

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KHALID MANSOUR)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2023-00094
)	
COLUMBIA GAS OF KENTUCKY, INC.)	
)	
DEFENDANT)	

ORDER

On March 14, 2023, Khalid Mansour tendered a formal complaint against Columbia Gas of Kentucky, Inc. (Columbia Kentucky) alleging that Columbia Kentucky has overcharged him for gas usage. In his complaint, Mr. Mansour alleged that Columbia Kentucky improperly billed him for gas that he did not use, that his meter may have been broken, and that Columbia Kentucky should reimburse him for the alleged overcharged consumption.

Commission Staff issued two separate requests for information to Columbia Kentucky in this proceeding. Columbia Kentucky filed responses to those requests for information into the case record on June 2, 2023, and March 20, 2024. The Commission's Division of Inspections received a request from the Commission's Office of General Counsel to have Mr. Mansour's meter tested by the Commission. The Commission had

the meter in question tested by Kentucky Meter Service, a third-party meter tester for the Commission, on July 18, 2024. The meter passed all accuracy requirements.¹

It is well-settled that a complainant bears the burden of proof in matters before an administrative body.² Here, the burden of proof that must be met is that Columbia Kentucky's meter failed to accurately measure gas usage, resulting in Mr. Mansour being overcharged for service in violation of KRS Chapter 278, Commission regulations, and Columbia Kentucky's tariff.

Based upon a review of the case record and being otherwise sufficiently advised, the Commission finds that, considering the evidence of record in a light most favorable to Mr. Mansour, the evidence of record does not support a finding in his favor and that this complaint should be dismissed. In short, this is because the record not only lacks sufficient evidence that the meter at issue did not accurately measure gas usage but contains affirmative evidence of the meter's accuracy. Thus, there is no evidence that Columbia Kentucky violated a statute, regulation, or its tariff. Further, in the absence of a defective meter, a customer is responsible for the quantity of utility service supplied.³ Therefore, the Commission finds that this matter should be dismissed, without hearing, as a hearing is not necessary in the public interest or for the protection of substantial rights.

¹ PSC Notice of Filing Meter Test Results into the Record (filed September 4, 2024).

² *Energy Regulatory Comm'n v. Kentucky Power Co.*, 605 S.W.2d 46, 50 (Ky. App. 1980).

³ *Louisville Tobacco Warehouse Co. v. Louisville Water Co.*, 172 S.W. 928, 931 (Ky. 1915). See also Case No. 2006-00212, *Robert Young Family vs. Southeastern Water Association* (Ky. PSC Jan. 25, 2007); Case No. 1999-00109, *Susan Elizabeth Spangler and Mark Lewis Farman vs. Kentucky-American Water Company* (Ky. PSC Oct. 7, 1999).

IT IS HEREBY ORDERED that:

1. Mr. Mansour's formal complaint is dismissed with prejudice and is removed from the Commission's docket.

2. A copy of this Order will be served on Mr. Mansour by U.S. certified mail, return receipt requested, at 4524 Alverstone Place, Lexington, Kentucky 40515.

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PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ENTERED
OCT 22 2024
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Khalid Mansour
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