

MAR 23 2026**PUBLIC SERVICE
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From: [Adrian Davis](#)
To: [PSC Executive Director](#)
Subject: Case 2025-00361 Rebuttal
Date: Sunday, March 22, 2026 2:12:42 PM

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Subject: Case 2025-00361 Rebuttal
Date: March 22, 2026 at 1:10:25 PM CDT
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Comes now the Complainant and respectfully submits this rebuttal to the Kentucky Public Service Commission's determination that a prima facie case has not been established. The Complainant disputes this conclusion and asserts that the facts presented sufficiently meet the threshold required to proceed.

At this stage, the burden is not to conclusively prove the case, but to demonstrate that credible facts exist which, if true, would entitle the Complainant to relief. The Commission's determination appears to improperly require definitive proof rather than a reasonable showing.

1. Disparate and Excessive Billing Compared to Similarly Situated Properties

The complaint clearly establishes that the utility bills for the residence located at **1820 Gettysburg Rd** are significantly disproportionate—reaching levels as high as **300% greater than comparable homes of similar size and in similar geographic areas**. This disparity alone raises a reasonable inference of error, mismeasurement, or improper billing practices sufficient to meet the prima facie standard.

2. Pattern of Disputed Charges and Lack of Neutral Review

The Complainant has repeatedly disputed these abnormal charges. Rather than receiving an independent and impartial review, disputes have been directed to or resolved by a committee **appointed or influenced by Kentucky Utilities**, the very entity whose conduct is being challenged. This raises legitimate concerns regarding bias and lack of procedural fairness.

A prima facie case is established where there is a reasonable basis to question the accuracy or fairness of a regulated utility's billing practices. The absence of a neutral review mechanism strengthens—not weakens—the need for Commission intervention.

3. Coercive Threats Associated with Dispute Resolution

The complaint further alleges that the Complainant was **threatened with additional charges or penalties** if the internal review process did not find an issue. Such conditions create a coercive environment that discourages legitimate disputes and undermines due process. These facts, taken as true, constitute improper conduct warranting regulatory scrutiny.

4. Sufficient Nexus to Commission Jurisdiction and Regulatory Oversight

The issues raised—billing accuracy, fairness of dispute resolution, and potential coercive practices—fall squarely within the Commission’s regulatory authority over public utilities. The complaint connects these facts directly to the Commission’s duty to ensure just and reasonable rates and practices.

5. Prima Facie Standard Has Been Met

Taken together, the allegations demonstrate:

- A clear and measurable anomaly in billing (300% disparity);
- Repeated attempts to resolve the issue;
- A potentially biased review process controlled by the Respondent; and
- Coercive conduct discouraging dispute resolution.

These facts, if proven, would entitle the Complainant to relief. Therefore, they satisfy the prima facie threshold.

CONCLUSION

The Commission’s finding that no prima facie case exists appears to overlook the significance of the documented billing disparity and the procedural concerns surrounding dispute resolution. The Complainant has presented sufficient factual allegations to warrant further investigation.

WHEREFORE, the Complainant respectfully requests that the Commission:

- Reconsider its determination and find that a prima facie case has been established;
- Allow the complaint to proceed to full review; or
- In the alternative, permit the Complainant to supplement the record with additional comparative billing data and supporting documentation.

Respectfully submitted,
Adrian Davis