

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ACTON PROPERTIES LLC	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2025-00163
	)	
LOUISVILLE GAS AND ELECTRIC COMPANY	)	
	)	
DEFENDANT	)	

ORDER

On April 24, 2025, Acton Properties LLC (Acton) tendered a formal complaint with the Commission against Louisville Gas and Electric Company (LG&E) alleging that Acton had been overcharged by LG&E for a rental property located at 915 Charles St., Louisville, Kentucky 40204.

Pursuant to Commission regulation in 807 KAR 5:001, Section 20(4)(a), upon receipt of a formal complaint, the Commission must determine whether the complaint establishes a *prima facie* case. A complaint establishes a *prima facie* case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant to the requested relief. If a complaint fails to establish a *prima facie* case, it may be dismissed.

Based upon a review of the tendered complaint, the Commission is unable to determine at this time whether the complaint establishes a *prima facie* case, but the allegations support our further investigation into the merits of the complaint. The

complaint alleges billing errors but does not include the LG&E bills, the disconnect and reconnect dates, the payments made, any late fees charged, and any credits on the account. The Commission finds that additional information is needed to assist the Commission in making a determination of whether the complaint establishes a *prima facie* case. Therefore, LG&E shall file its responses to Commission Staff's Request for Information, attached to this Order as Appendix A, on or before the date set forth by Commission Staff in the request. LG&E shall respond to any future requests for information propounded by Commission Staff by the date or dates set forth on any such requests. A copy of Acton's complaint is attached to this Order as Appendix B to inform LG&E of the subject of the complaint and to assist in identifying Acton's account.

IT IS THEREFORE ORDERED that:

1. A copy of this Order shall be served on LG&E for the sole purpose of requesting necessary documents to assist the Commission in determining whether the complaint establishes a *prima facie* case.
2. LG&E shall respond to Commission Staff's Request for Information as provided in Appendix A attached to this Order.
3. LG&E shall respond to any additional requests for information propounded by Commission Staff, as provided in those requests.
4. A copy of this Order shall be served on the Acton Properties LLC through the U.S. Postal Service, First-Class mail sent to counsel, Anne Acton P.O. Box 22605 Louisville, Kentucky 40252.

PUBLIC SERVICE COMMISSION

  
Chairman

Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director



## APPENDIX A

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2025-00163 DATED JUN 05 2025

#### COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO LOUISVILLE GAS AND ELECTRIC COMPANY

Louisville Gas and Electric Company (LG&E), pursuant to 807 KAR 5:001, shall file with the Commission an electronic version of the following information. The information requested is due on June 20, 2025. The Commission directs LG&E to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

LG&E shall make timely amendment to any prior response if LG&E obtains information that indicates the response was incorrect or incomplete when made or,

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<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

though correct and complete when made, is now incorrect or incomplete in any material respect.

For any request to which LG&E fails or refuses to furnish all or part of the requested information, LG&E shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied and scanned material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, LG&E shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Provide separate gas and electric bills, the disconnect and reconnect dates, the payments made, any credits given, and any late fees charged for 915 Charles St., Louisville, Kentucky 40204, from June 2023 to date.

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2025-00163 DATED JUN 05 2025

FOUR PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Acton Properties, LLC

(Your Full Name)

COMPLAINANT

VS.

LG&E

(Name of Utility)

DEFENDANT

RECEIVED

APR 24 2025

PUBLIC SERVICE  
COMMISSION

COMPLAINT

The complaint of Acton Properties LLC respectfully shows:

(Your Full Name)

(a)

Anne Acton, Member

(Your Full Name)

P.O. Box 22605 Louisville, Ky 40252

(Your Address)

(b)

LG&E

(Name of Utility)

220 W. Main St. Louisville, Ky 40202

(Address of Utility)

(c) That:

Please see Att. #1

(Describe here, attaching additional sheets if necessary,

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

and basis for the complaint.)

Continued on Next Page

Formal Complaint

Acton Properties LLC vs. Louisville Gas & Electric Co.

Page 2 of 2

Wherefore, complainant asks

Please see Att # 2

(Specifically state the relief desired.)

Dated at

Louisville

(Your City)

Kentucky, this

22nd day

of

April

(Month)

, 2025.

Anne Acton  
(Your Signature\*)

John Acton Gitterman  
(Name and address of attorney, if any)

P.O. Box 3260  
Louisville, KY 40352

4-22-25  
Date

\*Complaints by corporations or associations 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.

RE: Acton Properties, LLC v. Louisville Gas and Electric Co.

Service address: 915 Charles St., Louisville, Ky. 40204

Complaint (c)

A tenant at the above addressed moved on or about June 9, 2023. She requested gas and electric services in her name be turned off. Acton Properties, LLC requested electric services be turned on in its name.

When Acton Properties, LLC received its first bill thereafter it included about \$38.00-\$40.00 for gas. LG&E was contacted immediately and pointed out that it had requested electric services only.

The undersigned has spent countless hours trying to get LG&E to correct the error including asking the CEO for assistance on two to three occasions without success.

The LG&E representatives claimed not to know how to correct the error since they had already filed some kind of accounting/report with the commission. Finally, a person determined that he could send a check to Acton Properties, LLC and in turn Acton Properties, LLC would issue its check as payment. The check was received and endorsed as a payment to LG&E, but LG&E returned it with notification that it did not accept third party checks as payment.

Throughout the almost 2 years, Acton Properties, LLC has received bills on a monthly basis showing its use of electric for the month and the charge therefor. Those amounts have been paid timely. The bills have also included the amount LG&E designates as "past due" plus late fees.

Since contacting the Commission by phone and letter dated March 3, 2025, a person from LG&E contacted me. He stated his name was "Richard" No last name was provided. Richard stated he would have another check issued. He stated unequivocally, "I will not waive the late fees". I told him that Acton Properties, LLC is not liable for late fees on another person's account and/or errors of LG&E. Nevertheless, a check in the amount of \$37.48 was sent.

More recently the bill for the subject account that was due April 4, 2025 included a charge of \$45.86 for electric. A check along with the payment portion of the bill was mailed on March 25, 2025. That money was not applied to the 915 Charles Street account, but was given as a credit balance on another property!<sup>1</sup>

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<sup>1</sup> I might add that other accounts did not have payments correctly credited suggesting that LG&E has a lot of work to do.

RE: Acton Properties, LLC v. Louisville Gas and Electric Co.

[REDACTED]  
Service address: 915 Charles St., Louisville, Ky. 40204

WHEREFORE, the complainant asks:

1. That LG&E provide an accounting of all bills from June, 2023 to present showing charges for electric used and late fees imposed.
2. That LG&E provide an accounting of all payments from June 2023 to present.
3. That those charges for the former tenant be removed from the account of plaintiff.
4. That all late fees imposed on the account of Acton Properties, LLC be removed.
5. That the Commission impose any and all penalties against LG&E that are determined to be warranted including award to the plaintiff for attorney fees incurred.

  
\_\_\_\_\_  
JEAN ACTON  
Attorney for Plaintiff  
P. O. Box 22605  
Louisville, Ky. 40252  
[REDACTED]

Attachment 2

Jean Acton  
Attorney at Law  
P. O. Box 22605  
Louisville, KY 40252

\*Louisville Gas and Electric Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010

\*Louisville Gas and Electric Company  
220 W. Main Street  
P. O. Box 32010  
Louisville, KY 40232-2010