

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

SAM OLLIE DROGANES)	
)	
)	
COMPLAINANT)	
)	
)	
V.)	CASE NO.
)	2024-00123
)	
DUKE ENERGY KENTUCKY, INC.)	
)	
)	
DEFENDANT)	

ORDER

On April 24, 2024, Sam Ollie Droganes (Complainant) filed a complaint alleging that Duke Energy Kentucky, Inc. (Duke Kentucky) was improperly charging his residence a commercial rate for electricity. On October 25, 2024, the Commission ordered Duke Kentucky to satisfy the matters complained of or file a written answer. On November 14, 2024, Duke Kentucky filed a written answer. A request for information was issued by Commission Staff on January 17, 2025. Duke Kentucky filed a response on January 29, 2025. Duke Kentucky filed supplemental responses on March 19, 2025, April 21, 2025, and June 13, 2025.

After reviewing the record, the Commission, on its own motion, finds that a procedural schedule should be established for the orderly processing of this case. The Complainant has presented evidence sufficient for to establish a *prima facie* case alleging

that Duke Kentucky may have violated its tariff provisions concerning the Complainant's residential electrical rates. The procedural schedule is attached as an Appendix to this Order.

Any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing may be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing. Hearings are held in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky. Witnesses who sponsor schedules, testimony, or responses to requests for information are expected to participate in person at a hearing.

A copy of this Order shall be served on Sam Ollie Drohanes by U.S. Postal Service First Class mail, at P.O. Box 703, 207 Pike St., Covington, Ky 41011.

IT IS THEREFORE ORDERED that:

1. The procedural schedule set forth in the Appendix to this Order shall be followed.
2. Duke Kentucky and the Complainant shall respond to all requests for information propounded by Commission Staff, whether identified on the procedural schedule or otherwise, as provided in those requests.
3. When filing a paper with the Commission, Duke Kentucky shall file an electronic copy in accordance with the electronic filing procedures set forth in 807 KAR 5:001, Section 8. Electronic documents shall be in portable document format (PDF), shall

be searchable, and shall be appropriately bookmarked. The Commission directs Duke Kentucky to the Commission's July 22, 2021 Order in Case No. 2020-00085¹ regarding filings with the Commission.

4. As set forth in 807 KAR 5:001, Section 4(11)(a), a person requesting permissive intervention in a Commission proceeding is required to demonstrate either (1) a special interest in the proceeding that is not adequately represented in the case, or (2) that the person requesting permissive intervention is likely to present issues or develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings. Therefore, any person requesting to intervene in a Commission proceeding must state with specificity the person's special interest that is not otherwise adequately represented, or the issues and facts that the person will present that will assist the Commission in fully considering the matter. A mere recitation of the quantity of utility service consumed by the movant or a general statement regarding a potential impact of possible modification of rates will not be deemed sufficient to establish a special interest.

5. Any motion to intervene filed after the date established in the procedural schedule shall also show good cause for being untimely. If the untimely motion is granted, the movant shall accept and abide by the existing procedural schedule.

6. Duke Kentucky shall give notice of any scheduled hearing in accordance with the provisions set forth in 807 KAR 5:001, Section 9(2). In addition, the notice of hearing shall include the following statements: "This hearing will be streamed live and

¹ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

may be viewed on the PSC website, psc.ky.gov” and “Public comments may be made at the beginning of the hearing. Those wishing to make oral public comments may do so by following the instructions listing on the PSC website, psc.ky.gov.” At the time publication is requested, Duke Kentucky shall forward a duplicate of the notice and request to the Commission.

7. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

8. Any hearing scheduled in this matter shall be held on the designated day or days and continued until called from the bench by the presiding officer. Pursuant to 807 KAR 5:001, Section 2, if the hearing is not concluded on the designated day, the hearing shall be continued upon verbal announcement by the presiding officer. A verbal announcement made by the presiding officer shall be proper notice of the continued hearing.

9. Witnesses who sponsor schedules, testimony, or responses to requests for information shall participate in person at any hearing scheduled in this matter.

10. Duke Kentucky and the Complainant shall file a witness list at least seven days prior to any hearing date.

11. Pursuant to KRS 278.360 and 807 KAR 5:001, Section 9(9), a digital video recording shall be made of the hearing.

12. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

13. The Commission does not look favorably upon motions to substitute witnesses or excuse witnesses from testifying at Commission hearings. Accordingly, motions to substitute witnesses or excuse a witness from testifying at a Commission hearing or from testifying in person at a Commission hearing shall be made in writing at least 14 days prior to the hearing and will be granted only upon a showing of good cause.

14. A copy of this Order shall be served on Sam Ollie Droganes by the U.S. Postal Service First Class mail, at P.O. Box 703, 207 Pike St. Covington, Kentucky 41011.

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PUBLIC SERVICE COMMISSION

Steno
w/permission

Aegie Hutton
Chairman

Andrew W Wood
Commissioner

Mary Pat Regan
Commissioner

ATTEST:

Linda Bridwell RP
Executive Director



APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2024-00123 DATED AUG 18 2025

All parties shall file any initial requests for information on other
parties no later than..... 09/05/2025

All responses to initial requests for information shall be filed no later than..... 09/19/2025

All supplemental requests for information
shall be filed no later than 09/26/2025

All responses to supplemental requests
for information shall be filed no later than..... 10/10/2025

Last day for parties to request a public hearing or submit a
request for the matter be decided based upon the written record 10/16/2025

Post-hearing briefs, if any..... To be scheduled

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