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VIA EMAIL: PSCED@ky.gov

July 16, 2025

Ms. Linda C. Bridwell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

RECEIVED

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**PUBLIC SERVICE
COMMISSION**

Re: Case No. 2025-00118

In the Matter of: Stephanie Monette Smith v. Duke Energy Kentucky, Inc.

Dear Ms. Bridwell:

Duke Energy Kentucky, Inc. hereby submits electronically pursuant to 807 KAR 5:001, Section 8, its Answer relative to the above captioned case.

I certify that the electronically filed documents are true and accurate copies of the original documents and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085, no paper copies of this filing will be made.

Respectfully submitted,

/s/Larisa M. Vaysman

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Enclosures: As stated

cc: Melissa R. Dixon (via email)
Stephanie Monette Smith (via regular mail)

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

STEPHANIE MONETTE SMITH)	
)	
COMPLAINANT)	CASE NO.
)	2025-00118
v.)	
)	
DUKE ENERGY KENTUCKY, INC.)	
)	
DEFENDANT)	

DUKE ENERGY KENTUCKY, INC.’S ANSWER

Now comes Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), by and through counsel, and pursuant to the Kentucky Public Service Commission (Commission)’s June 24, 2025 Order in this matter, does hereby respectfully tender its Answer to the Complaint.

I. INTRODUCTION

1. Stephanie Monette Smith (Complainant) is a combination customer of Duke Energy Kentucky, receiving both electric and natural gas service.

2. On September 13, 2022, Complainant requested replacement of her electric meter with an electric meter that does not utilize radio frequency communications to transmit data.

3. The Company replaced the Complainant’s previous meter with an electric meter which was disabled from using radio frequency communications to transmit data (First Opt-Out Meter) on September 14, 2022, and appropriately enrolled the Complainant

in Rider AMO, which includes a one-time fee of \$100 and a recurring monthly charge of \$25.

4. Beginning on or about September 2022, the First Opt-Out Meter malfunctioned, such that the screen continually displayed a read indicating zero usage.

5. The Company continued to send technicians monthly to read the First Opt-Out Meter, with the technicians obtaining readings of zero usage monthly.

6. On March 20, 2024, in response to an investigation order reporting a frozen display, a Company technician replaced the First Opt-Out Meter with another, properly functioning, electric meter which was disabled from using radio frequency communications to transmit data (Second Opt-Out Meter).

7. Since the March 20, 2024 replacement, the Second Opt-Out Meter has been read monthly by Company technicians and actual meter reads have been reported.

8. On December 23, 2024, the Company issued a bill to Complainant that included charges for the unbilled electricity used by Complainant from November 16, 2022 to April 16, 2024, based on estimated usage for that period.

9. On July 15, 2025, the Company removed a total of \$850.00 from Complainant's balance, reflecting the monthly Rider AMO charges paid by Complainant during between September 14, 2022 and March 20, 2024.

10. Although Complainant experienced a period of underbilling, the Company replaced the meter and reduced the Complainant's balance by the total recurring monthly Rider AMO charges for the period during which the First Opt-Out Meter was not functioning properly, and the Complainant's balance, as of July 15, 2025, is correct.

II. ANSWER

In response to the allegations contained in the Complaint, Duke Energy Kentucky states as follows:

11. Duke Energy Kentucky admits that it replaced the Complainant's meter on September 14, 2022, pursuant to Complainant's request.¹ Duke Energy Kentucky further admits that in requesting this replacement, Complainant represented that she was acting on advice from her doctor. Duke Energy Kentucky is without information to admit or deny Complainant's allegation that her request to replace the meter was "due to medical reasons."²

12. Duke Energy Ohio admits that Complainant was being charged a recurring monthly charge of \$25 for participation in Rider AMO.³

13. Duke Energy Kentucky denies that it requested "over \$3,000 in underbilled electric" in December 2024.⁴ Duke Energy Kentucky admits that on December 23, 2024, the Company issued a bill to Complainant that included charges of \$2,869.93 for the unbilled electricity used by Complainant from November 16, 2022 to April 16, 2024, based on estimated usage for that period.⁵ Answering further, Duke Energy Kentucky admits that the total balance on the bill issued December 23, 2024 was over \$3,000.

14. Duke Energy Kentucky admits that it offered Complainant a payment plan of \$218 per month (in addition to current charges) when Complainant called on January

¹ Complaint, p. 2.

² Complaint, p. 2.

³ KY. P.S.C. Electric No. 2, Sheet No. 74; *see* Complaint, p. 2.

⁴ Complaint, pp. 2-3.

⁵ *See* Exhibit 1, pp. 8-19.

31, 2025 to inquire about her bill.⁶

15. Duke Energy Kentucky admits that Complainant has been paying her bill every month.

16. Duke Energy Kentucky is without information to admit or deny Complainant's allegation that she has "a new AC system."⁷

17. All averments in the Complaint that are requests for relief do not require admission or denial.

18. All averments in the Complaint and Supplements to Complaint not expressly and affirmatively admitted herein are hereby expressly denied.

FIRST AFFIRMATIVE DEFENSE

19. The Complaint fails to state a cause of action upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

20. Complainant's current account balance is in accordance with rules and regulations of the Kentucky Public Service Commission, Duke Energy Kentucky's filed tariffs, and Kentucky law.

THIRD AFFIRMATIVE DEFENSE

21. Duke Energy Kentucky respectfully reserves the right to plead any and all additional defenses that discovery may reveal.

⁶ See Complaint, p. 3.

⁷ Complaint, p. 3.

Respectfully submitted,

DUKE ENERGY KENTUCKY, INC.

/s/Larisa M. Vaysman

Rocco O. D'Ascenzo (92796)

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CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing has been emailed to the Kentucky Public Service Commission at PSCED@ky.gov and Melissa R. Dixon at mdixon@lablaw.org. In addition, a true and accurate copy of the foregoing was placed in the U.S. mail, postage prepaid, on July 16, 2025 addressed to the following:

Stephanie Monette Smith
3927 Lincoln Avenue
Latonia, KY 41015

/s/Larisa M. Vaysman

Counsel, Duke Energy Kentucky, Inc.