

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST FOR DEVIATION BY KENTUCKY)	
POWER COMPANY FROM THE REQUIREMENTS)	CASE NO.
OF 807 KAR 5:006, SECTION 13(1)(C),)	2007-00191
REGARDING POSTING OF CUSTOMER BILL OF)	
RIGHTS)	

ORDER

On October 3, 2024, Kentucky Power Company (Kentucky Power) filed a motion to modify requirements set forth in an Order issued June 29, 2007, in this matter.

According to the motion, originally, Kentucky Power had sought a deviation from 807 KAR 5:006 Section 13(1)(c), the requirement that the company display the customer bill of rights in each office accepting payment.¹ Specifically, Kentucky Power contracted with third parties for payment locations.² As such, Kentucky Power alleged that it did not have the ability to dictate compliance of a third party (grocery or bank) with this regulation.³ The Commission granted the deviation and Kentucky Power has been mailing the customer bill of rights annually, in September.⁴

As grounds for its motion to modify the June 29, 2007 Order, Kentucky Power stated that September is a shoulder month leading into a winter month.⁵ Kentucky Power

¹ Kentucky Power's Motion to Modify June 29, 2007 Order (Motion) (filed Oct. 3, 2024) at 1–2.

² Kentucky Power's Motion at 1.

³ Kentucky Power's Motion at 1–2.

⁴ Order (Ky. PSC June 29, 2007) at 4.

⁵ Kentucky Power's Motion at 2.

stated that it may only send one insert with a particular month's bill and that the September insert it would be better used to inform customers on information related to managing their bills during the winter heating months.⁶

In addition, Kentucky Power argued that the regulation has been amended and the relevant customer bill of rights requirement is now located in 807 KAR 5:006 Section 14(1)(c). The requirement also now, in part, states "each office open to the public". Kentucky Power requested to display the customer bill of rights on the doors of each of its places of business since it does not operate a location open to the public; however, it stated it would post the bill of rights on the front door of any building that it does operate.⁷

Having reviewed the motion and the facts in the underlying matter, the Commission finds that Kentucky Power has demonstrated good cause to modify requirements set forth in the June 29, 2007 Order, and grant the deviation from Section 14(1)(c) of 807 KAR 5:006 pursuant to 807 KAR 5:006 Section 28, subject to the modification discussed below.

The Commission finds that posting the customer bill of rights on the front door of each of Kentucky Power's places of business, including the locations listed in Kentucky Power's motion,⁸ is sufficient when coupled with the posting on its website, also required by administrative regulation.⁹ The Commission notes that Kentucky Power should have the customer bill of rights posted at each location within ten days of service of this Order and immediately post the same at any of its places of business established in the future.

⁶ Kentucky Power's Motion at 2.

⁷ Kentucky Power's Motion at 3-4.

⁸ Kentucky Power's Motion at 4. List of buildings provided.

⁹ 807 KAR Section 14(1)(c)

The Commission agrees that, in this circumstance, the sole mailing insert in September's bill could be better utilized. With the potential of higher energy bills facing Kentucky Power's customers in the winter months, the Commission finds that the insert should focus on customer information related to reducing bills during the winter heating months including but not limited to assistance programs, demand side management and other information related to lowering customers' energy usage during a higher demand period. Kentucky Power did not specifically commit to the September mailings being related to such topics, but the Commission finds that this is a reasonable requirement.

IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion's is granted, as modified.
2. Ordering paragraph 2 of Order dated June 29, 2007, is hereby abrogated.
3. Kentucky Power is granted a deviation from the requirements of 807 KAR 5:006, Section 14(1)(c) regarding the display of the customer bill of rights as set forth herein.
4. Kentucky Power shall post the customer bill of rights on the front door of each of its places of business within ten days of service of this Order and immediately upon opening of a new business location.
5. Kentucky Power shall include an insert in the September bill mailing as follows: focus on customer information related to reducing bills during the winter heating months including but not limited to assistance programs, demand side management and other information related to lowering customers' energy usage during a higher demand period.


PUBLIC SERVICE COMMISSION



Chairman



Commissioner

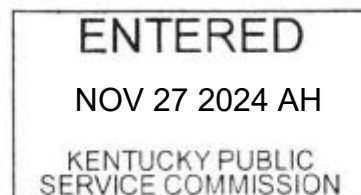


Commissioner

ATTEST:



Executive Director



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