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PUBLIC SERVICE COMMISSION

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MELISSA SAURINI AND JONATHON JONES	)	
	)	
	)	**Case No. 2026-00154**
COMPLAINANTS	)	
	)	
	)	
KENTUCKY UTILITIES COMPANY	)	
	)	
DEFENDANT	)	

KENTUCKY UTILITY COMPANY'S STATEMENT ON HEARING AND BRIEF

Pursuant to the Commission's Order dated September 10, 2026, Kentucky Utilities Company ("KU") respectfully states that a hearing in this matter is not necessary because there are no factual issues in dispute.

COMPLAINANTS ARE NOT ENTITLED TO ANY REMAINING RELIEF SOUGHT IN THE AMENDED COMPLAINT

As an initial matter, Jonathan Jones lacks standing to bring this action because he is not a KU customer. Since he is not a proper party to this action, he should be dismissed. Furthermore, in the Amended Complaint at pages 4-5, Complainants set forth eleven distinct requests for relief from the Commission. All such requests have either been satisfied or fail as a matter of law. Accordingly, there is nothing left for the Commission to do with this matter other than dismiss the Amended Complaint in its entirety.

The Complainants bear the burden of proof in this matter and are obligated to demonstrate that the actions of KU to which they object violate the provisions of Chapter 278 of the Kentucky Revised Statutes, the Commission's regulations, or KU's tariffs. This they have not done, and

cannot do, with respect to any of their claims. Indeed, construing the record in Complainants' favor there are no genuine issues of material fact requiring a hearing and KU is entitled to summary disposition of this matter.

Under KRS 278.260(2) "[t]he commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary in the public interest or for the protection of substantial rights." In this case, a hearing is not necessary because there are no issues of material fact and the Complaint fails as a matter of law.

Although the Commission has not established a standard for summarily disposing of customer complaint cases, it has stated that "the principles established by the courts in ruling on motions for summary judgment provide persuasive guidance in our consideration of whether to rule on a complaint case without conducting an evidentiary hearing."[1] Citing the Kentucky Supreme Court's seminal opinion concerning summary judgment, the Commission has stated, "Civil Rule 56 provides that upon motion by a party the court shall enter summary judgment if there are no genuine issues of material fact, and the moving party is entitled to judgment as a matter of law. Kentucky courts have consistently held that the rule should be applied cautiously and that the record should be reviewed in a light most favorable to the party opposing summary judgment with all doubts resolved in the nonmovant's favor."[2] Here, even when viewing the record in the light most favorable to the Complainants and resolving all doubts in Complainants' favor, there remains no genuine issue as to any material fact regarding the claims asserted by Complainants. Moreover, to the extent Complainants seek the production of documents, KU has fully satisfied those requests. Therefore, KU is entitled to summary disposition in this case.

[1] *Johnny D. Pennington v. Kentucky Power Company*, Case No. 2015-00260, Order at 9 (Ky. PSC Feb. 18, 2016).
[2] *Id.*, *citing Steelvest, Inc. v. Scansteel Service Center,* 807 S.W.2d 476, 482 (Ky. 1991).

The failure or satisfaction of each of Complainants' eleven requests, found in their prayer for relief in Section VII of their Amended Complaint on pages 4-5, is discussed below.

1. *Accept this Amended Complaint*;

The Commission accepted the Amended Complaint. *See* Order, July 20, 2026. This request is satisfied.

2. *Require KU to file an Answer responding to the allegations herein*;

The Commission ordered KU to file a written answer to the Complaint. *See* Order, July 20, 2026. KU filed a written answer to the Complaint on July 30, 2026. *See* Kentucky Utilities Company Answer. This request is satisfied.

3. *Require KU to provide the records identified in Paragraph 27;*

The Commission permitted the parties to file requests for information on other parties. *See* Order, September 10, 2026. Complainants filed requests for information on KU that included, among many others, the records identified in Paragraph 27 of the Complaint. *See* Melissa Saurini and Jonathan Jones First Request for Information to Kentucky Utilities Company, September 10, 2026. KU responded to these requests for information. *See* KU's Responses to Complainant's Initial Data Requests, October 16, 2026, Questions 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 17, 18, 19, 20. This request is satisfied.

4. *Require KU to verify that Meter No.* [redacted] *exclusively serves Complainants' residence;*

KU verified and provided documentation indicating that Meter [redacted] has been the only meter while the service at this residence has been in Ms. Saurini's name. *See* KU Responses to First Request for Information, Question 9. Members of KU's Field Services team de-energized Meter No. [redacted] to verify proper meter-to-premise association. Testing confirmed that the meter serves the intended premise and was accurately registering usage for that premise and that premise only. *See* KU Responses to First Request for Information, Question 10. KU Field Services

personnel examined the service configuration of the neighboring property. The meter next door at 242 Braxton Ln was removed, which interrupted power at that location while service remained energized at Complainants' address, 241 Braxton Ln. This confirmed that the two premises are served independently and that the neighboring premise is not being supplied through Meter No. [redacted]. *See* KU Responses to First Request for Information, Question 11. The record reflects that KU has verified that Meter No. [redacted] exclusively serves Complainants' residence. KU has therefore satisfied this request leaving no genuine issue of material fact for the Commission to resolve.

5. *Require KU to explain and document the basis for the disputed winter consumption reflected on the account and the calculation of the related charges and balances;*

The records provided by KU indicate that electrical usage registered for this year's winter usage on Ms. Saurini's account is consistent with past electrical usage registered by this meter at the residence. *See* KU Responses to First Request for Information, Question 6. KU has satisfied this request and there is no genuine issue of material fact for the Commission to resolve.

6. *Require KU to provide written results of any meter verification, service verification, account audit, or technical investigation performed in response to this complaint;*

KU provided full and complete responses to Complainants' Request for Information that confirmed that Meter No. [redacted] exclusively serves Complainants' residence, that the meter was validated and functioning correctly, that the meter was properly registering Complainants' usage (including complete interval usage data), and that Complainant was correctly billed for her usage. *See* KU Responses to First Request for Information, Question 1; KU Responses to First Request for Information, Question 2; KU Responses to First Request for Information, Question 8; KU Responses to First Request for Information, Question 9; KU Responses to First Request for Information, Question 10; KU Responses to First Request for Information, Question 11; KU

Responses to First Request for Information, Question 12. KU has satisfied this request and there is no genuine issue of material fact for the Commission to resolve.

7. *Determine whether KU's disconnection and restoration actions complied with applicable statutes, Commission regulations, and approved tariffs governing residential electric service;*

On their face, the allegations in the Complaint fail to provide any indication of how KU's disconnection procedures in this case failed to comply with applicable law. *See* Amended Compl. Moreover, Complainants introduced no evidence to support any allegation that KU violated its tariff or the Commission's regulations with respect to disconnection and restoration procedures. On the contrary, KU's responses to Complainant's Requests for Information demonstrate that KU actively engaged with Complainants to resolve payment issues and that KU initiated the May 19, 2026 disconnection and subsequent restoration, consistent with its tariff and the applicable regulations. *See* KU Responses to First Request for Information, Question 5; KU Responses to First Request for Information, Question 15; KU Responses to First Request for Information, Question 17; KU Responses to First Request for Information, Question 18; KU Responses to First Request for Information, Question 20.

There is no genuine issue of material fact for the Commission to resolve with respect to this request and it fails as a matter of law.

8. *Review and reconcile disputed billing, corrected bills, installment-plan balances, adjustments, and account activity associated with Account No.* [redacted];

KU provided full and complete responses to Complainant's Requests for Information that requested the billing records and calculations associated with *Account No.* [redacted]. *See* KU Responses to First Request for Information, Question 5; KU Responses to First Request for Information, Question 20. Those records reflect that KU appropriately billed Ms. Saurini under the terms and conditions of KU's tariff, consistent with the filed rate doctrine codified in KRS

278.160(2). Therefore, no genuine issue of material fact exists for the Commission to resolve with respect to this request and it fails as a matter of law.

9. *Require appropriate technical investigation into the abnormal winter consumption reflected on the account;*

KU's Billing Integrity team reviewed Complainants' winter usage data on Meter No. [redacted] and compared the months in question here to the same winter billing period for Ms. Saurini's account the previous winter and for the prior customer at the residence using Meter No. [redacted] the winter before that. This review of the two most recent years' usage confirmed that the winter consumption for 2025 was not "abnormal". On the contrary, the usage was consistent with the prior years' winter usage at the premise. *See* KU Responses to First Request for Information, Question 6. There is no genuine issue of material fact for the Commission to resolve with respect to this request and it fails as a matter of law.

10. *Award any billing corrections, adjustments, credits, refunds, or other relief supported by the findings of the Commission's investigation; and*

As discussed above, there is no evidence in the record that there is any unresolved billing error for Ms. Saurini's account. When viewing the record in the light most favorable to the Complainants and resolving all doubts in Complainants' favor, therefore, there remains no genuine issue as to any material fact regarding the claims asserted by Complainants and the Complaint fails as a matter of law.

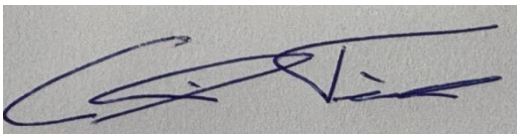
11. *Grant any further relief the Commission deems just and proper*.

As discussed above, Complainants are entitled to no additional relief. The Commission ordered KU to file an Answer, which KU did. The Commission afforded the Complainants with an opportunity for discovery. Complainants propounded extensive discovery, to which KU as thoroughly responded. In fact, KU has supplied all information requested and that information

demonstrates that the meter in question serves Complainants' premise, that the winter usage for the time period in question is in line with prior years' winter usage at the premise, that KU followed all applicable rules with respect to the May 19, 2026 disconnection, and that there are no billing issues to resolve. Accordingly, KU respectfully requests that the Commission grant KU summary disposition in this case with no need for a hearing.

Dated: October 23, 2026

Respectfully Submitted,



Sara V. Judd
Assistant General Counsel
Christopher C. Tieke
Counsel

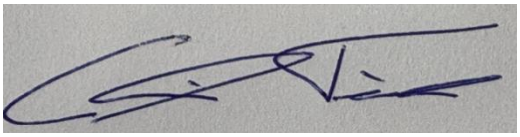
PPL Services Corporation
2701 Eastpoint Parkway
Louisville, Kentucky 40223
Telephone: (502) 627-4850
svjudd@pplweb.com
Telephone: (513) 313-9325
cctieke@pplweb.com

Counsel for Defendant,
Kentucky Utilities Company

CERTIFICATE OF COMPLIANCE

In accordance with the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on October 23, 2026, and that a copy has been sent via U.S. Mail and email to

Melissa Saurini and Jonathon Jones
241 Braxton Lane
Lily, Kentucky 40740.



Sara V. Judd
Assistant General Counsel
Christopher C. Tieke
Counsel

Counsel for Defendant,
Kentucky Utilities Company