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MAY 16 2018

PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

Sanctuary Church

COMPLAINANT

VS.

Louisville Gas and Electric (LG&E)

DEFENDANT

COMPLAINT

The complaint of Sanctuary Church respectfully shows:

- (a) Sanctuary Church
930 Mary Street Louisville, KY 40204
- (b) Louisville Gas and Electric (LG&E)
220 W. Main Street P.O. Box 32010 Louisville, KY 40232
- (c) That: Sanctuary Church purchased the 58,000 3-story building on 930 Mary Street Louisville, KY 40204 from Sojourn Church on April 7, 2016. The switchover to LG&E occurred on April 10, 2016. Sanctuary Church was on a general user rate category until January 2017 when Sanctuary Church was placed on a power user rate category solely because the building spikes in its electric demand above the general service rate on Sundays for church services. The rates went up approximately 30% as evidenced by the attached spreadsheet.

As a result of this rate increase, Sanctuary Church has been placed in an “unreasonable prejudice and disadvantage[...]between classes of service under the same or substantially similar conditions” pursuant to KRS 278.170(1). Sanctuary Church is in “substantially similar conditions” as Sojourn Church when they were in the general service category. In fact, Sojourn Community Church still has space in the building and receives mail there. This building has been used as a Church, Artist Space, Charitable Social Service Office Space for multiple non-profit businesses, contemporaneously and continuously without interruption. Just because the name of the responsible party for the service and ownership changed, the conditions and tenants’ use of the building did not change. The

change from the general service rate category into the power use rate category thereby unreasonably prejudiced the new owners, Sanctuary Church.

Sanctuary Church is also requesting that KRS 278.170(2) be applied to Sanctuary Church whereby “any utility may grant free or reduced rates service to the United States, to charitable and eleemosynary institutions, and to persons engaged in charitable and eleemosynary work...” Sanctuary Church is “engaged in charitable and eleemosynary work” as a small member church adjacent to Shelby Park – the lowest income area in Louisville. Sanctuary Church and non-profits located within the Sanctuary Church building provide vital service to the underprivileged, disadvantaged and homeless. Loss of this building will devastate not only our Church but also the surrounding non-profits, neighborhoods and city. Therefore, LG&E should grant “free or reduced rates service” to Sanctuary Church by grandfathering them back into the general service rate category.

Sanctuary Church has taken significant measures to reduce their power usage. Sanctuary Church requested an energy audit, advanced meter services and demand side management from LG&E. However, this was determined to be cost-prohibitive, so advice was sought elsewhere. Tocor Lighting was suggested by Franklin Energy, a mechanical engineer and Project Warm. Pursuant to their recommendations, Sanctuary Church has reduced the number of light tubes in favor of LED bulbs and fixtures. They also solicited costs to have the electric blowers and hydronic pump motors retrofitted with variable speed drives to lessen the peak demand of turning everything on all at once.

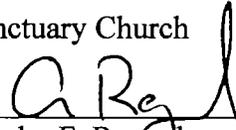
The “demand spikes” are being addressed by additional measures to help regulate the temperature, such as the installation of a temperature control system for system shut off when outdoor temperatures rise. Sanctuary Church also plans to install a thermostat to the main part of the building and replace the remaining ones throughout the building, allowing the temperature to be reduced or elevated gradually. Windows have been replaced and one variable speed drive has been repaired. The boiler system has also been replaced. Unfortunately, all of this retrofitting, replacement and conservation may still not reduce the “peak demand spike” for this charitable institution.

The current power usage rate is cost prohibitive for Sanctuary Church at this time. Without change, Sanctuary Church will be forced to close its doors to the people of Shelby Park.

The Complainant believes that it was not the intention of the Public Service Commission for buildings to experience this 30% increase in utility rates upon a mere transfer of ownership. As it is well known, most grandfathered conditions (such as zoning nonconforming issues) generally apply to the property and not to the ownership.

Wherefore, Complainant asks that: any and all of Sojourn Community Church's "grandfather rights" in the general service rate category be also extended to Sanctuary Church.

Dated at Lexington, Kentucky, this 14th day of May, 2018.

Sanctuary Church
By: 
Andre F. Regard

Attorney:

Andre F. Regard
269 W. Main Street, Suite 600
Lexington, KY 40507

Sanctuary Church

LG&E

	2016	2017	2018
January		\$ 3,424.54	\$ 4,612.88
February		\$ 2,861.40	\$ 3,960.15
March		\$ 2,734.29	
April		\$ 2,570.11	
May	\$ 1,853.47	\$ 2,936.84	
June	\$ 2,309.80	\$ 2,830.29	
July	\$ 2,956.25	\$ 3,008.72	
August	\$ 2,258.01	\$ 3,121.54	
September	\$ 2,700.54	\$ 3,501.74	
October	\$ 2,089.80	\$ 2,578.70	
November	\$ 1,915.64	\$ 2,872.41	
December	\$ 2,317.78	\$ 2,791.64	