

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADRIAN DAVIS	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2024-00188
	)	
KENTUCKY UTILITIES COMPANY	)	
	)	
DEFENDANT	)	

ORDER

On June 10, 2024, Adrian Davis tendered a formal complaint against Kentucky Utilities Company (KU), alleging that KU improperly billed him for electricity that he did not consume. Mr. Davis alleges that he should only be billed a corrected amount. Additionally, he states that “the final bill, along with the 2022 bills, need to be adjusted, credited, or paid for inconsistent charges.”<sup>1</sup>

LEGAL STANDARD

Commission regulation 807 KAR 5:001, Section 20, governs the filing of a formal complaint. In accordance with 807 KAR 5:001, Section 20(1)(c), a complaint must state “[f]ully, clearly, and with reasonable certainty, the act or omission” that the complaint alleges the utility failed to comply with and facts, with details, of the alleged failure. In accordance with 807 KAR 5:001, Section 20(4)(a), the Commission examines a complaint to determine whether the complaint establishes a prima facie case and conforms to the

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<sup>1</sup> Complaint, page 2.

administrative regulation. A complaint establishes a prima facie case when, on its face, it states sufficient allegations that, if uncontradicted by other evidence, would entitle the complainant to the requested relief.

If a complaint fails to establish a prima facie case or conform to the administrative regulation, 807 KAR 5:001, Section 20(4)(a)(1), provides that the complainant be notified and provided an opportunity to amend the complaint within a specified time. Additionally, 807 KAR 5:001, Section 20(4)(a)(2), provides that if the complaint is not amended within the time that the Commission grants, then the complaint shall be dismissed.

#### DISCUSSION AND FINDINGS

In his complaint, Mr. Davis alleges that KU “provided inconsistent charges with the same home of previous years and identical homes of the area.” However, he did not provide any bills to the Commission.

Based on a review of the complaint, the Commission is unable to determine, at this time, whether the complaint establishes a prima facie case because there are allegations but no documents regarding the basis for the bills. Because the allegations may support further investigation into the merits of the complaint, the Commission finds that Mr. Davis should file within 20 days of service of this Order certain information to support his claim, including copies of his KU bills that he believes are inaccurate or show inconsistent charges.

Also, per 807 KAR 5:006, Section 19 (2), after the utility has performed a meter test, a customer of the utility may request a meter test by the commission upon written application. The complaint is unclear whether the complainant seeks relief under 807 KAR 5:006, Section 19(2).

IT IS THEREFORE ORDERED that:


1. Mr. Davis shall file the following within 20 days of service of this Order: copies of the KU bills that he believes are inaccurate or show inconsistent charges as well as any additional evidence he believes relevant to this complaint.

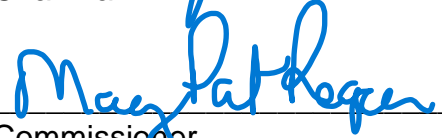
2. Mr. Davis shall respond in writing as to whether his meter has been tested by the utility and whether he is requesting an additional meter test be done under the supervision of the Kentucky Public Service Commission, and if so, whether he would like to be present when the Commission has the meter tested.

3. Mr. Davis shall file the documents pursuant to ordering paragraphs 1 and 2 by electronic mail to [PSCED@ky.gov](mailto:PSCED@ky.gov) or by US Mail to P.O. Box 615, Frankfort KY 40602-0615.

4. A copy of this Order will be mailed via certified mail to Mr. Davis at 2831 Virginia Avenue, Louisville, Kentucky 40211.

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

ENTERED  
OCT 21 2024  
rcs  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST:

  
\_\_\_\_\_  
Executive Director

Adrian Davis  
2831 Virginia Ave.  
Louisville, KENTUCKY 40211

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