduction in utilization during peak times and subscribers get less expensive electricity during off peak times.

## Rate Changes

In November, 2020, KU included in billing statements the document shown in Appendix A. From it, a residential time of day subscriber would expect their bill to increase by approximately 10.69 percent. There is no indication in this notice that peak times could or would change. The natural conclusion for any residential time of day subscriber is that their bill will increase around 11 percent, and there is nothing to indicate that any other changes would be occurring.

Also in November 2020, KU released a notice to the media that there was a proposed rate change. This notice is included as Appendix B. In this, among other things, we get notice that the daily basic service charge will be increasing from \$0.53 to \$0.61. Further, for residential time of day subscribers, we see that off-peak rates will be increasing from \$0.05760 per kWh to \$0.06512 per kWh, and that on-peak rates will be decreasing from \$0.27542 per kWh to \$0.22124 per kWh. There is once again, no indication in this notice that peak times could or would change.

For simplification, given that both of these notices came out in November 2020, we will refer to them as the “2020” rate. For the new/proposed rate, we will refer to that as the “2021” rate.

Since residential time of day subscribers get changed a different rate depending on the time of day, here is a table indicating the expected rate changes between 2020 and 2021.

Time	0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00
2020	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.27542	0.27542	0.27542	0.27542	0.05760
2021	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.22124	0.22124	0.22124	0.22124	0.06512
Rate Change	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	-19.67%	-19.67%	-19.67%	-19.67%	13.06%

Time	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
2020	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760
2021	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512
Rate Change	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%

Based upon all of the data reviewed from Appendix A and Appendix B, both of which were provided by the Kentucky Public Service Commission as the official filings in Case Number 2020-00349, these are the rates that we would expect. But we would be wrong.

Time	0:00	1:00	2:00	3:00	4:00	5:00	6:00	7:00	8:00	9:00	10:00	11:00
2020	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.27542	0.27542	0.27542	0.27542	0.05760
2021	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.22124	0.22124	0.22124	0.22124	0.06512	0.06512
Rate Change	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	284.10%	-19.67%	-19.67%	-19.67%	-76.36%	13.06%

Time	12:00	13:00	14:00	15:00	16:00	17:00	18:00	19:00	20:00	21:00	22:00	23:00
2020	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760	0.05760
2021	0.06512	0.06512	0.06512	0.06512	0.06512	0.06512	0.22124	0.22124	0.22124	0.22124	0.06512	0.06512
Rate Change	13.06%	13.06%	13.06%	13.06%	13.06%	13.06%	284.10%	284.10%	284.10%	284.10%	13.06%	13.06%

These are the true rates that KU has imposed on its residential time of day subscribers. Note the highlighted entries that indicate a whopping 284% increase in the charge per kWh of electricity. Two hundred and eighty-four percent increase, yet it is not indicated anywhere in any of the official documents that I have been provided. How can the rate increase, but it not be documented?

What KU did was change the morning on-peak hours from 7 until 11 a.m. to 6 to 10 a.m., and then they added an additional four hours of peak time in the evening, from 6 until 10 p.m. KU had and has a duty to report this to their residential time of day subscribers, yet they chose not to. The people that I have spoken with at KU have simply stated that it is posted on their web site. As if each and every one of their customers is expected to review the KU web site on a daily basis looking for changes. Appendix A and Appendix B no where indicate that that peak hours would be changing, resulting in a rate increase of this magnitude. This is not operating in good faith. The Kentucky Public Service Commission has a duty to hold KU accountable for an undocumented and unapproved rate increase for residential time of day subscribers.

# Appendix A

Notice to Customers, provided by Kentucky Public Service Commission

## NOTICE TO CUSTOMERS OF KENTUCKY UTILITIES COMPANY

**PLEASE TAKE NOTICE** that, in a November 25, 2020 Application, Kentucky Utilities Company (“KU”) is seeking approval by the Kentucky Public Service Commission of an adjustment of its rates and charges to become effective on and after January 1, 2021.

The proposed rates reflect a proposed annual increase in revenues of approximately 10.4% to KU.

The estimated amount of the annual change and the average monthly bill to which the proposed electric rates will apply for each electric customer class are as follows:

<b>Electric Rate Class</b>	<b>Average Usage (kWh)</b>	<b>Annual \$ Increase</b>	<b>Annual % Increase</b>	<b>Monthly Bill \$ Increase</b>	<b>Monthly Bill % Increase</b>
Residential	1,120	68,176,839	10.68	12.85	10.67
Residential Time-of-Day	1,184	19,427	10.68	12.08	10.69
General Service	1,689	26,734,943	10.68	26.91	10.68
General Time-of-Day	New Rate Schedule				
All Electric School	25,276	1,453,830	10.68	285.86	10.68
Power Service	31,900	19,592,722	10.67	351.54	10.67
Time-of-Day Secondary	194,032	14,530,948	10.69	1,580.24	10.69
Time-of-Day Primary	1,288,759	26,942,083	10.68	8,786.08	10.68
Retail Transmission	5,852,624	8,787,141	10.68	36,613.09	10.68
Fluctuating Load Service	50,490,867	3,514,118	10.69	292,843.20	10.69
Outdoor Lights	58	(129)	0.00	0.00	0.00
Lighting Energy	3,373	18	0.01	0.02	0.01
Traffic Energy	150	2	0.00	0.00	0.00
PSA	N/A	0.00	0.00	0.00	0.00
Rider – CSR	N/A	0.00	0.00	0.00	0.00
Outdoor Sports Lighting – Pilot Program	6,800	(4,762)	(4.97)	(99.21)	(4.97)

The monthly residential electric bill increase due to the proposed electric base rates will be 10.67 percent, or approximately \$12.85, for a customer using 1,120 kWh of electricity (the average monthly consumption of a KU residential electric customer).

KU is also proposing an Economic Relief Surcredit Adjustment Clause, which will credit KU customers a total of \$11.9 million over twelve months when new rates go into effect from this proceeding. For the first twelve months of new rates following this proceeding, a \$0.00068 per kWh credit will be applied to all standard rate schedules.

KU is proposing to add an optional rider called Warranty Service for Customer-Owned Exterior Facilities. This rider permits firms that provide warranty service for the repair or replacement of customer-owned exterior electric facilities serving a KU customer’s residence and connected to KU distribution facilities and that meet certain standards to use KU’s billing services to obtain payment for subscribed warranty service.

KU is proposing a new net metering rate schedule, Rider NMS-2, and renaming its existing Rider NMS to be Rider NMS-1. Rider NMS-1 will serve eligible electric generating facilities as defined

# Appendix A

Notice to Customers, provided by Kentucky Public Service Commission

in KRS 278.465(2) for which customers have submitted an application for net metering service before the effective date of rates established in this proceeding. Rider NMS-2 will apply to all other net metering customers. KU also is proposing new terms and conditions for Net Metering Service Interconnection Guidelines.

KU is requesting a Certificate of Public Convenience and Necessity and other associated relief to exchange all existing non-communicating electric meters in its service area with Advanced Metering Infrastructure (AMI) meters.

KU proposes to eliminate certain Environmental Cost Recovery (“ECR”) Projects from its ECR mechanism and monthly filings on a going-forward basis, which will result in rate base costs previously included for recovery in the ECR mechanism being recovered through base rates. The reduction in ECR mechanism revenues creates a corresponding increase in base rate revenues with no change in total revenues.

KU also is proposing changes in the text of some of its rate schedules and other tariff provisions, including its terms and conditions for electric service. Complete copies of the proposed tariffs containing the proposed text changes and rates may be obtained by contacting Kentucky Utilities Company by mail at 220 West Main Street, Louisville, Kentucky 40202; by phone at 800-981-0600; or by visiting KU’s website at [lge-ku.com](http://lge-ku.com).

Notice is further given that a person may examine this application at the offices of KU, One Quality Street, Lexington, Kentucky; the application also may be examined at KU’s website at [lge-ku.com](http://lge-ku.com). A person also may examine this application at the Public Service Commission’s offices located at 211 Sower Boulevard, Frankfort, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m. or through the Commission’s website at <http://psc.ky.gov>.

Comments regarding the application may be submitted to the Public Service Commission by mail to Public Service Commission, Post Office Box 615, Frankfort, Kentucky 40602 or by email to [psc.info@ky.gov](mailto:psc.info@ky.gov). All comments should reference Case No. 2020-00349.

The rates contained in this notice are the rates proposed by KU, but the Public Service Commission may order rates to be charged that differ from the proposed rates contained in this notice. A person may submit a timely written request for intervention to the Public Service Commission, Post Office Box 615, Frankfort, Kentucky 40602 establishing the grounds for the request including the status and interest of the party. If the Commission does not receive a written request for intervention within thirty (30) days of initial publication or mailing of this notice, the Commission may take final action on the application.

A copy of the Notice of Filing and the proposed tariff, once filed, also shall be available for public inspection on KU’s website at [lge-ku.com](http://lge-ku.com), or through the Public Service Commission’s website at <http://psc.ky.gov>.

Kentucky Utilities Company  
c/o LG&E and KU Energy LLC  
220 West Main Street  
P. O. Box 32010  
Louisville, Kentucky 40232  
800-981-0600

Public Service Commission  
211 Sower Boulevard  
P. O. Box 615  
Frankfort, Kentucky 40602  
502-564-3940

# Appendix B

Notice to Media, provided by Kentucky Public Service Commission

## CUSTOMER NOTICE OF RATE ADJUSTMENT

**PLEASE TAKE NOTICE** that, in a November 25, 2020, Application, Kentucky Utilities Company (“KU”) is seeking approval by the Kentucky Public Service Commission of an adjustment of its electric rates and charges to become effective on and after January 1, 2021.

### KU CURRENT AND PROPOSED RESIDENTIAL ELECTRIC RATES

#### Residential Service – Rate RS

	<u>Current</u>	<u>Proposed</u>
Basic Service Charge per Day:	\$ 0.53	\$ 0.61
Plus an Energy Charge per kWh:		
Infrastructure:	\$ 0.05886	\$ 0.06750
Variable:	\$ 0.03077	\$ 0.03200
Total:	\$ 0.08963	\$ 0.09950

#### Residential Time-of-Day Energy Service - Rate RTOD-Energy

	<u>Current</u>	<u>Proposed</u>
Basic Service Charge per Day:	\$ 0.53	\$ 0.61
Plus an Energy Charge per kWh:		
Off-Peak Hours (Infrastructure):	\$ 0.02683	\$ 0.03312
Off-Peak Hours (Variable):	\$ 0.03077	\$ 0.03200
Off-Peak Hours (Total):	\$ 0.05760	\$ 0.06512
On-Peak Hours (Infrastructure):	\$ 0.24465	\$ 0.18924
On-Peak Hours (Variable):	\$ 0.03077	\$ 0.03200
On-Peak Hours (Total):	\$ 0.27542	\$ 0.22124

#### Residential Time-of-Day Demand Service - Rate RTOD-Demand

	<u>Current</u>	<u>Proposed</u>
Basic Service Charge per Day:	\$ 0.53	\$ 0.61
Plus an Energy Charge per kWh (Infrastructure):	\$ 0.01276	\$ 0.01276
Plus an Energy Charge per kWh (Variable):	\$ 0.03077	\$ 0.03200
Plus an Energy Charge per kWh (Total):	\$ 0.04353	\$ 0.04476
Plus a Demand Charge per kW:		
Base Hours	\$ 3.44	\$ 4.01
Peak Hours	\$ 8.90	\$10.37

KU is also proposing changes to the rates for other customer classes. These customer classes and their associated annual revenue changes are listed in the tables shown below. KU is also proposing to change the text of some of its rate schedules and other tariff provisions and to add two optional rate schedules: General Time-of-Day Energy Service (“GTOD-Energy”) and General Time-of-Day Demand Service (“GTOD-Demand”). KU’s proposed rates reflect a proposed annual increase in electric revenues of approximately 10.4%.



## Appendix B

Notice to Media, provided by Kentucky Public Service Commission

The estimated amount of the annual change and the average monthly bill to which the proposed electric rates will apply for each electric customer class are as follows:

Electric Rate Class	Average Usage (kWh)	Annual \$ Increase	Annual % Increase	Monthly Bill \$ Increase	Monthly Bill % Increase
Residential	1,120	68,176,839	10.68	12.85	10.67
Residential Time-of-Day	1,184	19,427	10.68	12.08	10.69
General Service	1,689	26,734,943	10.68	26.91	10.68
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Retail Transmission	5,852,624	8,787,141	10.68	36,613.09	10.68
Fluctuating Load Service	50,490,867	3,514,118	10.69	292,843.20	10.69
Outdoor Lights	58	(129)	0.00	0.00	0.00
Lighting Energy	3,373	18	0.01	0.02	0.01
Traffic Energy	150	2	0.00	0.00	0.00
PSA	N/A	0.00	0.00	0.00	0.00
Rider – CSR	N/A	0.00	0.00	0.00	0.00
Outdoor Sports Lighting – Pilot Program	6,800	(4,762)	(4.97)	(99.21)	(4.97)

The monthly residential electric bill increase due to the proposed electric base rates will be 10.67 percent, or approximately \$12.85, for a customer using 1,120 kWh of electricity (the average monthly consumption of a KU residential electric customer).

KU is also proposing an Economic Relief Surcredit Adjustment Clause, which will credit KU customers a total of \$11.9 million over twelve months when new rates go into effect from this proceeding. For the first twelve months of new rates following this proceeding, a \$0.00068 per kWh credit will be applied to all standard rate schedules.

KU is proposing to add an optional rider called Warranty Service for Customer-Owned Exterior Facilities. This rider permits firms that provide warranty service for the repair or replacement of customer-owned exterior electric facilities serving a KU customer's residence and connected to KU distribution facilities and that meet certain standards to use KU's billing services to obtain payment for subscribed warranty service.

KU is proposing a new net metering rate schedule, Rider NMS-2, and renaming its existing Rider NMS to be Rider NMS-1. Rider NMS-1 will serve eligible electric generating facilities as defined in KRS 278.465(2) for which customers have submitted an application for net metering service before the effective date of rates established in this proceeding. Rider NMS-2 will apply to all other net metering customers. KU is also proposing new terms and conditions for Net Metering Service Interconnection Guidelines.

KU is requesting a Certificate of Public Convenience and Necessity and other associated relief to exchange all existing non-communicating electric meters in its service area with Advanced Metering Infrastructure (AMI) meters.

# Appendix B

Notice to Media, provided by Kentucky Public Service Commission

KU proposes to eliminate certain Environmental Cost Recovery (“ECR”) Projects from its ECR mechanism and monthly filings on a going-forward basis, which will result in rate base costs previously included for recovery in the ECR mechanism being recovered through base rates. The reduction in ECR mechanism revenues creates a corresponding increase in base rate revenues with no change in total revenues.

## Other Charges

KU is proposing the following revisions to other charges in the tariff:

Other Charges	Current Charge	Proposed Charge
Returned Payment Charge	\$3.00	\$3.50
Meter Test Charge	\$75.00	\$79.00
Meter Pulse Charge	\$24.00	\$21.00
Disconnect/Reconnect Service Charge w/o remote service switch	\$28.00	\$37.00
Disconnect/Reconnect Service Charge w/ remote service switch	New	\$0
Unauthorized Connection Charge – without meter replacement	\$70.00	\$45.00
Unauthorized Connection Charge – for single-phase standard meter replacement	\$90.00	\$66.00
Unauthorized Connection Charge – for single-phase AMR meter replacement	\$110.00	\$87.00
Unauthorized Connection Charge – for single-phase AMI meter replacement	\$174.00	\$149.00
Unauthorized Connection Charge – for three-phase meter replacement	\$177.00	\$154.00
Advanced Meter Opt-Out Charge (One-Time)	New	\$39.00
Advanced Meter Opt-Out Charge (Monthly)	New	\$15.00
Redundant Capacity - Secondary	\$1.16	\$1.36
Redundant Capacity - Primary	\$0.99	\$0.92
EVSE – Networked Single Charger	\$132.09	\$132.09
EVSE – Networked Dual Charger	\$193.62	\$193.62
EVSE – Non-Networked Single Charger	New	\$82.86
EVSE-R – Networked Single Charger	\$121.79	\$121.79
EVSE-R – Networked Dual Charger	\$173.02	\$173.02
EVSE-R Non-Networked Single Charger	New	\$30.86
EVC-L2 – Charge per Hour for First Two Hours	\$0.75	\$0.75
EVC-L2 – Charge per Hour for Every Hour After First Two Hours	\$1.00	\$1.00
EVC-FAST – Charge per kWh	New	\$0.25
Solar Share Program Rider (One-Time)	\$799.00	\$799.00
Solar Share Program Rider (Monthly)	\$5.55	\$5.55
Excess Facilities – w/ no CIAC	1.16%	1.17%
Excess Facilities – w/ CIAC	0.47%	0.47%
TS – Temporary to Permanent	15%	15%
TS – Seasonal	100%	100%

## Appendix B

Notice to Media, provided by Kentucky Public Service Commission

A detailed notice of all proposed revisions and a complete copy of the proposed tariffs containing the proposed text changes, terms and conditions and rates may be obtained by submitting a written request by e-mail to [myaccount@lge-ku.com](mailto:myaccount@lge-ku.com) or by mail to Kentucky Utilities Company, ATTN: Rates Department, 220 West Main Street, Louisville, Kentucky, 40202, or by visiting KU's website at [www.lge-ku.com](http://www.lge-ku.com).

A person may examine KU's application at the offices of KU located at One Quality Street, Lexington, Kentucky or at the other KU business offices, and at KU's website at [www.lge-ku.com](http://www.lge-ku.com). A person may also examine this application at the Public Service Commission's offices located at 211 Sower Boulevard, Frankfort, Kentucky, Monday through Friday, 8:00 a.m. to 4:30 p.m. or may view and download the application through the Commission's Web site at <http://psc.ky.gov>.

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