

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TERESA FAYE WHITEHOUSE	)	
	)	
COMPLAINANT	)	
	)	
v.	)	CASE NO. 2000-108
	)	
INTER COUNTY ENERGY	)	
	)	
DEFENDANT	)	

O R D E R

On February 21, 2000, Teresa Faye Whitehouse (“Complainant”) filed a complaint with the Commission alleging that Inter County Energy (“Inter County”) was responsible for her increased consumption of electricity for the period of time between December 25, 1999 and January 12, 2000. Complainant alleges that a power outage on December 25, 1999 caused the breaker on her heat pump to switch off, causing the heat pump to operate inefficiently. Complainant did not realize the breaker was off until she contacted an electrician who turned on the breaker on January 12, 2000. Complainant alleges that this greatly increased her electricity bill for the aforementioned period. Complainant claims to have contacted electricians who said that a power outage could cause the breaker to switch off. Complainant asks the Commission to order Inter County to refund her the amount for the increased usage during the period from December 25, 1999 to January 12, 2000 and to pay the costs of repair and missed work by her husband.

Inter County responded to the complaint on May 1, 2000. In its answer Inter County denies any liability associated with the thrown breaker. Inter County admits that the transformer serving Complainant's line did experience an outage on December 25, 1999, but was repaired on that day. Furthermore, Inter County denies that there is any correlation between the transformer outage and the operation of the Complainant's breaker.

Pursuant to 807 KAR 5:001, Section 12(4), the Commission is to examine each complaint submitted to ascertain whether it states a *prima facie* case. The complaint herein does not. Even if Complainant could establish a correlation between the outage and the operation of her breaker -- a correlation Inter County denies -- the Commission is without the power to grant the relief Complainant requests. The Commission cannot order the payment of damages, whether compensatory or punitive. Moreover, pursuant to KRS 278.160, Inter County must charge a customer according to its filed rate schedule for services rendered; Inter County may not charge any more or any less. Complainant does not allege that Inter County incorrectly calculated Complainant's consumption of electricity during the period of time from December 25, 1999 to January 12, 2000.

The Commission having been sufficiently advised, IT IS THEREFORE ORDERED that the complaint be, and it hereby is, dismissed with prejudice and removed from the Commission's docket.

Done at Frankfort, Kentucky, this 19<sup>th</sup> day of July, 2000.

By the Commission

ATTEST:

  
Executive Director