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COMMISSION

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October 7, 2022

Via Email to PSCED@ky.gov

Ms. Linda C. Bridwell, P.E.
Executive Director
Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

Re: *Steven Horton v. Duke Energy Kentucky, Inc.*— **Case No. 2022-00297**

Dear Ms. Bridwell:

Please find attached for electronic filing with the Commission, Duke Energy Kentucky, Inc.'s Answer to the Complaint in the above-styled case.

This is to certify that this is a true and accurate copy of the document that was filed via email with the Commission on October 7, 2022. A copy of this filing was emailed and mailed via U.S. Mail on October 7, 2022 to the Complainant and the Commission.

If you have any questions, please let me know.

Very truly yours,



L. Allyson Honaker

Enclosure

**COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING**

IN THE MATTER OF:

| | | | |
|----------------|-------------|---|------------|
| STEVEN HORTON | COMPLAINANT |) | |
| | |) | |
| V. | |) | CASE NO. |
| | |) | 2022-00297 |
| DUKE ENERGY | |) | |
| KENTUCKY, INC. | DEFENDANT |) | |

DUKE ENERGY KENTUCKY, INC.'S ANSWER

Comes now Duke Energy Kentucky, Inc. (Duke Energy Kentucky or Company), by counsel, pursuant to the Commission's September 28, 2022 Satisfy or Answer Order and does hereby tender its Answer to the Complaint filed by Mr. Steven Horton on or about July 27, 2022, respectfully stating as follows:

I. INTRODUCTION

1. Duke Energy Kentucky changed the meter at Mr. Horton's residence on June 10, 2022. The new meter was read on June 11, 2022 and had a reading of 0000. The final read on Mr. Horton's previous meter (old meter) was 3186.

2. Gas Operations received Mr. Horton's old meter on June 20, 2022 and a meter test was completed at that time. Mr. Horton's old meter tested within the regulated guidelines and had an open average of 99.23% and a check average of 100.16%. (A copy of the meter test results, as requested in the Commission's September 28, 2022 Order, is attached as Exhibit 1). Gas Operations electronically pulled all of the meter data from Mr. Horton's old meter on June 29, 2022, and the old meter was sent to United Scrap Metal for disposal.

4. Mr. Horton originally filed a complaint with the Kentucky Public Service Commission (Commission) on or about July 5, 2022, regarding an incorrect billing statement he received after the old meter was replaced. Duke Energy Kentucky received a PSC Consumer Inquiry System sheet with the Complaint No. 2022-02403 listed (informal complaint).

5. Once Duke Energy Kentucky was notified of Mr. Horton's informal complaint, gas operations went to Mr. Horton's residence and confirmed that the new meter still had a read of 0000. Therefore, billing corrected the data that was input in error when the old meter was replaced. The original 18 CCF that Mr. Horton was billed from May to June 2022 was decreased to 10 CCF.

6. All of this information was provided to the Commission and Mr. Horton during the informal complaint process. The informal complaint Case No., 2022-02403 was closed by the Commission on July 13, 2022.

7. Duke Energy Kentucky employees were in contact with Mr. Horton throughout the informal complaint process. After the informal complaint was closed by the Commission, on July 13, 2022, Mr. Horton left a voicemail for Duke Energy corporate complaining about the 10 CCF that his May to June 2022 usage was decreased to during the informal complaint process was still to high and requested corporate to open an internal executive complaint.

8. Mr. Horton requested Duke Energy Kentucky provide his gas usage history from 2014 to the present. This information was provided to Mr. Horton on July 15, 2022.

9. After receiving the gas usage history, Mr. Horton believed that the information provided was false. On July 15, 2022, Mr. Horton left a voicemail to this effect and requested a telephone call instead of a an email.

10. Duke Energy Kentucky's Consumer Affairs division returned Mr. Horton's telephone call and provided the information from the meter test that showed the previous meter

readings were correct. Mr. Horton was offered to receive screenshots from Gas Operations and the meter test, but he refused. Mr. Horton believed that Duke Energy Kentucky was still providing false information and advised that he would file another complaint with the Commission and/or take other legal action and then he hung up. (A copy of the internal Executive Complaint Resolution is attached to this Answer as Exhibit 2).

II. ANSWER

11. With respect to the personal information included in the Complaint, Duke Energy Kentucky generally admits;

- a. that the Complainant's name is Steven Horton;
- b. that the Complainant is a customer of Duke Energy Kentucky, Inc.;
- c. that the Complainant's old meter was replaced in June 2022 and that the old meter cannot be produced since it was sent for recycling.

12. With respect to the additional information contained in subpart c of the Complaint, Duke Energy Kentucky denies that it has overcharged Mr. Horton.

13. With respect to the additional information contained in the Complaint, Duke Energy Kentucky denies that a credit of 8 CCF should be given to Mr. Horton.

14. With respect to the attachments to Mr. Horton's Complaint, Duke Energy Kentucky states that the correspondence and gas usage information speak for themselves.

15. Any averments contained in the Complaint which are not herein expressly admitted are hereby expressly denied.

III. AFFIRMATIVE DEFENSES

16. Mr. Horton has not set forth a sufficient factual basis to support the relief he seeks.

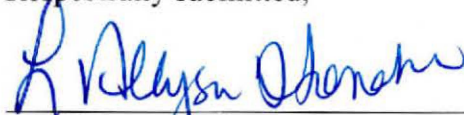
17. Duke Energy Kentucky has acted fully consistent with its tariffs and the Filed Rate Doctrine set forth in KRS 278.160 therefore bars his claims.

18. Mr. Horton has generally failed to sustain his burden of proof under applicable statutes, including but not limited to, KRS 278.260, KRS 278.270 and KRS 278.280.

WHEREFORE, on the basis of the foregoing, Duke Energy Kentucky, Inc. respectfully requests the Commission to dismiss the Complaint.

This 7th day of October, 2022.

Respectfully submitted,



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Counsel for Duke Energy Kentucky, Inc.

CERTIFICATE OF SERVICE

This is to certify that true and accurate copy of the foregoing has been emailed to the Kentucky Public Service Commission at PSCED@ky.gov. In addition, a true and accurate copy of the foregoing was placed in the U.S. mail, postage prepaid, on October 7, 2022 addressed to the following:

Linda Bridwell, Executive Director
Kentucky Public Service Commission
211 Sower Blvd.
P.O. Box 615
Frankfort, KY40602

Steven Horton
933 Hawkshead Lane
Erlanger, KY 41018



Counsel, Duke Energy Kentucky, Inc.

EXHIBIT 1
METER TESTING INFORMATION

Screenshots for meter test results

Clone Device

Meter ID: 11002281
 Alternate ID: 15605610
 Company Code: ULHSP
 Status: Retired
 Service ID:
 Type Code: 1158T2
 Location: GMC
 Purchase Group: 001886
 Tamper Code:
 Periodic Interval: 8
 Sample Group:
 Shipment:
 Batch:
 Bin:
 Pallet:
 Box:

| Readings | Activity | Dates | Other | Comments |
|------------------|----------|-----------------------|-------|------------|
| Receive | | 5/20/2012 9:05:18 AM | | AWCHRG10 |
| Pack | | | | |
| Stock | | 8/22/2013 10:58:02 AM | | 11518 |
| Retire | | 5/29/2012 9:12:20 AM | | 174965 |
| Connect | | | | |
| Disconnect | | | | |
| Change | | 5/29/2012 9:12:25 AM | | 174965 |
| Remove | | 5/11/2012 4:00:00 AM | | PP1SERVUSE |
| Install | | 5/26/2017 1:10:00 PM | | 1922E1 |
| Manufacture Date | | 5/15/2013 | | |
| Remove Reason | | | | |
| Retire Reason | | PSRAGE | | |

Hold Obsolete New

Flow Test

AFWA Test

Meter ID: 11002281
 Alternate ID: 15605610
 Create Date: 5/29/2012 9:12:21 AM
 Company Code: ULHSP
 Test Reason: PERIOD
 Pass
 Manual Test
 Field Test
 Pass Count: 0
 Fail Count: 1
 Outlet Pressure:
 Pressure Rate:
 TC Read:
 NC Read:
 Environment Code: 0
 Drum Temperature:
 Sample Group: PACT-GP175-425

Open AVG: 99.23
 Check AVG: 100.16
 AFWA (D - 425)
 AFWA (AZS - 1000)
 AFWA (I - 1000)

Results | Comments |

As Found
 Date: 5/29/2012 9:08:03 AM
 By: 174965
 Open: 99.23 Check: 100.16 DP: 0.26
 Rate: .250 Rate: 50 Prove: UP-0005

As Left
 Date: 5/29/2012 9:08:09 AM
 By: 174965
 Open: 99.23 Check: 100.16 DP: 0.26
 Rate: .250 Rate: 50 Prove: UP-0005

RE: Steven Horton

933 Hawkshead Ln

Subject: Test of Gas Meter at 933 Hawkshead Ln

At the request of Mr. Horton, Duke Energy conducted accuracy testing on the gas meter located at 933 Hawkshead Ln on 6/29/2022.

The Kentucky Public Service Commission states that any gas meter which tests between 98 percent - 102 percent is considered accurate.

Based on the test results below, the meter did register within the Commission guidelines for accuracy. The results are provided for full load, which simulates when a customer is using a lot of gas in their home, and for a light load, which is similar to when most of the appliances are turned off. The average value is also provided below.

Meter number: 1100223

99.23% proof on a full load

100.16% proof on a light load

99.69% proof on average

Sincerely,

Customer Services

EXHIBIT 2
INTERNAL EXECUTIVE COMPLAINT
SUMMARY



Complaint Resolution



| | |
|---------------------------------------|---|
| Customer: | Account#: [REDACTED] Name: Steven Horton Address: 933 Hawkshead Lane, Erlanger, KY 41018 Phone: [REDACTED] Email: [REDACTED] |
| Date Issue Occurred: | 7/5/2022 |
| Date Issue Resolved: | 7/15/2022 |
| Jurisdiction: | MW - Kentucky |
| Issue: | Mr. Horton left several voicemails for corporate regarding his complaint that his meter reads were incorrect, and was not satisfied after his previous complaint with PSC. |
| Overview of Customer Complaint | Mr. Horton believes that his usage prior to his meter change is incorrect, based off his previous usage for the same time. Recently he filed with PSC because of an incorrect meter read from his new meter, which was resolved, and PSC closed his case. |
| Facts Related to the Complaint | <p>Issue Details:</p> <p>Timeline of Events:</p> <ul style="list-style-type: none">• On 7/5/2022, Mr. Horton filed a complaint with KY PSC regarding an incorrect billing statement he received.• Gas Operations went to Mr. Horton's residence and confirmed that the new meter was still at a 0000 read; therefore, billing corrected the data was input in error. The 18 CCF that Mr. Horton was originally billed for from May to June 2022, was decreased to 10 CCF.• The meter at Mr. Horton's residence was changed on 6/10/2022, and the new meter read on 6/11/2022 with a meter read of all zeros. The final read on the previous meter was 3186.• Gas Operations received the old meter back on 6/20/2022, and completed a meter test and electronically pulled all of the meter data on 6/29/2022. Once that information was gathered, the meter was sent to United Scrap Metal for Asset Recovery for disposal.• The old meter tested within the regulated guidelines with an open average of 99.23% and check average of 100.16%.• PSC KY closed Mr. Horton's case on 7/13/2022, after all previous information was provided to them and the customer.• Mr. Horton remained in contact with me throughout the PSC case, and then after he left his first voicemail on 7/13/2022 to corporate.• Mr. Horton requested his gas usage history going all the way back to 2014, which was provided to him 7/15/2022. Mr. Horton believes that the information provided to him is false, due to never consuming more than 2 CCF in the prior years for the same time.• Mr. Horton left a second voicemail regarding his concerns that the information he was given was incorrect, and requested to be called instead of emailed. |



Complaint Resolution



| | |
|------------------------------|--|
| | <ul style="list-style-type: none">I called Mr. Horton to advise him that a meter test confirmed that all prior reads were correct on the old meter prior to it being removed, and offered to send him the screenshots from Gas Operations and the meter test. Mr. Horton denied my offer, believing I was still providing incorrect information. He advised he would file again with the PSC and/or take legal action before he hung up on me. |
| Next Steps/Resolution | Consumer Affairs attempted to work with Mr. Horton regarding his concerns for incorrect meter read data being submitted for his billing. Consumer Affairs offered to send Mr. Horton the internal data screenshots of the meter test, and final meter read obtained before the meter was sent for recycling; however, he declined and hung up before the conversation could continue. |
| Customer Follow up | No further action is required at this time. |
| Completed Actions | Multiple meter reads, and a meter test were completed to confirm that the final meter read submitted prior to Mr. Horton's meter change was providing accurate information, and the data fell within the required regulated guidelines. The property's gas usage history was provided to Mr. Horton dating back to June 2014; however, he denied the offer of being provided the data pulled by Gas Operations and hung up the phone. |