

98

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

Case No. 2010-00130

In the matter of:

RECEIVED

MAR 22 2010

PUBLIC SERVICE
COMMISSION

NORMAN D. VERNON)
 (Your Full Name))
 COMPLAINANT)
 VS.)
L. G. & E.)
 (Name of Utility))
 DEFENDANT)

COMPLAINT

The complaint of NORMAN D. VERNON respectfully shows:
(Your Full Name)

(a) NORMAN D. VERNON
(Your Full Name)

116 CHERRY HILLS LN LOU, KY 40245
(Your Address)

(b) L. G. & E.
(Name of Utility)

LOUISVILLE, KY
(Address of Utility)

(c) That: SEE THE ATTACHED PART C.
(Describe here, attaching additional sheets if necessary,

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

and basis for the complaint.)

Formal Complaint

_____ vs. _____

Page 2 of 2

Wherefore, complainant asks _____

(Specifically state the relief desired.)

FIFTY PERCENT OF THE TOTAL CHARGES FOR THE
PAST FOURTEEN YEARS.

Dated at LOUISVILLE, Kentucky, this 18TH day
(Your City)

of MARCH, 2010
(Month)

Thomas A. Vernon

(Your Signature)

(Name and address of attorney, if any)

807 KAR 5:001. Rules of procedure.

Section 12. Formal Complaints.

(1) **Contents of complaint.** Each complaint shall be headed "Before the Public Service Commission," shall set out the names of the complainant and the name of the defendant, and shall state:

(a) The full name and post office address of the complainant.

(b) The full name and post office address of the defendant.

(c) Fully, clearly, and with reasonable certainty, the act or thing done or omitted to be done, of which complaint is made, with a reference, where practicable, to the law, order, or section, and subsections, of which a violation is claimed, and such other matters, or facts, if any, as may be necessary to acquaint the commission fully with the details of the alleged violation. The complainant shall set forth definitely the exact relief which is desired (see Section 15(1) of this administrative regulation).

(2) **Signature.** The complaint shall be signed by the complainant or his attorney, if any, and if signed by such attorney, shall show his post office address. Complaints by corporations or associations, or any other organization 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.

(3) **Number of copies required.** At the time the complainant files his original complaint, he must also file copies thereof equal in number to ten (10) more than the number of persons or corporations to be served.

(4) Procedure on filing of complaint.

(a) Upon the filing of such complaint, the commission will immediately examine the same to ascertain whether it establishes a prima facie case and conforms to this administrative regulation. If the commission is of the opinion that the complaint does not establish a prima facie case or does not conform to this administrative regulation, it will notify the complainant or his attorney to that effect, and opportunity may be given to amend the complaint within a specified time. If the complaint is not so amended within such time or such extension thereof as the commission, for good cause shown, may grant, it will be dismissed.

(b) If the commission is of the opinion that such complaint, either as originally filed or as amended, does establish a prima facie case and conforms to this administrative regulation, the commission will serve an order upon such corporations or persons complained of under the hand of its secretary and attested by its seal, accompanied by a copy of said complaint, directed to such corporation or person and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of such order, provided that the commission may, in particular cases, require the answer to be filed within a shorter time.

(5) **Satisfaction of the complaint.** If the defendant desires to satisfy the complaint, he shall submit to the commission, within the time allowed for satisfaction or answer, a statement of the relief which he is willing to give. Upon the acceptance of this offer by the complainant and the approval of the commission, no further proceedings need be taken.

(6) **Answer to complaint.** If satisfaction be not made as aforesaid, the corporation or person complained of must file an answer to the complaint, with certificate of service on other parties endorsed thereon, within the time specified in the order or such extension thereof as the commission, for good cause shown, may grant. The answer must contain a specific denial of such material allegations of the

complaint as controverted by the defendant and also a statement of any new matter constituting a defense. If the answering party has no information or belief upon the subject sufficient to enable him to answer an allegation of the complaint, he may so state in his answer and place his denial upon that ground (see **Section 15(2)** of this administrative regulation).

807 KAR 5:001. Rules of procedure.

Section 15. Forms.

(1) In all practice before the commission the following forms shall be followed insofar as practicable:

- (a) Formal complaint.
- (b) Answer.
- (c) Application.
- (d) Notice of adjustment of rates.
- (2) Forms of formal complaint.
- (3) Form of answer to formal complaint.
- (4) Form of application.
- (5) Form of notice to the commission of adjustment of rates

Before the Public Service Commission

(Insert name of complainant))
Complainant)
vs.) No. _____
(Insert name of each defendant)) (To be inserted by
Defendant) the secretary

COMPLAINT

The complaint of (here insert full name of each complainant) respectfully shows:

(a) That (here state name, occupation and post office address of each complainant).

(b) That (here insert full name, occupation and post office address of each defendant).

(c) That (here insert fully and clearly the specific act or thing complained of, such facts as are necessary to give a full understanding of the situation, and the law, order, or rule, and the section or sections thereof, of which a violation is claimed).

WHEREFORE, complainant asks (here state specifically the relief desired).

Dated at _____, Kentucky, this _____ day
of _____, 19 _____.

(Name of each complainant)

(Name and address of attorney,
if any)

March 18,2010

PART C of complaint for Norman D. Vernon VS. L. G. & E.

During our ongoing communication with L G & E, L G & E never agreed to test or change our meter. Finally, after 14 years, the meter was changed. Unfortunately, L G & E failed to inform us the original meter had been tested and found to be functioning properly.

Having no knowledge the meter had been tested, we did not pursue additional action until we noticed the significant change in our gas usage. We have no way of knowing if the meter was tested properly. Possibly, the technician could have made an error.

What we know for sure is our gas usage decreased significantly after the meter was changed. The accompanying data demonstrates this very clearly.

Feb. 23, 2010

To whom it may concern,

Prior to moving into our current home, we were LGE customers for thirty years and never experienced any concerns about our gas usage. Soon after moving into our present home, which has a high efficiency furnace and extra insulation as part of the building specifications, we became concerned about high gas usage.

We then began to ask some of our neighbors with homes similar in size to our home about their gas usage. Realizing that our gas usage was significantly more than our neighbors with similar sized homes, we began to express this concern with LGE customer service.

LGE was notified about our ongoing concerns on a yearly basis, however, there was never any resolution. In 2004 we were informed of an audit program that we participated in. We then followed the program recommendations to add insulation to our crawl space, to wrap hot water pipes with insulation, and taping the joints of duct works. This resulted in no significant change in our gas usage.

Finally, in early 2009, LGE agreed to replace our old meter with a new digital meter. Soon after having the new meter, we began to see a significant change in our gas usage.

In January of 2010, it came to our attention that we paid \$311 less than January 2009 for that month's gas. Investigating this further, we noticed that the gas usage for January 2010 was 30% less and the average temperature was 20% colder than January 2009.

Taking all this data into consideration, we decided to initiate a complaint to LGE. That process began with calling customer service which led to discussions with Diez Crawford, a customer service supervisor. She then advised us to write this letter.


We have included a detailed chart listing our gas usage, along with the usage of two neighboring homes for the last two years. This chart very clearly supports our claim of excessive charges (usage). It also shows that when our meter was changed our gas usage was then clearly in line with neighbors usage. This comparison of neighboring homes was made to homes similar in size.

Using a conservative estimate, based on the attached chart, we feel that we have been over charged approximately 50% per year since we have been in this house. Furthermore, we have made no changes to our home or changes to our daily thermostat settings that could explain the changes in usage. We then concluded the reduction in gas usage can only be related to having a new meter.

We are willing to participate in an arbitration process to resolve this issue.

A copy of this letter has also been sent to the Attorney General of Kentucky and the Public Service Commission.

Respectfully,

Norman Vernon 

LGE daily gas usage comparison for neighboring houses

	116 Cherry Hills		114 Cherry Hills		119 Cherry Hills	
	This Year	Last Year	This Year	Last Year	This Year	Last Year
01/25/10	7.1	10.6	6.8	4.8	7.1	5.2
12/23/09	4.2	10.1	3.8	4.8	3.5	5.0
11/23/09	2.8	3.3	1.6	0.7	2.2	1.2
10/21/09	0.7	1.2	0.3	0.2	0.9	0.7
09/22/09	0.4	1.0	0.3	0.4	0.9	0.8
08/24/09	0.5	1.1	0.3	0.4	0.6	0.7
07/27/09	0.5	0	0.4	0	0.8	0
06/23/09	0.7	0	0.3	0	0.8	0
05/26/09	1.4	0	0.9	0	1.2	0
04/27/09	2.8	0	1.8	0	2.5	0
03/27/09	4.1	13.2	4.4	7.7	5.0	6.3
02/27/09	9.8	11.9	7.8	6.8	7.0	6.5
01/30/09	10.6	9.8	4.8	5.2	5.2	5.1

116 Cherry Hills my home two adults living there

114 Cherry Hills neighbor one adult living there

119 Cherry Hills neighbor two adults and two children living there

These homes are very similar in size.

Data for previous year's usage for April, May, June, and July was lost by LGE.

Notice the usage for my home begins to align with the other homes beginning in Feb. 09 before 02/09 usage for my home averaged more than double for the other homes.