

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MR. HARLIS MONTGOMERY'S COMPLAINT)
AGAINST LICKING VALLEY RURAL) CASE NO. 9576
ELECTRIC COOPERATIVE CORPORATION)

O R D E R

On April 21, 1986, the Commission received a written complaint that Harlis Montgomery ("Complainant"), had been over-billed for electric service by Licking Valley Rural Electric Cooperative Corporation ("Licking Valley") and that efforts to resolve the matter had been unsuccessful. The contested billing was imposed by Licking Valley on the ground that Complainant's meter had been tampered with.

The complaint was first handled informally, and after the parties were unable to resolve the controversy, the Commission set the matter for hearing. The hearing was held on August 21, 1986, at the Commission's offices in Frankfort, Kentucky.

Licking Valley testified that its serviceman removed meter no. 14351 from Complainant's home on March 21, 1986, for routine periodic testing. The meter was inspected by Licking Valley's employee, Garland Cottle. Upon observing what was thought to be excessive wear on the meter blades, Mr. Cottle advised Licking Valley's management that the meter may have been tampered with in an effort to reduce the recorded consumption. Licking Valley then performed an analysis of the billing history for Mr. Montgomery's

residence. The results of the analysis indicated that the electric consumption had significantly decreased over the past 3 years. Licking Valley concluded that Mr. Montgomery had tampered with his meter and recomputed his bill based on the historic usage at his residence. On April 4, 1986, Licking Valley sent Mr. Montgomery a bill for an additional \$3,832.77.

Complainant, Licking Valley personnel and Jeffery Gilpin of the Commission staff met at Licking Valley's meter shop on June 13, 1986, to re-test and examine meter no. 14351. The meter tested 100.2 percent and examination revealed that there was excess wear on the blades.

Licking Valley submitted meter no. 14351 as evidence to show that there was excessive wear on the meter blades and that tampering had occurred. Licking Valley had no record of the condition of the meter blades or meter retaining ring seal as of the time the meter was removed from Complainant's residence.¹ Complainant testified that he had installed a wood and coal stove which may have accounted for the reduction in the kilowatt hours used² and that he had reduced the amount of electric heat used by approximately 90 percent,³ stopped using the electric clothes dryer and instead hung clothes to dry, and reduced the amount of hot water used.⁴

¹ Transcript of Evidence ("T.E."), August 21, 1986, page 39.

² T.E., page 16.

³ T.E., page 18.

⁴ T.E., page 19.

FINDINGS AND ORDERS

The Commission, having considered the evidence of record and being advised, is of the opinion and finds that:

1. Testimony presented by Licking Valley did indicate that there may have been excessive wear on the meter blades. However, at the time the meter was removed the serviceman made no record of the condition of the meter blades or of the integrity of the meter retaining ring seal. Consequently, the evidence is insufficient to prove that Complainant tampered with the meter.

2. Complainant's reduction in electric usage could have reasonably been achieved through conservation and utilization of a coal and wood stove.

3. Licking Valley should eliminate from Complainant's account the usage and cost of electricity added on the basis of historic usage patterns.

IT IS THEREFORE ORDERED that Licking Valley shall reduce Complainant's account by the amount of \$3,839.77.

Done at Frankfort, Kentucky, this 28th day of October, 1986.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director