

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of

REQUESTS FOR DEVIATION FROM)	ADMINISTRATIVE
807 KAR 5:006E, SECTION 11(2)(c))	CASE NO. 250

ORDER

Several utilities, including Grayson RECC, have informed the Commission that Section 11(2)(c) of 807 KAR 5:006E, regarding termination of service for gas and electric utilities, contains language requiring 48 hours' written notice prior to termination in the case of fraudulent or illegal use of service.

In issuing emergency regulations in March of 1981, it was not the intent of the Commission to effect any substantive changes in regulations governing public utilities. However, it appears that an inadvertent typographical error was made when this emergency regulation was filed. According to the former regulation, 807 KAR 50:015, gas and electric utilities were permitted to discontinue service without any notice where a customer fraudulently or illegally used service. Under a similar regulation, 807 KAR 25:025, water, sewer and telephone utilities were also allowed to discontinue service without notice where fraud or illegality was involved and that power

continues today under 807 KAR 5:006E, Section 11(3)(b). There is no logical basis for continuing the current distinction in our regulation between the permissible action which a gas or electric utility may take versus that which a sewer, water or telephone utility may take regarding fraudulent or illegal use of utility service.

Under these circumstances we find that there is good cause to grant a deviation from 807 KAR 5:006E, Section 11(2)(c), as Section 24 of that regulation allows.

It is THEREFORE ORDERED that all gas and electric utilities are hereby granted a deviation from the requirement of 807 KAR 5:006E, Section 11(2)(c) requiring 48 hours' written notice, and that henceforth no notice will be required prior to termination for fraudulent or illegal use of service.

Done this 27th day of August, 1981, at Frankfort, Kentucky.

PUBLIC SERVICE COMMISSION

Martin M. Voh
Chairman

Katharine Randall
Vice Chairman

Jim Hargan
Commissioner

ATTEST:

Richard D. Herman Jr.
Secretary