

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

NANCY AND DAVID KILBY	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO.
	)	2022-00082
	)	
SOUTH KENTUCKY RURAL ELECTRIC	)	
COOPERATIVE CORPORATION	)	
	)	
DEFENDANT	)	

ORDER

South Kentucky Rural Electric Cooperative Corporation (South Kentucky RECC) is hereby notified that it has been named as a Defendant in a formal complaint filed on March 11, 2022, a copy of which is attached to this Order as an Appendix. By Order dated March 30, 2022, complainants were requested by the Commission to file a copy of their bills at issue, which they filed on April 15, 2022, and are attached to this Order as an Appendix.

Pursuant to 807 KAR 5:001, Section 20, South Kentucky RECC is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within ten days from the date of entry of this Order. South Kentucky RECC's answer shall include:

1. A statement regarding whether complainants have requested a meter test and whether South Kentucky RECC performed a meter test.

2. A copy of any meter test results pertaining to any meters used at the property described in the complaint.

3. All correspondence between South Kentucky RECC and complainants that pertains to the electric bills discussed in the complaint in this case.

The Commission directs South Kentucky RECC to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission. In the Commission's March 16, 2020 Order in Case No. 2020-00085,<sup>2</sup> the Commission provides instructions for filings in non-electronic cases, insofar that parties of non-electronic cases may file one original document with no copies, or send an electronic mail message with an electronic copy of the document to the Commission and to parties to the matter. Any electronic email filed in this manner should be sent to [PSCED@ky.gov](mailto:PSCED@ky.gov), and each message should include the case number in the subject line of the message and a read receipt to ensure the Commission received the message and documents. A party filing a paper containing personal information shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

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<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission mandated the use of the electronic filing procedures found in 807 KAR 5:001, Section 8, except for *pro se* formal complaints filed against utilities).

<sup>2</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC Mar. 16, 2020), Order at 5–6.

PUBLIC SERVICE COMMISSION



Chairman

\_\_\_\_\_  
Vice Chairman

\_\_\_\_\_  
Commissioner



ATTEST:



Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2022-00082 DATED JUN 10 2022

TEN PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAR 11 2022

PUBLIC SERVICE  
COMMISSION

In the matter of:

Nancy & David Kilby  
(Your Full Name)  
COMPLAINANT

VS.

South Ky R.E.C.C.  
(Name of Utility)  
DEFENDANT

COMPLAINT

The complaint of Nancy & David Kilby  
(Your Full Name) respectfully shows:

(a) Nancy A. Kilby & Harold David Kilby  
(Your Full Name)

3950 E. Hwy 70 Eubank, Ky. 42567  
(Your Address)

(b) South Kentucky R.E.C.C.  
(Name of Utility)

200 Electric Ave, Somerset, Ky 42501  
(Address of Utility)

(c) That: The bill in disagreement is for a time when the  
(Describe here, attaching additional sheets if necessary,

house was vacant, water turned off, no electrical  
the specific act, fully and clearly, or facts that are the reason

appliances in the house. The only thing using any  
and basis for the complaint.)

electric was a pump for the cattle water tank, and

Continued on Next Page

Formal Complaint

Nancy & David Kilby vs. So. Ky RECC

Page 2 of 2

we had less than 10 head drinking. Previously it had never  
exceeded the minimum bill amount. The house was winterized  
to prevent water line damage and NO heat was in the  
house. The only heat available is by wood and propane.  
The house was completely empty of any and all appliances.  
RECC cannot tell us where the electric went other than ->

Wherefore, complainant asks the excess amount of the bill  
(Specifically state the relief desired.)  
removed. Leaving the minimum amount owed that  
we admitt we used.

Dated at Eubank, Kentucky, this 7 day  
(Your City)

of March, 2022.  
(Month)

David Kilby  
(Your Signature\*)

(none at this time)  
(Name and address of attorney, if any)

3/7/2022  
Date

\*Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

# Kilby vs RECC

cont

it went through our meter. The representative of RECC commented "it went into the ground" If so, there should be a spot in the ground of dead grass. All lines are over head and none buried. That explanation we find absurd.

The electric in the house has been inspected by a licensed electrician with findings all being in compliance with no problems.

We feel since they can provide no logical explanation as to where the electricity went, other than through our meter and we had no way of using said electricity that their bill should reflect what we could have used. Are they trying to recoup from paying customers for their defective? Makes one wonder.

The RECC representative stated prior to even entering the rental house that "they were Never in the wrong, their equipment never failed". So it sounded as though the decision was going to be in their favor regardless of findings.

We aren't denying that we used electricity but it would have been a minimal amount for 10 cows to drink. Not the enormous amount they are billing for.

RECEIVED

APR 15 2022

PUBLIC SERVICE  
COMMISSION

TO Whom it May CONCERN

SENDING Following

1. Copy of Bill IN QUESTION
2. Copies of last THREE Bills FOR HOUSE AT 3950 E. Hwy 70. WE DON'T HAVE ANY FOR 3810 THE HOUSE IN QUESTION THIS IS RENTAL AND they pay ELECTRIC Bill.
3. SKRECC will NOT provide me with copy of RESULTS of METER TEST.

Thank You.  
David Kilby

# SK South Kentucky RECC

(800) 264-5112

Somerset  
(606) 678-4121  
7:30 A.M. - 4:30 P.M. EST

Monticello  
(606) 348-6771  
7:30 A.M. - 4:30 P.M. EST

Whitley City  
(606) 376-5997  
7:30 A.M. - 4:30 P.M. EST

Albany  
(606) 387-8476  
7:30 A.M. - 4:30 P.M. CST

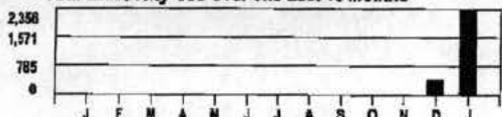
Jamestown  
(270) 343-7500  
7:30 A.M. - 4:30 P.M. CST

ACCOUNT NUMBER	ACCOUNT NAME	METER NUMBER					
██████████	KILBY NANCY	214081					
LOCATION	CYCLE NUMBER	RATE	BC	TELEPHONE	SERVICE ADDRESS		
123376001	929	1	4	██████████	EAST HIGHWAY 70 3810		
PREVIOUS READING	PRESENT	READ CODE	FROM	SERVICE TO	MULTIPLIER	KWH	AMOUNT
28684	31040	92	12/05/20	01/04/21	1	2356	204.48
FUEL ADJUSTMENT [-0.005690 x 2356 kWh] -13.41 ENVIRONMENTAL SURCHARGE [15.65%] 31.95 1*LED SEC LT 23KWH 23 13.11 SCHOOL TAX 3% 7.08 TOTAL CURRENT BILL DUE 01/24/21 243.21 PREVIOUS UNPAID BALANCE 52.29 TOTAL AMOUNT DUE 295.50 (CURRENT BILL DUE DATE DOES NOT APPLY TO THE PREVIOUS BALANCE DUE)							

**FINAL BILL**

COMPARISONS	DAYS SERVICE	TOTAL KWH	AVG. KWH/DAY	AVG. TEMP/DAY	TOTAL DUE	\$
CURRENT BILLING PERIOD	30	2356	79	39.0		295.50
PREVIOUS BILLING PERIOD	12	444	37			
SAME PERIOD LAST YEAR	0	0	0			
					<b>AFTER DUE DATE PAY</b>	<b>\$ 295.50</b>

Your Electricity Use Over The Last 13 Months



Due Date is for current months bill only and does not apply to previous amounts  
Conveniently pay your bill online at [www.skrecc.com](http://www.skrecc.com)

SKRECC will resume disconnection for non-payment on Nov. 5.  
We have several options available for members with balances.  
Visit [www.skrecc.com](http://www.skrecc.com) or Call (800) 264-5112.

Ask Us About These Services

- Bank Drafting
- Levelized Billing
- E-Billing/Pay Online
- 24 Hour Dispatching
- Ky Living Magazine
- Energy Audits
- Outdoor Lighting
- Elect. Code/Design Consultation
- Long Distance Phone Service

Rate Codes

- 1-Residential
- 2-Small Comm.
- 3-Public Building
- 4-Large Power
- 5-Optional Power
- 6-Res. Mktg.
- 7-Smal Comm. Mktg.
- 8-Street Lighting
- 9-Large Power 1
- 10-Large Power 2
- 11, 12, 14-19=Special Contract LP
- 20,22 = Net Mtr

Meter Reading Codes

- 0=Estimated Reading
- 1=Consumer Reading
- 2=Normal Reading
- 3=Manual Estimated

If your power is off, first check to see that all fuses and breakers are working properly. If this does not correct the problem, call your local Cooperative office at the number listed above. Please provide your Account Number, Name, and Address as it appears on your statement. Phone dispatch is available 24 hours a day, 7 days a week. Please call our office with any question or problem you may have. If your local office is a toll call then call our toll free number listed above.

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

DO NOT ATTACH PAYMENT TO REMITTANCE SLIP

KY005409

**SK** South Kentucky RECC  
PO BOX 910  
SOMERSET KY 42502-0910  
ADDRESS SERVICE REQUESTED

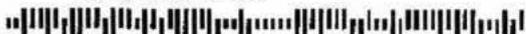


Scan Here at Payment Kiosk

ACCOUNT #	INVOICE #	AMOUNT DUE
██████████	0	295.50
CYCLE	BILLING DATE	AFTER DUE DATE PAY
929	01/08/21	295.50
This Due Date does not apply to previous past due amounts	DUE DATE	ENTER AMOUNT PAID
	01/24/21	

PLEASE INDICATE CHANGE OF ADDRESS OR PHONE NUMBER HERE

\*\*\*\*\*AUTO\*\*5-DIGIT 42539



KILBY NANCY 3  
3810 E HIGHWAY 70 723  
EUBANK KY 42567-7523

SOUTH KENTUCKY RECC  
PO BOX 910  
SOMERSET KY 42502-0910





(800) 264-5112

**Somerset**  
(606) 678-4121  
7:30 A.M. - 4:30 P.M. EST

**Monticello**  
(606) 348-6771  
7:30 A.M. - 4:30 P.M. EST

**Whitley City**  
(606) 376-5997  
7:30 A.M. - 4:30 P.M. EST

**Albany**  
(606) 387-6476  
7:30 A.M. - 4:30 P.M. CST

**Jamestown**  
(270) 343-7500  
7:30 A.M. - 4:30 P.M. CST

ACCOUNT NUMBER	ACCOUNT NAME	METER NUMBER		
██████████	KILBY NANCY HART	214083		
LOCATION	CYCLE NUMBER	RATE	BC	TELEPHONE
123376023	105	1	0	██████████
SERVICE ADDRESS				
EAST HIGHWAY 70 3950				

PREVIOUS	READING	PRESENT	READ CODE	FROM	SERVICE TO	MULTIPLIER	KWH	SAMOUNT
87669		91487	2	01/05/22	02/05/22	1	3818	335.26
								FUEL ADJUSTMENT [0.018700 x 3818 kWh] 71.40
								ENVIRONMENTAL SURCHARGE [10.05%] 40.87
								SCHOOL TAX 3% 13.43
								TOTAL CURRENT BILL DUE 02/24/22 460.96
								PREVIOUS AMOUNT DUE 686.71
								THANK YOU FOR YOUR PAYMENT 01/25/22 -342.53
								PREVIOUS UNPAID BALANCE 344.18
								TOTAL AMOUNT DUE 805.14

(CURRENT BILL DUE DATE DOES NOT APPLY TO THE PREVIOUS BALANCE DUE)

COMPARISONS	DAYS SERVICE	TOTAL KWH	AVG. KWH/DAY	AVG. TEMP/DAY	TOTAL DUE	\$
CURRENT BILLING PERIOD	31	3818	123	31.7		805.14
PREVIOUS BILLING PERIOD	31	2866	92			
SAME PERIOD LAST YEAR	31	3235	104			

**AFTER DUE DATE PAY** \$ 827.51  
DUE DATE 02/24/22  
BILL IS DELINQUENT AFTER DUE DATE

Your Electricity Use Over The Last 13 Months



Due Date is for current months bill only and does not apply to previous amounts  
Conveniently pay your bill online at [www.skrecc.com](http://www.skrecc.com)

With longer USPS mailing times, pay your bill with Auto Pay, by phone, on our website, by smart phone app, or with CheckOut - see [skrecc.com](http://skrecc.com) for more info.

Ask Us About These Services

- Bank Drafting
- Levelized Billing
- E-Billing/Pay Online
- 24 Hour Dispatching
- Ky Living Magazine
- Energy Audits
- Outdoor Lighting
- Elect. Code/Design Consultation
- Long Distance Phone Service

Rate Codes

- 1=Residential
- 2=Small Comm.
- 3=Public Building
- 4=Large Power
- 5=Optional Power
- 6=Res. Mking.
- 7=Small Comm. Mking.
- 8=Street Lighting
- 9=Large Power 1
- 10=Large Power 2
- 13=Contract Loan
- 11, 12, 14-19=Special Contract LP
- 20,22 = Net Mtr

Meter Reading Codes

- 0=Estimated Reading
- 1=Consumer Reading
- 2=Normal Reading
- 3=Manual Estimated

If your power is off, first check to see that all fuses and breakers are working properly. If this does not correct the problem, call your local Cooperative office at the number listed above. Please provide your Account Number, Name, and Address as it appears on your statement. Phone dispatch is available 24 hours a day, 7 days a week. Please call our office with any question or problem you may have. If your local office is a toll call then call our toll free number listed above.

(800) 264-5112

**Somerset**  
(606) 678-4121  
7:30 A.M. - 4:30 P.M. EST

**Monticello**  
(606) 348-6771  
7:30 A.M. - 4:30 P.M. EST

**Whitley City**  
(606) 376-5997  
7:30 A.M. - 4:30 P.M. EST

**Albany**  
(606) 387-6470  
7:30 A.M. - 4:30 P.M. CST

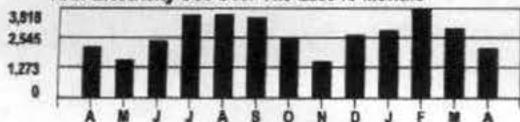
**Jamestown**  
(270) 343-7500  
7:30 A.M. - 4:30 P.M. CST

ACCOUNT NUMBER	ACCOUNT NAME	METER NUMBER					
[REDACTED]	KILBY NANCY HART	214083					
LOCATION	CYCLE NUMBER	RATE	BC	TELEPHONE	SERVICE ADDRESS		
123376023	105	1	0	[REDACTED]	EAST HIGHWAY 70 3950		
PREVIOUS READING	PRESENT READING	READ CODE	FROM SERVICE	TO SERVICE	MULTIPLIER	KWH	\$AMOUNT
94453	96585	2	03/05/22	04/05/22	1	2132	193.08
							7.78
							15.79
							6.50
							223.15
							699.90
							-323.49
							376.41
							599.56

**(CURRENT BILL DUE DATE DOES NOT APPLY TO THE PREVIOUS BALANCE DUE)**

COMPARISONS	DAYS SERVICE	TOTAL KWH	AVG. KWH/DAY	AVG. TEMP/DAY	TOTAL DUE	\$
CURRENT BILLING PERIOD	31	2132	69	48.6		599.56
PREVIOUS BILLING PERIOD	28	2966	106			
SAME PERIOD LAST YEAR	31	2140	69			
					<b>AFTER DUE DATE PAY</b>	<b>\$ 610.39</b>

Your Electricity Use Over The Last 13 Months



Due Date is for current months bill only and does not apply to previous amounts  
Conveniently pay your bill online at [www.skrecc.com](http://www.skrecc.com)

With longer USPS mailing times, pay your bill with Auto Pay, by phone, on our website, by smart phone app, or with CheckOut - see skrecc.com for more info.

Ask Us About These Services

- Bank Drafting
- Levelized Billing
- E-Billing/Pay Online
- 24 Hour Dispatching
- Ky Living Magazine
- Energy Audits
- Outdoor Lighting
- Elect. Code/Design Consultation
- Long Distance Phone Service

Rate Codes

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- 6=Res. Mktg.
- 7=Small Comm. Mktg.
- 8=Street Lighting
- 9=Large Power 1
- 10=Large Power 2
- 13=Contracts Loan
- 11, 12, 14-19=Special Contract LP

Meter Reading Codes

- 0=Estimated Reading
- 1=Consumer Reading
- 2=Normal Reading
- 3=Manual Estimated
- 20,22 = Net Mtr

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PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

DO NOT ATTACH PAYMENT TO REMITTANCE SLIP

KY00540B

SK South Kentucky RECC  
PO BOX 910  
SOMERSET KY 42502-0910  
ADDRESS SERVICE REQUESTED



Scan Here at Payment Kiosk

ACCOUNT #	INVOICE #	AMOUNT DUE
[REDACTED]	0	599.56
CYCLE	BILLING DATE	AFTER DUE DATE PAY
105	04/08/22	610.39
This Due Date does not apply to previous past due amounts		DUE DATE
		04/24/22
ENTER AMOUNT PAID		

PLEASE INDICATE CHANGE OF ADDRESS OR PHONE NUMBER HERE

\*\*\*\*\*AUTO\*\*5-DIGIT 42539



KILBY NANCY HART 4  
3950 E HIGHWAY 70 943  
EUBANK KY 42567-8508

SOUTH KENTUCKY RECC  
PO BOX 910  
SOMERSET KY 42502-0910



**Somerset**  
(606) 678-4121  
7:30 A.M. - 4:30 P.M. EST

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(606) 348-6771  
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**Jamestown**  
(270) 343-7500  
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ACCOUNT NUMBER	ACCOUNT NAME	METER NUMBER		
██████████	KILBY NANCY HART	214083		
LOCATION	CYCLE NUMBER	RATE	BC	TELEPHONE
123376023	105	1	0	██████████
				SERVICE ADDRESS
				EAST HIGHWAY 70 3950

PREVIOUS	READING	PRESENT	READ CODE	FROM	SERVICE TO	MULTIPLIER	KWH	\$AMOUNT
91487		94453	2	02/05/22	03/05/22	1	2966	263.41
								21.56
								29.10
								9.42
								323.49
								821.67
								-460.96
								360.71
								684.20

FUEL ADJUSTMENT [0.007270 x 2966 kWh]  
 ENVIRONMENTAL SURCHARGE [10.21%]  
 SCHOOL TAX 3%  
 TOTAL CURRENT BILL DUE 03/24/22  
 PREVIOUS AMOUNT DUE  
 THANK YOU FOR YOUR PAYMENT 02/28/22  
 PREVIOUS UNPAID BALANCE  
 TOTAL AMOUNT DUE

**(CURRENT BILL DUE DATE DOES NOT APPLY TO THE PREVIOUS BALANCE DUE)**

COMPARISONS	DAYS SERVICE	TOTAL KWH	AVG. KWH/DAY	AVG. TEMP/DAY	TOTAL DUE	\$	684.20
CURRENT BILLING PERIOD	28	2966	106	44.6	DUE DATE	03/24/22	BILL IS DELINQUENT AFTER DUE DATE
PREVIOUS BILLING PERIOD	31	3818	123		AFTER DUE DATE PAY \$ 699.90		
SAME PERIOD LAST YEAR	28	3049	109				

Your Electricity Use Over The Last 13 Months



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With longer USPS mailing times, pay your bill with Auto Pay,  
 by phone, on our website, by smart phone app, or with  
 CheckOut - see [skrecc.com](http://skrecc.com) for more info.

Ask Us About These Services			Rate Codes			Meter Reading Codes		
Bank Drafting	24 Hour Dispatching	Outdoor Lighting	1=Residential	5=Optional Power	9=Large Power 1	20.22 = Net Mtr	0=Estimated Reading	
Levelized Billing	Ky Living Magazine	Elect. Code/Design Consultation	2=Smal Comm.	6=Res. Mking.	10=Large Power 2		1=Consumer Reading	
E-Billing/Pay Online	Energy Audits	Long Distance Phone Service	3=Public Building	7=Smal Comm. Mking.	13=Contracts Loan		2=Normal Reading	
			4=Large Power	8=Street Lighting	11, 12, 14-19=Special Contract LP		3=Manual Estimated	

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COMMONWEALTH OF KENTUCKY  
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	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO.
	)	2022-00082
	)	
SOUTH KENTUCKY RURAL ELECTRIC	)	
COOPERATIVE CORPORATION	)	
	)	
DEFENDANT	)	

ORDER

On March 11, 2022, Nancy and David Kilby tendered a formal complaint with the Commission alleging that they were overbilled by South Kentucky Rural Electric Cooperative Corporation (South Kentucky RECC) for electric usage.

Pursuant to 807 KAR 5:001, Section 20(4)(a), upon receipt of a formal complaint the Commission must determine whether the complaint states a *prima facie* case. To establish a *prima facie* case under 807 KAR 5:001, Section 20(1)(c), the complaint must state:

Fully, clearly, and with reasonable certainty, the act or omission, of which complaint is made, with a reference, if practicable, to the law, order, or administrative regulation, of which a failure to comply is alleged, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged failure.

Based on a review of the Complaint, the Commission is unable to determine at this time whether the Complaint establishes a *prima facie* case, but the allegations support further investigation into the merits of the complaint.

IT IS THEREFORE ORDERED that Mr. and Mrs. Kilby shall file, within 20 days of the date of this Order, the following to support their claim against South Kentucky RECC:

1. A copy of the electric bill or bills in question.
2. Copies of their last three electric bills.
3. A statement whether they requested that South Kentucky RECC test their electric meter, and, if the meter was tested, a copy of the test if it is in their possession.
4. The requested information with the Commission by U.S. mail to P.O. Box 615, Frankfort, Kentucky 40602-0615 or by email to [PSCED@ky.gov](mailto:PSCED@ky.gov). They shall include the Case No. 2022-00082 in all filings with the Commission.

Nancy Kilby  
3950 E. Highway 70  
Eubank, KENTUCKY 42567

David Kilby  
3950 E. Highway 70  
Eubank, KENTUCKY 42567

\*South Kentucky R.E.C.C.  
200 Electric Avenue  
Somerset, KY 42501