

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.”¹

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

¹ 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

Based on a review of the complaint at that time, the Commission was unable to determine whether the complaint established a *prima facie* case because there were allegations but not documents or proof. Because the allegations supported further investigation into the merits of the complaint, the Commission found that the Complainant should file, within 20 days of service of the Order, certain information to support his claim. That information was not filed.


IT IS THEREFORE ORDERED that:

1. Adrian Davis's formal complaint and this case shall be dismissed without prejudice.
2. A copy of this Order shall be served by US Mail, via certified mail, on Mr. Davis at 2831 Virginia Avenue, Louisville, Kentucky 40211.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Adrian Davis
2831 Virginia Ave.
Louisville, KY 40211

*Rick LoveKamp
Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

*Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010