

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TAVONNA LATREASE JOHNSON)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2022-00202
)	
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

ORDER

This matter arises upon Tavonna Latrease Johnson’s complaint against Louisville Gas and Electric Company (LG&E) that was tendered on July 1, 2022. For the reasons discussed below and in accordance with the Commission’s Order on January 19, 2023, the Commission finds that Ms. Johnson has failed to establish a *prima facie* case, and she has not filed an amended complaint within the 20-day time limit granted in the January 19, 2023 Order, thus this case should be dismissed.

BACKGROUND

On July 1, 2022, Ms. Johnson tendered a complaint against LG&E alleging that she was mischarged an estimated bill. On August 23, 2022, the Commission entered an order requiring Ms. Johnson to tender certain documents in order to establish a *prima facie* case, and that if she failed to do so that the Commission would seek the information from LG&E. Ms. Johnson did not respond, and on October 12, 2022, the Commission entered an Order requesting a billing history regarding the alleged complaint from LG&E.

LG&E tendered the requested documents on November 1, 2022. Based on a review of those documents the Commission entered an Order on January 19, 2023, finding that no *prima facie* case existed based on the record and provided Ms. Johnson with 20 days from the date of service to file an amended complaint to establish a *prima facie* case. As of the entry of this Order no response has been received from Ms. Johnson.

LEGAL STANDARD

Commission regulation 807 KAR 5:001E, Section 20, governs the filing of a formal complaint. In accordance with 807 KAR 5:001E, Section 20(1)(c), a complaint must state “[f]ully, clearly, and with reasonable certainty, the act or omission” that the complaint alleges the utility failed to comply with and facts, with details, of the alleged failure. In accordance with 807 KAR 5:001E, Section 20(4)(a), the Commission examines a complaint to determine whether the complaint establishes a *prima facie* case and conforms to the administrative regulation. A complaint establishes a *prima facie* case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant to the requested relief.

If a complaint fails to establish a *prima facie* case or conform to the administrative regulation, 807 KAR 5:001E, Section 20(4)(a)(1), provides that the person filing the complaint be notified and provided an opportunity to amend the complaint within a specified time. Additionally, 807 KAR 5:001E, Section 20(4)(a)(2), provides that if the complaint is not amended within the time that the Commission grants, then the complaint shall be dismissed.

DISCUSSION AND FINDINGS

Based upon 807 KAR 5:001E, Section 20(4)(a)(2), the January 19, 2023 Order, and the case record, the Commission finds that this case should be dismissed because Ms. Johnson has not responded to the January 19, 2023 Order to file an amended complaint that establishes a *prima facie* case within 20 days of the date of service of that Order, and more than 80 days have passed since service of that Order.

IT IS THEREFORE ORDERED that:

1. Ms. Johnson's complaint is dismissed.
2. This case is closed and removed from the Commissions Docket.
3. A copy of this Order shall be served on Ms. Johnson by U.S. Mail at 6916 Roseborough Court, Louisville, Kentucky 40202.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner



ATTEST:


Executive Director

Tavonna L. Johnson
6916 Roseborough Court
Louisville, KENTUCKY 40202

*Honorable Allyson K Sturgeon
Managing Senior Counsel - Regulatory &
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