

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADA MAE CLEM)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2004-00499
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

Kentucky Utilities Company ("KU") is hereby notified that it has been named as defendant in a formal complaint filed on December 1, 2004, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, KU 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 15th day of December, 2004.

By the Commission

ATTEST:


Executive Director

Formal Complaint

_____ vs. _____

Page 2 of 2

Wherefore, complainant asks _____
(Specifically state the relief desired.)

Dated at LEXINGTON, Kentucky, this 26 day
(Your City)

of NOVEMBER, 2004
(Month)

Paul M. Clem
(Your Signature)

(Name and address of attorney, if any)

11-26-04

I Before THE Public Service Commission."

A ADA MAE CLEM 163 E. LONDON AVE LEX KY 40505

B KENTUCKY UTILITIES COMPANY ONE QUALITY STREET
LEX KY 40507

C SECTION 15 (C)

FRANKIE & ADA CLEM OWNS THE HOUSE AT 615 N. UPPER ST. LEX KY. THEY RENTED TO TIMMY LEWIS. HERE IS COPY OF 3 DAY NOTICE WE GAVE HIM WHEN HE WAS 2 WEEKS LATE WITH HIS RENT. IF HE WAS STEALING UTILITIES FROM KU. HE WAS STEALING RENT FROM US. WE HAD TO GO TO COURT TO GET HIM AND ALL OUT OF OUR HOUSE. THE COURT AND CONSTABLE FEE COST US \$167.00. PLUS WE HAD TO PAY TO HAVE THE HOUSE CLEAN UP. SO WE COULD RENT IT. THEN WE RENTED IT. AND THEN KU WOULD NOT TURN THE UTILITIES ON TILL WE PAID \$800.00 DIVERSION FEE. I FEEL WE DID NOT HAVE NO CONTROL OVER HIM SO KU SHOULD GO AFTER HIM AND NOT US. ALSO WE OWN A HOUSE AT 967 VALLEY AVE LEX KY. AND THEY CHARGED US \$86.50 FOR KEITH STONE AND ALL. I FEEL SOMEONE SHOULD HAVE THEM GIVE ME MY \$166.50 BACK FOR I DID NOT OWE THEM.

Ada Mae Clem
163 E. LONDON AVE
LEX KY 40505

SEVEN (7) DAY NOTICE TO PAY RENT

OR DELIVER POSSESSION

967 VALLEY LEX KY.. 8-14 2004

TO KEITH SHONE AND ALL

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN DEFAULT IN PAYMENT OF RENT

IN THE SUM OF TWO HUNDRED FIFTY DOLLARS, FOR THE

RENT AND USE OF THE PREMISES 967 VALLEY AVE

LEXINGTON KY

FAYETTE COUNTY, STATE OF KENTUCKY NOW OCCUPIED BY YOU,

AND THAT DEMAND IS HEREBY MADE FOR THE PAYMENT OF THE SAID RENT OR

THE POSSESSION OF SAID PREMISES WITHIN SEVEN DAYS FROM THE DATE OF

THE SERVICE OF THIS NOTICE, PURSUANT TO KRS 383.660.

Frankie Lem
OWNER OR AUTHORIZED AGENT

SEVEN (7) DAY NOTICE TO PAY RENT
OR DELIVER POSSESSION

615 N. UPPER ST Lex KY., July 17 2004

TO Timmy Lewis AND All

YOU ARE HEREBY NOTIFIED THAT YOU ARE IN DEFAULT IN PAYMENT OF RENT

IN THE SUM OF THREE HUNDRED ~~25~~ DOLLARS, FOR THE

RENT AND USE OF THE PREMISES 615 N. UPPER ST

Lex Ky

FAYETTE COUNTY, STATE OF KENTUCKY NOW OCCUPIED BY YOU,

AND THAT DEMAND IS HEREBY MADE FOR THE PAYMENT OF THE SAID RENT OR

THE POSSESSION OF SAID PREMISES WITHIN SEVEN DAYS FROM THE DATE OF

THE SERVICE OF THIS NOTICE, PURSUANT TO KRS 383.660.

Frankie Clem
OWNER OR AUTHORIZED AGENT

807 KAR 5:001. Rules of procedure.

Section 15. Forms.

(1) In all practice before the commission the following forms shall be followed insofar as practicable:

- (a) Formal complaint.
- (b) Answer.
- (c) Application.
- (d) Notice of adjustment of rates.
- (2) Forms of formal complaint.
- (3) Form of answer to formal complaint.
- (4) Form of application.
- (5) Form of notice to the commission of adjustment of rates

807 KAR 5:001. Rules of procedure.

Section 12. Formal Complaints.

(1) **Contents of complaint.** Each complaint shall be headed "Before the Public Service Commission," shall set out the names of the complainant and the name of the defendant, and shall state:

(a) The full name and post office address of the complainant.

(b) The full name and post office address of the defendant.

(c) Fully, clearly, and with reasonable certainty, the act or thing done or omitted to be done, of which complaint is made, with a reference, where practicable, to the law, order, or section, and subsections, of which a violation is claimed, and such other matters, or facts, if any, as may be necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall set forth definitely the exact relief which is desired (see Section 15(1) of this administrative regulation).

(2) **Signature.** The complaint shall be signed by the complainant or his attorney, if any, and if signed by such attorney, shall show his post office address. Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

(3) **Number of copies required.** At the time the complainant files his original complaint, he must also file copies thereof equal in number to ten (10) more than the number of persons or corporations to be served.

(4) Procedure on filing of complaint.

(a) Upon the filing of such complaint, the commission will immediately examine the same to ascertain whether it establishes a prima facie case and conforms to this administrative regulation. If the commission is of the opinion that the complaint does not establish a prima facie case or does not conform to this administrative regulation, it will notify the complainant or his attorney to that effect, and opportunity may be given to amend the complaint within a specified time. If the complaint is not so amended within such time or such extension thereof as the commission, for good cause shown, may grant, it will be dismissed.

(b) If the commission is of the opinion that such complaint, either as originally filed or as amended, does establish a prima facie case and conforms to this administrative regulation, the commission will serve an order upon such corporations or persons complained of under the hand of its secretary and attested by its seal, accompanied by a copy of said complaint, directed to such corporation or person and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of such order, provided that the commission may, in particular cases, require the answer to be filed within a shorter time.

(5) **Satisfaction of the complaint.** If the defendant desires to satisfy the complaint, he shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which he is willing to give. Upon the acceptance of this offer by the complainant and the approval of the commission, no further proceedings need be taken.

(6) **Answer to complaint.** If satisfaction be not made as aforesaid, the corporation or person complained of must file an answer to the complaint, with certificate of service on other parties endorsed thereon, within the time specified in the order or such extension thereof as the commission, for good

cause shown, may grant. The answer must contain a specific denial of such material allegations of the complaint as controverted by the defendant and also a statement of any new matter constituting a defense. If the answering party has no information or belief upon the subject sufficient to enable him to answer an allegation of the complaint, he may so state in his answer and place his denial upon that ground (see Section 15(2) of this administrative regulation).

Before the Public Service Commission

(Insert name of complainant))
Complainant)
) No. _____
) (To be inserted by
vs.) the secretary)
)
(Insert name of each defendant))
Defendant)

COMPLAINT

The complaint of (here insert full name of each complainant) respectfully shows:

(a) That (here state name, occupation and post office address of each complainant).

(b) That (here insert full name, occupation and post office address of each defendant).

(c) That (here insert fully and clearly the specific act or thing complained of, such facts as are necessary to give a full understanding of the situation, and the law, order, or rule, and the section or sections thereof, of which a violation is claimed).

WHEREFORE, complainant asks (here state specifically the relief desired).

Dated at _____, Kentucky, this _____ day
of _____, 19 _____.

(Name of each complainant)

(Name and address of attorney,
if any)