

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JIM DEVERS)	
)	
COMPLAINANT)	
)	
v.)	CASE NO. 2008-00199
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

ORDER TO SATISFY OR ANSWER

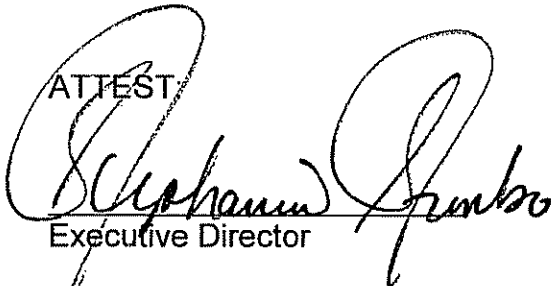
Kentucky Utilities Company ("Kentucky Utilities") is hereby notified that it has been named as defendant in a formal complaint filed on May 28, 2008, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Kentucky Utilities 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 11th day of June, 2008.

ATTEST:


Executive Director

By the Commission

JP

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Tim Devers
(Your Full Name)
COMPLAINANT

VS.

Ky Utilities
(Name of Utility)
DEFENDANT

RECEIVED

MAY 29 2008

PUBLIC SERVICE
COMMISSION

COMPLAINT

2008-199

The complaint of Tim Devers respectfully shows:
(Your Full Name)

(a) Tim Devers
(Your Full Name)

[REDACTED ADDRESS]
(Your Address)

(b) Ky Utilities
(Name of Utility)

PO Box 14242 Lex Ky 40512-4242
(Address of Utility)

(c) That: SEE ATTACHED LETTER
(Describe here, attaching additional sheets if necessary,

SENT TO Ky Utilities
the specific act, fully and clearly, or facts that are the reason

and basis for the complaint.)

Formal Complaint

J. M. Devers vs. Ky. Utilities

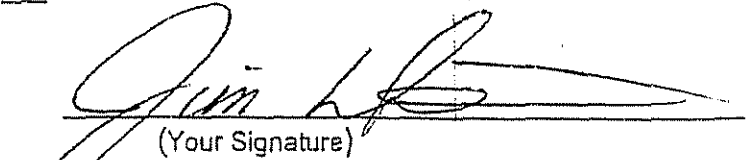
Page 2 of 2

Wherefore, complainant asks I just wanted this to be adjusted
(Specifically state the relief desired.)

to a reasonable amount, but now I will need compensat
for my time (Aprox 10 hrs @ 100⁰⁰/hr = 1000⁰⁰) +
any attorney fees for consultation, and bill
adjusted. (70⁰⁰ - 90⁰⁰)

Dated at Corbin, Kentucky, this 24 day
(Your City)

of May, 2008
(Month)


(Your Signature)

Mary Ann Smyth
(Name and address of attorney, if any)

PO Box 1284
404 Roy Kidd Ave
Corbin Ky 40702



April 15, 2008

To whom it may concern:

This is my last attempt to rectify this situation before I turn this over to my attorney. I have spoken numerous times with representatives from Ky Utilities. The last time was with Jan Coleman, whom was very nice, but again said she could not help.

For anyone not familiar, let me explain what has transpired: Jan 13, 2007 I moved to Corbin Ky and left this house vacant. Our bill for Feb was \$159, March \$55.07, April \$45.71, and May was \$69.68. We had the thermostat set on 77 for the summer. We sold and transferred the house to the new buyers on July 2nd and called to transfer the utilities around this time. We first received a bill dated July 13th for \$368.63 which we thought must be some kind of error. A few days later we receive a bill for \$493.66.

You can check the records, but the highest bill we ever had was in the low 300's in the dead of summer and winter where we had the thermostat at approximately 71 year round and we lived there for 3 ½ years. I called to tell them there must be some kind of mistake and they said they would check it out. Then they sent the bill again for the same amount. I called and was told this is correct and needed to pay the bill. I explained to them that I would gladly pay my bill once it was corrected to a reasonable amount, but not 7 times the previous month with no changes in my usage.

We have been told by KU reps that maybe we had problems with the water heater or heating and air, but there have been no problems with the new owners and I understand their bills are quite normal. I also spent a lengthy amount of time speaking with reps from KU explaining that there was no way the bill could be this much and they completely agreed, but said there was nothing they could do. I asked each one if they would pay this and they would not answer my question. No one said, "Yes, I would pay that bill."

I own a Chevy and Cadillac dealership in Barbourville, Ky. I am very well aware of the challenges of running a company, especially dealing with collecting unpaid debts. I would never tell one of my customers that they owe me for something I did not provide for them or tell them "just pay it". I have never been late paying any of my bills to anyone. YOU CAN CHECK MY CREDIT. I also will not pay for something that is not right.

I do not like getting lawyers involved in things that should be handled fairly, but I feel I have been wronged and I am tired of dealing with this subject. Whoever has the authority to make decisions on this may contact me at 606-545-3059 to try to put an end to this. If I do not hear back from someone by April 28, 2008, I will turn this over to my attorney. If my credit is affected by any of this, I will also seek compensation from such.

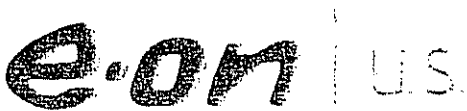
Sincerely,

Jim Devers

A rectangular area of the document is redacted with a thick black line, obscuring the signature of Jim Devers.

KU account 

CC: Greg Cornett, Sr. Corporate Attorney
Jan Coleman, Ky Utilities Rep.
Ky Public Service Cabinet
Credit Clearing House of America



Jim Devers

E.ON U.S. LLC
Corporate Law Department
220 W. Main Street
P.O. Box 32030
Louisville, Kentucky 40232
www.eon-us.com

J. Gregory Cornett
Sr. Corporate Attorney
T 502-627-2756
F 502-627-3367
greg.cornett@eon-us.com

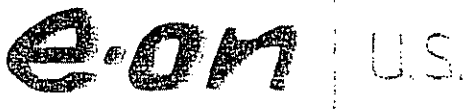
April 23, 2008

Dear Mr. Devers:

I am writing in response to your letter of April 15, 2008 and as a follow-up to my phone call to you earlier today. As we discussed on the phone, I have looked into the billing issue at hand in detail, and have determined that you have been billed for actual metered usage in accordance with Kentucky law and our tariffs as filed with and approved by the Kentucky Public Service Commission ("Commission"). As a result, we must continue to ask that you pay the past amounts due.

Specifically, we have reviewed the bills in question and found no error in the calculation. We have also examined the meter readings in the months leading up to and following the two disputed billing periods, and we have found no irregularity in those readings, which would have existed had there been human error in logging the meter reads. Moreover, we have pulled the meter from the location in question and tested it in our lab. That meter tested at an overall accuracy of 100.3%, which is in compliance with Commission regulations and reveals that meter inaccuracy did not lead to incorrect billing.

While it does appear that the metered usage during the times in question was higher than average for this address, there is absolutely no indication that the usage was incorrectly metered or recorded. Thus, we have no option but to bill you for that usage, just as we would do for any other customer. As a regulated public utility in Kentucky, we have an affirmative obligation under the law to bill all customers for metered usage (that usage recorded by our meters), and to treat all customers in a like manner. Thus, while we are sympathetic to your situation, and while we understand your frustration, we must follow the law in this instance and cannot write down or write off the past amount due.



As I understand it, your concern over the bills at issue is related to the amount due and whether it is accurate, and has nothing to do with your financial ability to pay the past due amount. Nonetheless, we would be willing to allow you to make the payment over the course of a reasonable period of time if you would like to do so.

In closing, Mr. Devers, let me again say that I understand and appreciate your concern about this issue. However, because we have fully investigated the matter on our end and have found no error in the billings, we have no choice but to continue to ask that you pay the past amounts due. If you have any questions, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Gregory Cornett", with a long horizontal flourish extending to the right.

J. Gregory Cornett

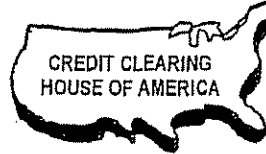
JGC/kmw

C: Kentucky Public Service Commission

P O Box 1209
305 W Market St.
Louisville, KY 40201-1209

PRIORITY MESSAGE

Credit Clearing House of America, Inc.



Member:
National Credit Reporting Bureau
American Collectors Association
Kentucky Collectors Association

Phone: 1-800-830-5432, Monday-Friday, 8:30 am - 5:30 pm.

0001558802 0001870 0006
James P Devers



Creditor/Reference	Balance
Kentucky Utilities+	\$493.66
Total Due	\$493.66

April 8, 2008

We have contacted the above creditor in response to your request to verify the balance due. The Creditor advises that they show this amount still owing and seriously past due!

Please send your payment to our office to clear this matter

This is an attempt to collect a debt and any information will be used for that purpose

Many Medical Facilities offer financial aid in the form of full and partial charity write-offs to patients in financial need. If you believe your income is such, please ask us about the availability of these programs.

10

Professional Debt Collector Since 1951

** Detach and return this portion with payment in enclosed envelope**

Enter the requested information in the spaces provided below:
Enclosing this notice with your payment will expedite credit to your account.

Check one: Visa MasterCard

Account Number:

Expiration Date:

Account Total: \$493.66

Signature: _____

Payment Amount: _____

Home Phone: (____) _____

Special Instructions: _____

Credit Clearing House of America, Inc.
P.O. Box 1209
Louisville, KY 40201-1209



Thank you for your cooperation in resolving this matter.

Kentucky Utilities Company
Revenue Collection Department 5th Floor
1 Quality Street
Lexington, Kentucky 40507

.....

Kentucky Utilities Company

February 15, 2008

JAMES P DEWITT

REGARDING ACCOUNT: [REDACTED]

DEAR CUSTOMER:

We recently sent you a final bill and a reminder letter for payment in full in the amount of \$493.66. As of this date, we have not received your payment.

This notice is to advise you that unless we have received your payment for the remaining balance of \$493.66 within ten (10) days, this account will be submitted to a collection agency. If we are forced to do that, this record will remain on your credit file for seven years and could affect your ability to obtain a loan or transact business in the future.

If payment has already been made please disregard this notice.

Sincerely,

Revenue Collection Department

859-367-5553 or 859-367-5338

.....



Customer Service: 1-800-981-0600 Mon-Fri 7AM-7PM
 Walk-in Center Hours: Mon-Fri 8AM-5PM
 www.eon-us.com
 Telephone Payments: (800) 807-3596

DATE DUE 07/13/07 AMOUNT DUE \$368.63

Get money for nothing! See the Important Information section of your bill for details about our Demand Conservation program.

ACCOUNT INFORMATION	
Account Number:	[Redacted]
Account Name:	James P Devers
Service Address:	[Redacted]

BILLING SUMMARY	
Previous Balance	69.68
Payments as of 07/02	(69.68)
Balance as of 07/02	0.00
Electric Charges	364.03
Taxes and Fees	14.60
Utility Charges as of 07/02	378.63
Other Charges	(10.00)
Total Amount Due	368.63

Averages for Billing Period	This Year	Last Year
Average Temperature	74°	71°
Number of Days Billed	29	29
Electric/kwh per Day	199.4	88.6

ELECTRIC CHARGES

Rate Type: RS-ALL ELEC RES

Customer Charge	5.00	Meter Reading Information	
Energy Charge	281.39	Meter #C402182-A	
Other Charges For Above Rates		Verified Reading on 06/29	46699
Fuel Adjustment (\$.01114 x 5784 kwh)	64.43	Previous Reading on 05/31	40915
Residential DSM (\$.00061 x 5784 kwh)	3.53	Current kwh Usage	5784
Environmental Surcharge (4.400% x \$354.35)	15.59	Meter Multiplier	1
Larger Surcredit (1.326% CR x \$369.94)	-4.91	Metered kwh Usage	5784
Value Delivery Surcredit (0.300% CR x \$365.03)	-1.10		
Home Energy Assistance Fund Charge	0.10		
Total Electric Charges	\$364.03		

OTHER CHARGES

Demand Conserv-A/C	-10.00
Total Other Charges	(\$10.00)

See reverse side for additional charges.

Please bring entire bill when paying in person.

Customer Service 1-800-981-0600

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Account Number	Previous Balance	Payment Due Date	Total Amount Due	Winter Care Donation	Amount Enclosed
[Redacted]	\$0.00	07/13/07	\$368.63	\$	\$

Phone # (502) 868-9526

Check here if plan(s) requested on back of stub

PLEASE USE ONLY:
R2964, G321



PO BOX 14242
LEXINGTON, KY 40512-4242

#BWNHBWG
#609308002 1 3#
JAMES P DEVERS

Service Address: 126 Cherry Hill Dr



Customer Service: 1-800-981-0600 Mon-Fri 7AM-7PM
 Walk-in Center Hours: Mon-Fri 8AM-5PM
 Telephone Payments: (800) 807-3596
 www.eon-us.com

DATE DUE 07/23/07 AMOUNT DUE \$493.66

This is a Final bill

Current due date applies to the current bill only. Previous amount due may be subject to disconnection.

ACCOUNT INFORMATION	
Account Number:	
Account Name:	James P Devers
Service Address:	

BILLING SUMMARY	
Previous Balance	368.63
Payments as of 07/11	0.00
Balance as of 07/11	368.63
Electric Charges	129.83
Taxes and Fees	5.20
Utility Charges as of 07/11	135.03
Other Charges	(10.00)
Total Amount Due	493.66

Averages for Billing Period	This Year	Last Year
Average Temperature	76°	0°
Number of Days Billed	3	0
Electric/kwh per Day	694.3	0.0

ELECTRIC CHARGES

Rate Type: RS-ALL ELEC RES

Customer Charge	0.50
Energy Charge	101.34
Other Charges For Above Rates	
Fuel Adjustment (\$0.01114 x 2083 kwh)	23.20
Residential DSM (\$0.00061 x 2083 kwh)	1.27
Environmental Surcharge (4.400% x \$126.31)	5.56
Merger Surcredit (1.326% CR x \$131.87)	-1.75
Value Delivery Surcredit (0.300% CR x \$130.12)	-0.39
Home Energy Assistance Fund Charge	0.10
Total Electric Charges	\$129.83

Meter Reading Information	
Meter #C402182-A	
Actual Reading on 07/02	48782
Previous Reading on 06/29	00000
Current kwh Usage	2083
Meter Multiplier	1
Metered kwh Usage	2083

OTHER CHARGES

Demand Consvr-A/C	-10.00
Total Other Charges	(\$10.00)

For more information, please see reverse side for additional charges.

Please bring entire bill when paying in person.

Customer Service 1-800-981-0600

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Account Number	Previous Balance	Payment Due Date	Total Amount Due	Winter Care Donation	Amount Enclosed
[REDACTED]	\$368.63	07/23/07	\$493.66	\$	\$

Home Phone # (xxx) xxx-xxxx

Check here if plan(s) requested on back of stub

FOR OFFICIAL USE ONLY:
 R2964, G321



PO BOX 14242
 LEXINGTON, KY 40512-4242

#BWNHBWG
 #609308002 1 3#
 JAMES P DEVERS

Service Address: 126 Cherry Hill Dr

