

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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**PUBLIC SERVICE
COMMISSION**

In the Matter of:

NICOLAS PANGALLO
COMPLAINANT

CASE NO.
2026-00130

v.

DUKE ENERGY KENTUCKY, INC.
DEFENDANT

**COMPLAINANT'S RESPONSE TO DUKE ENERGY KENTUCKY, INC.'S INITIAL
REQUESTS FOR INFORMATION**

Comes now Nicolas Pangallo ("Complainant"), pro se, and responds to Duke Energy Kentucky, Inc.'s ("Duke Energy Kentucky" or "the Company") Initial Requests for Information dated September 11, 2026, as follows:

PRELIMINARY STATEMENT

Complainant responds to each numbered request below under oath, as required by the instructions accompanying Duke Energy Kentucky's Initial Requests for Information and 807 KAR 5:001, Section 12. Where a request calls for information not presently within Complainant's knowledge, Complainant states so and will supplement this response if such information is later obtained, consistent with the continuing nature of these requests.

RESPONSES

Request No. 1

On page 4 of the Complaint filed in this proceeding, Complainant states "The following analysis uses temperature data recorded on Duke Energy's own bills to calculate expected gas consumption based on the customer's established usage pattern," and provides a table which includes an "Expected CCF" column. Please produce all supporting workpapers, calculations, spreadsheets, files, or other documents supporting the calculation of the "Expected CCF."

RESPONSE: The methodology and full supporting calculation are set forth below. All underlying temperature and consumption figures are taken directly from Duke Energy Kentucky's own

monthly billing statements for account number 9101 8770 6109 (and, for context on the same physical meter, the predecessor account number 9101 0471 7952), copies of which are already in the Commission's record as attachments to the Complaint and subsequent filings.

Methodology

Complainant's Complaint uses a simple heating degree-day model calibrated to Complainant's own actual, undisputed pre-anomaly usage — not a generic industry formula. The steps are:

1. Baseline month selection: November 2025 was selected as the baseline because it is the first full billing month on Complainant's account (service began July 3, 2025) and predates any of the anomalous readings at issue in this case. November 2025 billing: 46°F average temperature, 69 CCF actual usage (Duke Energy billing statement, Nov. 2025).
2. Reference temperature: 65°F is used as the reference ("balance point") temperature, which is the standard reference temperature used in heating degree-day calculations generally, representing the outdoor temperature above which a home typically requires no supplemental heating.
3. Rate derivation: The baseline month's "heating degrees" ($65^{\circ}\text{F} - 46^{\circ}\text{F} = 19$ degrees) produced 69 CCF of usage. Dividing actual usage by heating degrees yields a rate of $69 \div 19 = 3.6316$ CCF consumed per degree below 65°F, rounded to 3.6 in the Complaint's summary table.
4. Applying the rate: For each subsequent month, Expected CCF = $3.6316 \times (65^{\circ}\text{F} - \text{that month's average temperature, as reported on Duke Energy's own bill})$.
5. Excess CCF = Actual CCF (as billed by Duke Energy) – Expected CCF.

Calculation Table (reconstructed workpaper)

Month	Avg Temp (°F)	65 – Temp	Rate (CCF/°F)	Expected CCF (calc.)*	Expected CCF (filed)	Actual CCF	Excess CCF
Nov 2025 (baseline)	46	19	3.6316 (69 ÷ 19)	69.0	69	69	0
Dec 2025	31	34	3.6316	123.47 ≈ 123	122	137	15
Jan 2026	38	27	3.6316	98.05 ≈ 98	97	138	41
Feb 2026	24	41	3.6316	148.89 ≈ 149	148	223	75

**The "calculated" column uses the unrounded rate (3.6316 CCF/°F) for precision; the "as filed" column reflects the rate as rounded to one decimal place (3.6) in the Complaint's original summary table. This produces a consistent difference of approximately 1 CCF per month between the two columns. The underlying methodology and data source are identical in both cases; the Complaint's conclusion of 131 total excess CCF, based on the as-filed figures, is unaffected by this rounding distinction.*

TOTAL EXCESS CCF: $15 + 41 + 75 = 131$ CCF — matches Complaint, Section VII, Item 2.

Source Data

All “Avg Temp” and “Actual CCF” figures above are transcribed directly, without modification, from the “Gas usage history” and “Current Month” fields printed on Duke Energy Kentucky's own monthly billing statements for the months shown. Complainant did not generate, estimate, or independently measure any temperature data; all temperature data originates from Duke Energy Kentucky's own bills, which Duke Energy Kentucky states are based on NOAA weather station data for the billing region.

Complainant will produce, upon request, copies of the specific monthly billing statements from which each figure in the table above was transcribed, to the extent not already in the record.

Request No. 2

Please produce all records of heating and/or thermostat settings at 2751 Alexandria Avenue, Latonia, KY, 41015 (the Premises), from January 1, 2023, until present.

RESPONSE: The Premises has used a Nest smart thermostat during the relevant period. Complainant has attempted for several months to obtain historical setpoint/usage data from Nest/Google but has been informed that no retrievable history exists. This is because the internet service provider at the Premises changed multiple times during the relevant period, each change requiring the Nest device to be reconnected to a new WiFi network: the Premises was on Spectrum internet service until approximately January 2026; switched to Starlink in approximately January 2026; switched to Altafiber approximately two months later (approximately March 2026); and returned to Spectrum approximately three months after that (approximately June 2026). Each provider change disconnects and re-pairs the thermostat to a new network, which Nest/Google has indicated disrupts the continuity of stored historical data. Complainant notes that the January 2026 provider change to Starlink falls within the exact billing period at issue in this dispute (the January–February 2026 usage spike), which independently explains why continuous Nest history is not available for that critical window. In addition, the Premises experienced documented power outages during the relevant period, which would separately interrupt the device's WiFi connection. Complainant does not possess, and has been unable to obtain despite diligent effort spanning several months, any thermostat data log for the period requested. Complainant notes that Duke Energy Kentucky, as Complainant's electric service provider for the same address, may itself possess outage records for the Premises that would independently corroborate the power-outage component of this explanation.

Request No. 3

Please identify all residents at the Premises at any time from January 1, 2023, until present, and state dates of residence for each resident identified.

RESPONSE:

- Nicolas Pangallo (Complainant) — 2023 to present.
- Anna Peterson — 2023 to present.
- Beckett (son of Complainant; minor) — January 2025 (date of birth) to present.

- Olga Hildebrand (Complainant's mother) — approximately April 2024 to July 2024 (approximately 5 months).
- Jaden (Complainant's brother; minor) — approximately April 2024 to July 2024 (approximately 5 months), concurrent with Olga Hildebrand's stay.

Request No. 4

Please state if the resident(s) of the Premises were employed outside of the home between January 1, 2023, and present, and state the dates of such employment and location of employment for every resident.

RESPONSE: Nicolas Pangallo has not been employed outside the home during the relevant period; Complainant is disabled and receives SSI, as previously disclosed to Duke Energy Kentucky and reflected in the record of this proceeding. Anna Peterson has not been employed outside the home during the relevant period. Olga Hildebrand was employed during her approximately April–July 2024 stay at the Premises but worked from home during that period rather than at an outside location. Jaden was enrolled in school during his approximately April–July 2024 stay at the Premises. Beckett is an infant and not employed.

Request No. 5

Please state if any other persons, besides Mr. Pangallo and any residents listed in response to Request for Information No. 3, spent more than 20 hours per week at the Premises between January 1, 2023, and the present, and state the time period(s) during which such persons spent more than 20 hours per week at the Premises.

RESPONSE: None, to Complainant's knowledge, other than the residents identified in response to Request No. 3 above.

Request No. 6

Please state if any construction was performed at and/or on the Premises from January 1, 2023, to the present and describe such construction, if any.

RESPONSE: During approximately April–July 2024 (concurrent with the residency of Olga Hildebrand and Jaden described above), carpet was removed from portions of the Premises. In some rooms the underlying hardwood flooring was left exposed; other rooms were recarpeted. No other construction or renovation work was performed at the Premises between January 1, 2023, and the present.

Request No. 7

Please state the make and model of any furnace(s) at the Premises between January 1, 2023, and the present, and state the dates of installation and/or removal for each furnace.

RESPONSE: A Goodman-brand natural gas furnace, Model No. GKS90703BXAG, Serial No. 1212139026 (92.1 AFUE, per EnergyGuide label), is present at the Premises. This is the furnace identified in Duke Energy Kentucky's own Exhibit A as having a leak repaired on April 7, 2026. Installation date is unknown to Complainant, as the furnace was installed prior to Complainant's residency at the Premises.

Request No. 8

For each furnace identified in response to Request for Information No. 9, please state the dates of all filter replacements since January 1, 2023. If no filters have been replaced on a furnace since January 1, 2023, state the date of the most recent filter replacement.

NOTE: This request appears to contain a drafting error — it cross-references “Request for Information No. 9” (water heaters), while the furnace is identified in Request No. 7. Complainant responds to this request as it applies to the furnace(s) identified in response to Request No. 7, consistent with the apparent intent of the request, and reserves the right to supplement if Duke Energy Kentucky clarifies its intended cross-reference.

RESPONSE: Complainant does not maintain a written log of specific filter replacement dates. Filters have been replaced on an as-needed basis, approximately every three to six months, based on visual inspection of the filter's condition, consistent with standard manufacturer guidance for residential furnace filters. Complainant has used more than one brand/type of filter during the relevant period. Complainant does not have specific calendar dates to provide and states this response to the best of his knowledge, information, and belief.

Request No. 9

Please state the make and model of any water heater(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: A Rheem Fury gas water heater, Model No. 22V40F1, Serial No. RHLN1207419689, 40-gallon capacity, natural gas, manufactured 12/2007, is present at the Premises. Installation date is unknown to Complainant; the unit's manufacture date (December 2007) predates Complainant's residency, and Complainant has no record of when it was installed.

Request No. 10

Please state the make and model of any dishwasher(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: No dishwasher is or has been present at the Premises during the relevant period.

Request No. 11

Please state the make and model of any whirlpool and/or hot tub(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: No whirlpool or hot tub is or has been present at the Premises during the relevant period.

Request No. 12

Please state the make and model of any oven(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: A gas kitchen stove/oven was present at the Premises. In approximately late February 2026, Complainant identified this appliance's gas line — based on Complainant's own observation of odor, as described in the Complaint — as a possible additional source of the gas concern reported to Duke Energy Kentucky, and shut off that line at that time as a safety precaution. The stove's gas line remained shut off for more than two weeks before Duke Energy Kentucky's technician visited the Premises. During the same visit documented in Duke Energy Kentucky's own Exhibit A (April 7, 2026), at which the technician identified and repaired the confirmed furnace leak, the technician also checked the stove and found no leak at that time. Complainant states that this finding is consistent with, not contrary to, Complainant's account: because the stove's gas line had already been shut off for more than two weeks by the time of the technician's visit, no active leak would have been detectable at that appliance regardless of whether one had been present before the line was closed. On June 16, 2026, Complainant disposed of the stove, believing it to present an ongoing safety risk, by taking it to 4399 Boron Dr, Covington, KY 41015. Complainant has witnesses who can confirm the disposal and the circumstances surrounding it, and will identify such witnesses upon request. Complainant also has photographs and video documenting the stove's presence and condition prior to disposal, and will produce these upon request. Make, model, and original installation date are unknown, as the appliance is no longer available for physical inspection. Complainant notes that the measured usage drop following the February 2026 line shutoff — from 223 CCF in the February 2026 billing period to 88 CCF in March 2026 and 47 CCF in April 2026, per Duke Energy Kentucky's own billing records — is

independent, objective evidence supporting Complainant's account, notwithstanding that the appliance itself is no longer available for physical inspection.

Request No. 13

Please state the make and model of any pool(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: No pool is or has been present at the Premises during the relevant period.

Request No. 14

Please state the make and model of any washing machine(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: A Whirlpool washing machine, Model No. WTW5100VQ2, Serial No. C01541355, is present at the Premises. Installation date is unknown to Complainant.

Request No. 15

Please state the make and model of any dryer(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: An LG dryer, Model No. DLEX3875W, Serial No. 005KWDJ01050, is present at the Premises. This is an electric dryer (120/240V), not a gas dryer, and it does not consume natural gas. Installation date is unknown to Complainant.

Request No. 16

Please state the make and model of any gas fireplace at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: No gas fireplace is or has been present at the Premises during the relevant period.

Request No. 17

Please state the make and model of any gas grill(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: No gas grill is or has been present at the Premises during the relevant period.

Request No. 18

Please state the age of any building(s) at the Premises.

RESPONSE: Per Kenton County Property Valuation Administrator public records, the residence at the Premises was built in 1924.

Request No. 19

Please state the make and model of any thermostat(s) at the Premises between January 1, 2023, and the present, and the dates of installation and/or removal.

RESPONSE: A Nest Learning Thermostat (3rd Generation), Serial No. 09AA01AC371708GB, is present at the Premises. See also Response to Request No. 2 above regarding the unavailability of historical data from this device. Installation date is unknown to Complainant.

Request No. 20

For any of the furnace(s), water heater(s), dishwasher(s), whirlpool(s), hot tub(s), oven(s), pool(s), washing machine(s), gas fireplace(s), dryer(s), or gas grill(s) identified in response to Requests for Information No.'s 7 to 19, please state if any repairs occurred between January 1, 2023, and present, describe each identified repair, and produce any records related to each repair identified.

RESPONSE: The furnace identified in response to Request No. 7 was repaired on April 7, 2026, when Duke Energy Kentucky's own technician identified and repaired a leak at the fitting before the control valve, measuring 10 LEL. This repair is fully documented in Duke Energy Kentucky's own service report, previously submitted by Duke Energy Kentucky as Exhibit A in this proceeding, and Complainant incorporates that record by reference rather than restating it here. During the same April 7, 2026 visit, the technician also checked the stove/oven's gas line, which Complainant had shut off more than two weeks earlier as described in response to Request No. 12 above, and found no leak at that time — a finding consistent with the line having already been closed for an extended period. Complainant states that no other repairs have occurred to any of the appliances identified in response to Requests No. 7 to 19 (furnace, water heater, washing machine, or dryer) between January 1, 2023, and the present.

VERIFICATION

I, Nicolas Pangallo, state under oath that the foregoing responses are true and accurate to the best of my knowledge, information, and belief.

/s/ Nicolas Pangallo

Nicolas Pangallo, Complainant, Pro Se

2751 Alexandria Ave, Latonia, Kentucky 41015

Phone: [REDACTED]

Date: September 25, 2026

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 served on counsel for Duke Energy Kentucky, Inc. at the addresses listed below, on this 25th day of September, 2026.

Larisa M. Vaysman, larisa.vaysman@duke-energy.com; Rocco O. D'Ascenzo, rocco.d'ascenzo@duke-energy.com; Sheena McGee Leach, sheena.mcgee@duke-energy.com — Duke Energy Business Services LLC, 139 East Fourth Street, 1303-Main, Cincinnati, Ohio 45202.

/s/ Nicolas Pangallo

Nicolas Pangallo