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AUG 3 2026
PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:
NICOLAS PANGALLO
COMPLAINANT
v.
DUKE ENERGY KENTUCKY, INC.
DEFENDANT

CASE NO. 2026-00130

COMPLAINANT'S SUPPLEMENTAL FILING REGARDING INCOMPLETE RESPONSE TO STAFF DATA REQUEST, PRIOR METER HISTORY, AND FINDINGS FROM FEBRUARY 17, 2026 CALL RECORDING

Complainant	Nicolas Pangallo, Pro Se
Service Address	2751 Alexandria Ave, Latonia, KY 41015
Complainant Account	[redacted] (service began July 3, 2025)
Prior Account (Same Address)	[redacted] (Timothy Pangallo — father of Complainant)
Gas Meter Number	[redacted] — IDENTICAL on both accounts. Same physical meter.
Date of Filing	July 31, 2026

I. PURPOSE OF THIS SUPPLEMENTAL FILING

Complainant submits this Supplemental Filing to bring three related matters to the Commission's attention: (1) the incompleteness of Duke Energy's response to STAFF-DR-01-001 regarding usage history at the service address; (2) the existence of anomalous gas usage patterns on the same physical meter going back to at least 2023; (3) Duke Energy's failure to fully answer STAFF-DR-01-002 Part (b); and (4) findings from Complainant's review of Confidential Attachment 1 — the February 17, 2026 call recording — which directly contradict Duke Energy's sworn Answer and sworn data responses.

II. DUKE ENERGY'S RESPONSE TO STAFF-DR-01-001 WAS INCOMPLETE

In response to Staff Request No. 01-001, Laura Reynolds responded under oath: "Mr. Pangallo has only had service at this address in his name since July 3, 2025."

This statement is technically accurate but materially misleading. Gas meter number [redacted] at 2751 Alexandria Ave has been continuously operating under Duke Energy account number [redacted] — held by Timothy Pangallo, Complainant's father — going back to at least 2023. The billing records in Complainant's possession confirm this.

CRITICAL: The gas meter number is [redacted] on BOTH accounts. Same physical meter, same address, same equipment — furnace, water heater, and stove — continuously from 2023 through the present. Duke Energy has full access to the complete usage history on meter [redacted] going back years but produced only thirteen months of data.

III. ANOMALOUS USAGE PATTERNS ON METER 1286766

The billing records from the prior account reveal usage patterns inconsistent with normal heating demand. The following table uses temperatures recorded on Duke Energy's own bills:

Billing Period	Avg Temp	CCF Used	Notes
Oct 2023 (prior account)	58°F	27 CCF	Normal autumn usage — baseline established
Nov 2023 (prior account)	46°F	43 CCF	Normal early heating season
Jan 2024 (prior account)	31°F	165 CCF	Peak winter — coldest month on record
Feb 2024 (prior account)	42°F	197 CCF	FLAGGED: 11°F warmer than January yet 32 CCF HIGHER. Opposite of normal heating demand.
Mar 2024 (prior account)	48°F	123 CCF	Drop as temperatures rose — normal
Apr 2024 (prior account)	49°F	72 CCF	Continued normal decline
Nov 2025 (Complainant acct)	46°F	69 CCF	First full winter month — comparable to Nov 2023
Dec 2025 (Complainant acct)	31°F	137 CCF	Same temperature as Jan 2024 — usage lower
Jan 2026 (Complainant acct)	38°F	138 CCF	FLAGGED: 7°F warmer than December yet virtually identical usage. Opposite of normal.

Feb 2026 (Complainant acct)	24°F	223 CCF	Spike — Complainant reported suspected leak Feb 17. Duke Energy did not dispatch technician.
Mar 2026 (Complainant acct)	44°F	88 CCF	Complainant shut off stove line — immediate drop
Apr 2026 (Complainant acct)	58°F	47 CCF	Back to near-normal baseline

Two anomalies appear on the same meter in different winters: February 2024 was 11 degrees warmer than January 2024 but used 32 CCF more — opposite of normal heating demand. January 2026 was 7 degrees warmer than December 2025 but used virtually identical gas. Complainant does not claim to know when the furnace fitting leak first developed. However the pattern raises a legitimate question: was the leak already present and detectable in February 2024 — over two years before it was finally found and repaired on April 7, 2026?

Furthermore, the billing cycle dates make Duke Energy's inaction even more difficult to justify. Complainant's billing periods run mid-month to mid-month. The billing period that produced the 223 CCF spike ran from January 17, 2026 to February 13, 2026. That bill was already generated and processed in Duke Energy's system when Complainant called on February 17 — four days after the billing period closed. The deviation was not a prediction or estimate. It was a completed, documented billing cycle showing 223 CCF — nearly double the weather-adjusted baseline — already sitting in Duke Energy's system when the February 17 call was made. The Call Center specialist had full access to that data. There was no ambiguity about the magnitude of the deviation.

IV. DUKE ENERGY'S TARIFF REQUIRED DETECTION AND INVESTIGATION

In response to STAFF-DR-01-002, Beth White described Duke Energy's process under KY.P.S.C. Gas No. 2, Fourth Revised Sheet No. 24:

> *"The Company's billing system looks at the installation and checks the customer's consumption for the same billing period of the previous year and the billing period immediately prior to the current one being evaluated. It then looks at the customer class and meter type and compares the deviation threshold to a corresponding table in the billing system."*

Duke Energy's billing system compares current usage to the same period of the prior year. February 2024 under the prior account used 197 CCF at 42°F. February 2026 used 223 CCF at 24°F — 18 degrees colder. Duke Energy's own system should have compared these and evaluated whether the deviation exceeded their threshold.

Duke Energy's billing system also compares to the immediately prior billing period. January 2026 used 138 CCF at 38°F. February 2026 used 223 CCF at 24°F — a 62% increase. This is exactly the kind of deviation Duke Energy's tariff was designed to detect.

V. DUKE ENERGY FAILED TO FULLY ANSWER STAFF-DR-01-002 PART (b)

The Commission asked two distinct questions under Part (b): (1) HOW Duke Energy determines if a deviation warrants action — meaning the specific threshold; and (2) WHAT specific action is taken when that threshold is crossed.

UNANSWERED: Beth White never stated the specific deviation threshold. She described the system in general terms but never disclosed the actual number or formula. Without this threshold the Commission cannot determine whether the 62% spike from January to February 2026 should have automatically triggered Duke Energy's own investigation process.

UNANSWERED: Beth White never identified what specific action is taken once a billing exception is triggered. She said 'further review is performed' and a field investigation 'may also' be issued — but never specified under what circumstances a field investigation is dispatched versus a phone review only. This is the precise distinction that determines whether Duke Energy was required to dispatch a technician after the February 17 call.

The Commission should compel Duke Energy to answer precisely: What is the specific threshold? Under what circumstances is a field investigation dispatched? Was a billing exception triggered on account 9101 8770 6109 between December 2025 and April 2026? Did the 62% spike exceed the threshold? Did the February 17 Call Center specialist follow Beth White's described process?

VI. FINDINGS FROM CONFIDENTIAL ATTACHMENT 1 — FEBRUARY 17, 2026 CALL RECORDING

Complainant has reviewed Confidential Attachment 1 — the audio recording of the February 17, 2026 customer service call, timestamped 4:11 PM, duration 47 minutes and 22 seconds. The recording directly contradicts Duke Energy's sworn Answer and reveals that Duke Energy's own representative internally flagged the call as a suspected gas leak concern requiring investigation.

Finding 1 — Complainant Explicitly Raised a Gas Leak on the Call

During the call, after questioning the high bill, Complainant stated: "So I have a gas leak that I don't know about?" This is an explicit reference to a gas leak made directly to Duke Energy's representative. Duke Energy's Answer stated Complainant "did not report any odor and in fact denied that any odor was present" — framing the call as a routine billing inquiry. The recording proves Complainant raised the possibility of a gas leak directly. The representative's response was to redirect to thermostat settings — not to follow any safety protocol.

CONTRADICTION: Duke Energy told the KPSC the call did not qualify as a safety report. The recording proves Complainant said the words 'gas leak' directly. The representative's response was to ask about thermostat temperature — not to follow safety protocol.

Finding 2 — Duke Energy's Supervisor Internally Flagged the Account as a Suspected Gas Leak

After placing Complainant on hold to consult a supervisor, the representative returned and stated, quoted directly from the recording:

> *"What my supervisor told me is to have this account on observation. So what we're gonna do is we'll leave a note on file about this information that we did and [flag] suspicion raising because of this gas bill that you have. So what we're gonna do is we'll put the balance on the installment plan... just so we can investigate on what's happening. So if you receive your next bill and it just became suspiciously high again, please call us back just for us to activate the note or the ticket that we did."*

This statement contains four admissions that directly contradict Duke Energy's sworn Answer:

- The account was placed "on observation" — meaning Duke Energy's own supervisor recognized something required monitoring. This is not a routine billing call.
- The representative used the word "investigate" — Duke Energy told the KPSC no investigation was warranted. Their own rep said the purpose of the extension was "so we can investigate on what's happening."
- The bill was described as "suspiciously high" — this is Duke Energy's own representative characterizing the usage as suspicious. Not normal. Not explained by thermostat settings. Suspicious.
- A ticket was created — "activate the note or the ticket that we did." Duke Energy created a ticket on February 17 related to this suspected gas leak concern. The Commission should compel Duke Energy to produce that ticket and all associated records.

CONTRADICTION: Duke Energy's sworn Answer states the February 17 call was a routine billing inquiry. Their own representative's words on the recording — 'observation,' 'investigate,' 'suspiciously high,' and 'ticket' — prove Duke Energy internally treated this as an abnormal situation requiring follow-up. They chose a payment plan instead of a field investigation.

Finding 3 — Duke Energy's Representative Confirmed the Correct Protocol Was to Send a Crew

At the very end of the 47-minute call — the final minute — Complainant asked directly: "Is there anything you do if we do have a leak? What do we do?"

The representative responded: "We send a crew."

CONTRADICTION: Duke Energy's own representative confirmed on the February 17 recording that the correct response to a gas leak report is to send a crew. Duke Energy did not send a crew on February 17. They sent a crew seven weeks later on April 7, 2026 — only after Complainant called back again on March 30. Duke Energy knew what the correct protocol was. Their own representative stated it on the recording. They chose not to follow it.

Finding 4 — Beth White's Sworn Testimony is Contradicted by the Recording

Beth White testified under oath that the Call Center specialist is required to check consumption for the same billing period of the previous year and the billing period immediately prior. The February 17 recording reveals that the representative did review usage with Complainant — but only covered November 2025 through February 2026, the period of Complainant's account only. The representative did not perform the prior year comparison Beth White's sworn process requires. Complainant's account began July 3, 2025, so no prior year data existed on that account. However, meter number [redacted] had prior year winter data available under account [redacted] — December 2023 through February 2024 — which Duke Energy possessed in its own system. That data was never accessed or referenced during the February 17 call. Had the representative compared February 2026 (223 CCF at 24°F) to February 2024 (197 CCF at 42°F) on the same physical meter — an 18 degree colder month using only 26 CCF more — the anomaly would have been immediately apparent and should have triggered a billing exception under Duke Energy's own process. No billing exception was generated. Furthermore, the billing period producing the 223 CCF spike ran from January 17 to February 13, 2026 — already closed and processed in Duke Energy's system when Complainant called on February 17. The representative reviewed only surface-level bill figures rather than performing the comparative analysis Beth White's sworn testimony requires.

Furthermore, the billing period producing the 223 CCF spike ran from January 17 to February 13, 2026 — already closed and processed in Duke Energy's system when Complainant called on February 17. The deviation was fully documented and visible to the representative. There was no ambiguity. The representative had full access to the data and chose not to review it with Complainant as Duke Energy's own process requires.

VII. RELIEF REQUESTED

Complainant respectfully requests the following relief from the Commission:

1. An Order compelling Duke Energy to produce the complete gas usage history for meter number [redacted] at 2751 Alexandria Ave, Latonia, KY 41015 from its earliest available record through the present date, regardless of which account name the usage was billed under.

2. An Order requiring Duke Energy to answer the following specific questions under oath: (a) Was a billing exception triggered on account [redacted] or meter [redacted] between December 2025 and April 2026? (b) Was a billing exception triggered on account [redacted] between December 2023 and April 2024? (c) What is the specific deviation threshold that triggers a billing exception for Complainant's customer class and meter type? (d) Did the 62% usage spike from January to February 2026 exceed that threshold?

3. An Order compelling Duke Energy to provide complete specific answers to STAFF-DR-01-002 Part (b), including the exact numerical threshold, the circumstances under which a field investigation is dispatched versus phone review only, whether a billing exception was triggered between December 2025 and April 2026, and whether the February 17 Call Center specialist followed Beth White's described process.

4. An Order compelling Duke Energy to produce the ticket and all associated notes created on February 17, 2026 in connection with account [redacted], referenced by the representative on the recording.

5. A finding that Duke Energy's sworn Answer misrepresented the nature of the February 17, 2026 call. The recording proves Duke Energy internally flagged the call as a suspected gas leak concern, placed the account on observation, created a ticket, and used the word 'investigate' — none of which was disclosed in Duke Energy's Answer.

6. A finding that Beth White's sworn testimony that usage is reviewed with the customer on the phone is directly contradicted by the February 17 recording, in which no usage review was conducted despite the deviation being fully documented and visible in Duke Energy's system.

7. A finding that Duke Energy's own representative confirmed on the recording that the correct response to a gas leak report is to 'send a crew' — and that Duke Energy failed to follow its own stated protocol on February 17, waiting seven weeks before dispatching a technician who subsequently confirmed an active leak.

8. A finding that Duke Energy's response to STAFF-DR-01-001 was materially incomplete in failing to disclose prior usage history on meter [redacted] under account [redacted].

9. Such other relief as the Commission deems appropriate and just.

VIII. CONCLUSION

The February 17, 2026 call recording is the most important piece of evidence in this proceeding. It proves that: Complainant explicitly raised a gas leak; Duke Energy's supervisor flagged the account as suspicious and ordered observation status; the representative used the word 'investigate'; and when asked directly what Duke Energy does about a gas leak, the representative said 'we send a crew' — then didn't send one for seven weeks. Duke Energy's sworn Answer and sworn data responses do not reflect this reality. The Commission is entitled to the full truth.

Respectfully submitted,

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Date: July 31, 2026