COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CHERYL ROLAND	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2026-00190
	)	
OWEN ELECTRIC COOPERATIVE, INC.	)	
	)	
DEFENDANT	)	

O R D E R

This issue arises from a complaint filed on July 10, 2026 by Cheryl Roland against Owen Electric Cooperative, Inc. (Owen Electric) concerning the installation of electric poles and utility lines that Ms. Roland claims violates a travel only easement and encroaches on her property located at 5785 Lawrenceville Road, Williamstown, Kentucky 41097.[1]

In its September 1, 2026 Order, the Commission found the complaint filed by Ms. Roland did not comply with the requirements of 807 KAR 5:001, Section 20(1)(c), and Section 20(4)(a), by establishing a *prima facie* case for which the Commission has the jurisdiction to grant relief.[2] The Commission further found that Ms. Roland should be

[1] Cheryl Roland Complaint (filed July 10, 2026).

[2] Order (Ky. PSC Sept. 1, 2026) at 4.

afforded the opportunity to amend her complaint within 20 days of the date of service of the Order in accordance with 807 KAR 5:001, Section 20(4)(a)(1).[3]

On September 17, 2026, Ms. Roland filed an amended complaint with the Commission. In her amended complaint, Ms. Roland again alleged that Owen Electric had violated 807 KAR 5:006, Section 6(3)(a) and (b)(2), by placing distribution infrastructure inside a restricted transit corridor without possessing a valid, unencumbered legal right to occupy the property.[4]

On October 12, 2026, Owen Electric filed a preliminary answer to the amended formal complaint, along with a renewed Motion to Dismiss.[5] In its response, Owen Electric denied that it did not have the right to install the poles where located, that it encroached or trespassed onto private property, obstructed any ingress or egress corridor, or destroyed a mediated settlement.[6] In addition, Owen Electric stated that to its knowledge, the landowners and applicants for electric service had not engaged in fraud in their application for electric service.[7]

LEGAL STANDARD

Commission regulation 807 KAR 5:001, Section 20(1)(c), requires each complaint to state:

> (c) Fully, clearly, and with reasonable certainty, the act or omission, of which complaint is made, with a reference, if practicable, to the law, order, or administrative regulation, of

[3] Order at 4.

[4] Cheryl Roland Amended Complaint (Amended Complaint) (filed Sept. 17, 2026) at 2.

[5] Owen Electric Preliminary Answer to Amended Formal Complaint (Owen Electric's Response) (filed Oct. 12, 2026).

[6] Owen Electric's Response at 3.

[7] Owen Electric's Response at 4.

> which a failure to comply is alleged, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged failure[.][8]

Furthermore, 807 KAR 5:001, Section 20(4)(a), requires the Commission to examine the complaint to ascertain if the complaint establishes a *prima facie* case that conforms to this administrative regulation.[9] 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. Stated plainly, to be accepted by the Commission, complaints must meet both the requirements of 807 KAR 5:001, Section 20(1)(c) and establish a *prima facie* case according to 807 KAR 5:001, Section 20(4)(a).

In administrative settings, both redressability and injury are limited by the jurisdictional authority given to agencies by the legislature. The Commission's jurisdiction is established in KRS 278.040(2) and states that the Commission has "exclusive jurisdiction over the regulation of rates and service of utilities."[10] While expansive in scope with regards to ensuring "fair, just and reasonable"[11] service, the Commission's authority is not limitless.

Pursuant to KRS 278.260, the Commission has jurisdiction over complaints regarding rates or service, which states:

> [t]he commission shall have original jurisdiction over complaints as to rates or service of any utility, and upon a

[8] 807 KAR 5:001, Section 20(1)(c).

[9] 807 KAR 5:001, Section 20(4)(a).

[10] Indeed, the Commission's authority regarding ratemaking is both "plenary" and broad. *See e.g. Kentucky Public Service Com'n v. Com. ex rel. Conway*, 324 S.W.3d 373 (Ky. 2010).

[11] KRS 278.040.

> complaint in writing made against any utility by any person that any rate which the complainant is directly interested is unreasonable or unjustly discriminatory, or that any regulation, measurement, practice or act affecting or relating to the service of the utility or any service in connection therewith is unreasonable, unsafe, insufficient, or unjustly discriminatory, or that any service is inadequate or cannot be obtained[.][12]

As KRS 278.260 makes clear, complaints must be related, in some causal way, to the Commission's jurisdiction over rates and service.

DISCUSSION AND FINDINGS

Following review of the record and as further discussed below, the Commission finds that the complaint should be dismissed without prejudice, and the case closed.

Ms. Roland's amended complaint does not state fully, clearly and with reasonable certainty an act or omission by Owen Electric of which failure to comply is alleged. Nor do Ms. Roland's allegations substantiate a violation of a regulation, Commission Order, tariff, or statute by Owen Electric.

Although Ms. Roland was granted a transit easement to gain access to her property, a signed application was submitted by the adjoining landowners for electric service to their property. As noted previously, Owen Electric stated it took a longer route and built a new line exclusively on the adjoining landowners' property in order to completely avoid Ms. Rolands property.[13] In addition, the easement attached in Ms. Roland's formal complaint does not prohibit utility lines from being located in the easement.[14]

[12] KRS 278.206.

[13] Owen Electric Answer to Formal Complaint at 5 and Exhibit D at 17.

[14] Cheryl Roland Complaint (filed July 10, 2026), Exhibit A.

Based on the information in the record, the Commission finds that Ms. Roland's complaint has failed to comply with the requirements of 807 KAR 5:001, Section 20(1)(c), and Section 20(4)(a), by not establishing a *prima facie* case for which the Commission has the jurisdiction to grant relief. Although Ms. Roland makes allegations regarding the electric utility lines located adjacent to her property, she has presented no evidence to the Commission that would entitle the Complainant to the requested relief.

Accordingly, the Commission finds that the complaint should be dismissed and the case closed because, in its opinion, a hearing is not necessary in the public interest or for the protection of substantial rights.

A copy of this Order should be served through the U.S. Postal Service, Certified Mail, Return Receipt Requested, and First-Class Mail upon Ms. Roland at the address listed in the complaint.

IT IS THEREFORE ORDERED that:

1. The complaint filed by Cheryl Roland is dismissed without prejudice.

2. A copy of this Order shall be served by U.S. mail, Certified Mail with Return Receipt Requested, and First-Class Mail on Ms. Cheryl D. Roland at 5785 Lawrenceville Road, Williamstown, Kentucky 41097. Service shall be considered complete on the first day the U.S. Postal Service attempts delivery of the certified mail.

3. This case is closed and removed from the Commissions docket.

Entered on this 10th day of November, 2026.

PUBLIC SERVICE COMMISSION

Angie Hatton
Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:

Justin McNeil
Executive Director

Service List for Case 2026-00190

* Cheryl D Roland
5785 Lawrenceville Road
Williamstown, KY 41097

* Owen Electric Cooperative, Inc.
8205 Highway 127 North
P. O. Box 400
Owenton, KY 40359

* Owen Electric Cooperative, Inc.
Owen Electric Cooperative, Inc.
8205 Highway 127 North
P. O. Box 400
Owenton, KY 40359

* Denotes served by Email