

acceptable forms of proof. The Order also required LG&E to provide any documentation indicating that any attempted payment by Ms. Vowels was dishonored.

Ms. Vowels filed a response with a narrative of her allegations but did not include any documentation requested to support her complaint.¹ LG&E filed a response indicating that Ms. Vowels' payments were charged back by the payment processor because Ms. Vowels disputed the bill amount.² LG&E provided copies of correspondence with Ms. Vowels regarding the returned payment, and copies of internal accounting and correspondence logs documenting the returned payment.

Based upon a review of the tendered complaint, the Commission finds that Ms. Vowels has not established a *prima facie* case because she has not provided proof of honored payment, an indispensable element of establishing that she paid her balance as claimed. Pursuant to 807 KAR 5:001, Section 20(4)(a)(1), Ms. Vowels should be permitted an opportunity to amend her complaint to establish a *prima facie* case. If Ms. Vowels does not submit an amended complaint that establishes a *prima facie* case, her complaint will be dismissed by separate Order.

IT IS THEREFORE ORDERED that:

1. Ms. Vowels' complaint is rejected for filing for failing to state a *prima facie* case.
2. Ms. Vowels shall have 20 days from the date of service of this Order to file an amended complaint with the Commission that conforms to the requirements of 807 KAR 5:001, Section 20(1), and that states a *prima facie* case.

¹ Lesley Vowels Response to Commission Staff's First Request for Information (filed Oct. 13, 2023).

² LG&E's Response to Commission Staff's First Request for Information (filed Oct. 13, 2023), Item 2.

3. Ms. Vowels may file her amended complaint with the Commission by U.S. mail to P.O. Box 615, Frankfort, Kentucky 40602-0615 or by email to PSCED@ky.gov.

Ms. Vowels shall include the case number, 2023-00288, in all filings with the Commission.

4. A copy of this Order shall be served upon Ms. Vowels by U.S. mail to 1153 Ellerholt Court, Louisville, Kentucky 40211.

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PUBLIC SERVICE COMMISSION



Chairman



Vice Chairman



Commissioner

ENTERED
OCT 24 2023
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

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