

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SHERRY ANN GOOD D/B/A SUN PALACE)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2006-00496
)	
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 November 20, 2006, a copy of which is attached hereto.

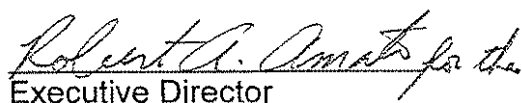
Pursuant to 807 KAR 5:001, Section 12, KU is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.

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 1st day of December, 2006.

ATTEST:

By the Commission


Executive Director

Nov.17, 2006

Case No. 7006-00496

15

Attached are the forms signed by an attorney . I was told by two different attorney's that the form shouldn't have to be signed by an attorney, because the K.U.'s procedure states that if you're a corporation it would have to be signed. I'm a sole proprietor. I informed Ginny Smith of this in our last phone conversation . She said she would check on it and get back in touch with me. I ask her about sending the forms back and she said no just wait till I heard from her. I assumed everything was being taken care of , then I received a letter from Mr. Sutton wanting to make payment arrangements .

Sherry Good

Sherry Good

Sun Palace
1906 Cumberland Ave.
Middlesboro, Ky. 40965
(606) 248-6789

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PUBLIC SERVICE
COMMISSION

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PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Sun Palace
Sherry Ann Good
(Your Full Name)

COMPLAINANT

1906 Cumberland Ave.
Middlesboro, Ky. 40965
(606) 248-6789

VS.

Kentucky Utility
(Name of Utility)

DEFENDANT

P.O. Box 14242
Lexington Ky.
40512-4242

COMPLAINT

The complaint of Sun Palace (Sherry Good) respectfully shows:
(Your Full Name)

(a) Sun Palace (Sherry Good)
(Your Full Name)

1906 Cumberland Ave. Middlesboro Ky. 40965
(Your Address)

(b) Kentucky Utility K.U.
(Name of Utility)

P.O. Box 14242 Lexington, Ky. 40512-4242
(Address of Utility)

(c) That: (Complaints are attached on the
(Describe here, attaching additional sheets if necessary,

additional sheets.)

the specific act, fully and clearly, or facts that are the reason

and basis for the complaint.)

Formal Complaint

Sun Palace (sherry Good vs. Kentucky Utility

Page 2 of 2

Wherefore, complainant asks See next page attached,
(Specifically state the relief desired.)

Dated at Middlesboro, Kentucky, this 8th day
(Your City)

of November, 2005
(Month)

Sun Palace
Sherry Good
(Your Signature)

J.P. Cline III
(Name and address of attorney, if any)
J.P. Cline III
Cline Law Office
P.O. Box 2220
Middlesboro, KY 40965
(606) 248-8001
(606) 248-8049 (FAX)

The complaint of Sun Palace respectfully shows:

That: There are several complaints that I have on this matter. The billed amount of \$' and how the debt occurred. This large amount of debt occurred due to the negligence and the negligence per se of the Kentucky Utilities Company, (KU).

Negligence: Law; Failure to use a reasonable amount of care when such failure results in injury or damage to another.

Damage: Law; Money claimed by, or ordered paid to, a person to compensate for injury. Loss, etc. caused by the wrong of the opposite party or parties.

Injury; wrongful or unjust, a violation of rights.

Negligence Per se: Negligence that consist of a violation of a statute.

I was a new customer on this account in May 2003. That's when I purchased the business. The previous owner and myself went into the Middlesboro office and informed them that I had purchased the business. The KU didn't put my social security number on the account. Apparently this resulted in the meter not being checked as it states in the statute for a new customer (807 KAR 5:006) Section 13, 3.

This is not the only meter that I have for the business ; That meter wasn't tested either. And according to Mr. Sutton's letter it hasn't been tested since May 1996. That's nine years, and according to the statute (807 KAR 5:041) Section 15, 3 it should have been tested within eight years.

Here is a brief history on the business and the situation. I bought the business in May of 2003. It's a Tanning Salon. A seasonal business. Before purchasing the business I looked at printouts from the KU on how much the bill would be. These printouts went back to 2001. It is important that you know that there are two meters for the business, so there are two bills also. One bill is high, the account, and the other bill was low, the account. I didn't know what was on what meter until the day they said they were doing a random meter change. Then the electricity was off for about six hours and we found out what was on the account in question. I just assumed the higher bill was for the business. I asked at the office what the small bill was for, they said they didn't know, and no one was sent out to check. (I've sent two bills that I specifically asked about, It's on the account.

I wasn't given a properly working meter when I purchased the business, so I feel that it's unfair to charge me for this bill. The printouts that I have on this accounts show were the KU has added and subtracted amounts that I have not done. (I've sent some bills and printouts where this has occurred.) How did these calculations come about? I don't feel that my bill is just based on what the meter reads, I feel that there are other things calculated in, so by the meter not registering properly was not the only way the KU could have caught this problem, before the bill got so high. It's all these questions that concern me.

But the estimate that Mr. Sutton done isn't fair either, this is based on a few days use of the new meter that was put in. This is based on our usage now, and we didn't have as many units a year ago. We were closed more due to an illness and a death in the family. None of this was calculated in. I only have a few months out of the year that are busy months for the salon.

We were told on the day the meter was pulled that this was a random meter change. The letter that was sent would lead to believe that the meter wasn't registering properly so they changed it. They didn't have this information until the meter was pulled and saw it was melted.

There was a large deviation on the previous owners bill in May 2000, (on the meter & account in question) it was \$247.68 and then the next month the bill was \$8.88. I got a copy of this from the previous owner, and I gave Mr. Sutton a copy of this. (The KU would not give me any printouts on this account prior to 2001 or prior to where the large deviation occurred so I could estimate how much the bill usually was.

There should have been an investigation done when the large deviation occurred according to the statute (807 KAR 5:006) Section 10, 3. The KU had this information and full knowledge of what the consequences and the hardship it would put on a person., especially a new seasonal business owner.

The Relief I Desire:

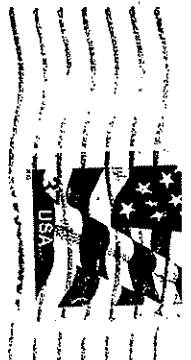
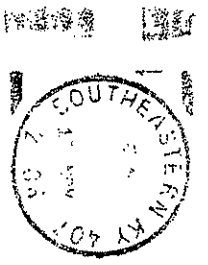
Is to be exempt from this debt. Based on the facts and statutes stated above, and since the meter didn't show signs of malfunctioning while in my possession, I shouldn't be held responsible.

This account has been neglected for too long and to hold only one person (a new owner) responsible wouldn't be fair. This large amount of debt would really be a hardship on the type of business I have. I feel that the only time the KU should be able to collect on a bill like this would be if the meter malfunctioned while in the same owners possession. Customers aren't made aware that something like this can occur till their faced with a large bill. The KU is aware of this on a monthly bases. This bill for the account was adjusted each month.

I think that customers should be informed that this kind of problem can happen; . It should be posted on their monthly bill.

Sun Palace
Sherry Good

Sherry Good
Sun Palace
1906 Cumberland Ave.
Middlesboro, Ky. 40965



Public Service Commission of Kentucky

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Frankfort, Kentucky 40601

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