

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JOSEPH L. FRANKLIN)
)
 COMPLAINANT)
)
v.) CASE NO. 96-463
)
LOUISVILLE GAS AND ELECTRIC COMPANY)
)
 DEFENDANT)

ORDER TO SATISFY OR ANSWER

Louisville Gas and Electric Company ("LG&E") is hereby notified that it has been named as defendant in a formal complaint filed on September 19, 1996, a copy of which is attached hereto.

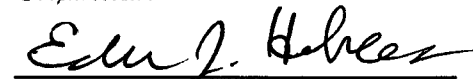
Pursuant to 807 KAR 5:001, Section 12, LG&E is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.


Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 7th day of October, 1996.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

BD

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

SEP 19 1996

PUBLIC SERVICE
COMMISSION

In the Matter of:

Joseph L. Franklin
COMPLAINANT

96-463

VS.

Louisville Gas and Electric Company Inc.
DEFENDANT

COMPLAINT

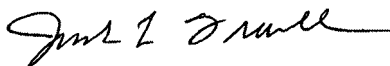
The complaint of Joseph L. Franklin respectfully shows:

Joseph L. Franklin
8307 Damascus Circle
Louisville, Kentucky 40228

Louisville Gas and Electric Company, Inc.
P.O. Box 32000
Louisville, Kentucky 40232

That: (See attached Complaint)

Dated at Louisville, Kentucky, this 17th Day of September, 1996



Joseph L. Franklin

Complaint of Joseph Franklin against Louisville Gas and Electric Company Inc.

That Louisville Gas and Electric Company was negligent in providing an accurate meter to measure electrical use at the home of Mr. Joseph Franklin, at 8307 Damascus Circle, Louisville, Kentucky for a period of several months from October of 1995 to May of 1996.

That Louisville Gas and Electric Company was negligent in failing to detect and replace a defective electrical meter for the period from October 1995 to April 1996 and as a result did not render accurate billings for the electrical usage during this same period to Mr. Franklin. The utility did render inaccurate bills for part of the period, some of which were mailed to the complainant and some mailed to a third party, Ms. Tina Radford. The Complainant did pay the inaccurate bills that he received during the period from October 1995 to April 1996.

That the defendant, Louisville Gas and Electric Company violated the Kentucky Administrative Regulations 807 KAR 5: 006 Section 6. Billing, Meter Readings and information. (1) Information on bills. Each bill for utility service issued (rendered) periodically by a utility shall clearly show the following, if applicable; class of service; [the] present and last preceding meter readings; [the] date of the present reading; [the] number of units consumed; [the] meter constant, if any; [the] net amount for service rendered; all taxes; any adjustments, [if any] and the gross amount of the bill. The date after which a penalty may apply to the gross amount shall [must] be indicated. Estimated or calculated bills shall be distinctly marked as such.

According to information shown on a schedule provided to the complainant in May of 1996 by L. G. & E. the meter usage readings changed dramatically during October of 1995. In fact according to the schedule the meter reading taken on October 27, 1995 showed 0 usage from October 9, 1995 thru October 27, 1995. It is my understanding that the L. G. & E. uses a device called an ITRON to record the actual meter readings read by the meter reader. The ITRON shows the meter reader the location of the meter to be read and it also shows the last meter reading as a reference for the meter reader. The meter reader should have noticed that there was no change in the meter reading when the meter was read on October 27, 1995. At the end of the meter reader's work day the information from the ITRON device is downloaded into the utilities main computer. The computer is designed to "red flag" any unusual readings such as no usage. The utility should have investigated the "red flagged" accounts and in doing so would have detected a stopped meter. The utility was negligent in not examining the meter until late April of 1996 and replacing it without telling the complainant. The utility was negligent in not replacing the meter with an accurate reading meter for several months during which the Utility rendered inaccurate bills to the Complainant.

The Complainant specifically asks that the defendant remove the electrical charges that were computed by using a previous meter reading of 38938 and a present reading of 48148 to calculate a usage of 9210 on the billing received by the Complainant in May of 1996. The reading of 48148 and the usage of 9210 was not indicated as "Estimated" as is required on the billing.

It should be the Utility's responsibility to provide the electricity, and to use an accurate working meter to register usage and provide the consumer with a timely, accurate periodic bill. If the Utility detects a meter that is not functioning or registering properly the user should be notified and given an opportunity to verify that the meter is incorrectly functioning. In this particular situation the utility had destroyed the meter prior to notifying the customer that it was not working which prohibits the customer from having the meter checked by the Public Service Commission.

The Public Service Commission should prohibit a utility from using an estimated bill to collect for electrical usage when the Utility knew that a meter was not registering and failed to replace it for almost six months. The Utility is required to show that a bill is estimated. If the utility fails to identify an estimated portion of a bill they should not be allowed to use the estimated amounts in computing a customer's periodic bill.

Joseph Franklin
9-17-96



Louisville Gas and Electric Company
 P.O. Box 32000
 Louisville, Kentucky 40232

Monday-Thursday
 8 a.m.-5 p.m.
 Friday 8 a.m.-6 p.m.
 Phone: (502) 589-1444

Saturday Locations & Hours
 701 South Ninth Street
 4424 Outer Loop
 8 a.m.-12 p.m.

A SUBSIDIARY OF
LG&E ENERGY

Please refer to Account Number when calling or writing

Your Account Number is: [REDACTED]

A C FRANKLIN
 8307 DAMASCUS CR APT 1B
 LOUISVILLE KY 40228

KWH - Kilowatt hours of electricity
 CCF - 100 cubic feet of gas
 For Complete Definition of Codes, See Reverse Side.

Next Reading Date:
 06/07/96

SERVICE LOCATION: 8307 DAMASCUS CR APT 1B

TYPE OF SERVICE	BILLING		READING		METERING CONSTANT	KWH/CCF USAGE	CHARGES
	FROM	TO	PREVIOUS	PRESENT			
RESIDENTIAL ELECTRIC	10/27	04/29	38938	48148		9210	CHANGE METER
	04/29	05/08	0	240		240	
					TOTAL USAGE	9450	\$ 453.78
					TOTAL UTILITY CHARGE		\$ 453.78
					BALANCE FROM PREVIOUS BILL		\$ 2.40CR
					LATE CHARGE IF PAID AFTER DUE DATE		\$ 22.69
					MISCELLANEOUS CREDIT	05-21	\$ 18.52CR
					LATE PAYMENT CHARGE	05-21	\$.42CR

ITEMS INCLUDED IN CHARGES

ENVIRONMENTAL COST RECOVERY 1.0226 % OF ELECTRIC CHARGES = \$4.59
 ELECTRIC FUEL COST ADJUSTMENT \$.002500 CR PER KWH = \$23.63 CR
 TRIMBLE PLANT CREDIT \$.000390 CR PER KWH = \$3.69 CR

*New meter
 01170*

*Oct 27
 4-29*

*6.00 .06237 37.42
 .06411 38.46
 3.29
 79.17*

*Mr. Mant
 says new meter installed on May 9, 1996*

AMOUNT PAID
 79.17

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ACCOUNT NUMBER	PREVIOUS BALANCE INCLUDED IN TOTAL	AMOUNT TO BE PAID AFTER DUE DATE	PAYMENT DUE DATE	AMOUNT TO BE PAID BY DUE DATE
[REDACTED]	\$ 2.40CR	\$ 455.13	06/10/96	\$ 432.44

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ACCOUNT NUMBER	PREVIOUS BALANCE INCLUDED IN TOTAL	AMOUNT TO BE PAID AFTER DUE DATE	PAYMENT DUE DATE	AMOUNT TO BE PAID BY DUE DATE
[REDACTED]	\$ 2.40CR	\$ 455.13	06/10/96	\$ 432.44

AMOUNT PAID
 79.17

OFFICE USE ONLY:
 C06, R095
 S01918

WINTER HELP DONATION \$ _____

12 w KWH 37.42

A C FRANKLIN
 8307 DAMASCUS CR APT 1B
 LOUISVILLE KY 40228

Louisville Gas and Electric Company
 P.O. Box 32000
 Louisville, Kentucky 40232

SERVICE LOCATION: 8307 DAMASCUS CR APT 1B