

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

VIRGINIA HUDDLESTON)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2024-00288
)	
SOUTH KENTUCKY RURAL ELECTRIC)	
COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

ORDER

On August 2, 2024, the Commission received for filing a formal complaint by Virginia Huddleston against her electric supplier, South Kentucky Rural Electric Cooperative Corporation (South Kentucky RECC). The Commission acknowledged the initial filing by Ms. Huddleston by letter dated August 29, 2024.

Ms. Huddleston alleges in her complaint that South Kentucky RECC billed her intentionally inflated charges and made-up numbers, then assessed her late fees. Ms. Huddleston's complaint does not state the relief that she seeks nor reference any law, order, or regulation that South Kentucky RECC allegedly violated. Ms. Huddleston did not identify by date or number the specific bills she maintains were inflated and did not file copies of any bills with her complaint.

Legal Standards

KRS 278.260 provides:

- (1) The commission shall have original jurisdiction over complaints as to rates or service of any utility, and upon a complaint in writing made against any utility by any person that any rate in which the complainant is directly interested is unreasonable or unjustly discriminatory, or that any regulation, measurement, practice or act affecting or relating to the service of the utility or any service in connection therewith is unreasonable, unsafe, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed, with or without notice, to make such investigation as it deems necessary or convenient.

Commission regulation 807 KAR 5:001, Section 20, sets for the procedure and requirements for filing a complaint with the Commission. The regulation provides:

- (1) Contents of complaint. Each complaint shall be headed "Before the Public Service Commission," shall establish the names of the complainant and the defendant, and shall state:
 - (a) The full name and post office address of the complainant;
 - (b) The full name and post office address of the defendant;
 - (c) Fully, clearly, and with reasonable certainty, the act or omission, of which complaint is made, with a reference, if practicable, to the law, order, or administrative regulation, of which a failure to comply is alleged, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged failure; and
 - (d) The relief sought.
- (2) Procedure on filing of complaint.
 - (a) Upon the filing of a complaint, the commission shall immediately examine the complaint to ascertain if it establishes a prima facie case and conforms to this administrative regulation.
 1. If the commission finds that the complaint does not establish a prima facie case or does not conform to this administrative regulation, the commission shall notify the complainant and provide the complainant an opportunity to amend the complaint within a specified time.

2. If the complaint is not amended within the time or the extension as the commission, for good cause shown, shall grant, the complaint shall be dismissed.
- (b) If the complaint, either as originally filed or as amended, establishes a prima facie case and conforms to this administrative regulation, the commission shall serve an order upon the person complained of, accompanied by a copy of the complaint, directed to the person complained of and requiring that the matter complained of be satisfied, or that the complaint be answered in writing within ten (10) days from the date of service of the order, provided that the commission may require the answer to be filed within a shorter period if the complaint involves an emergency situation or otherwise would be detrimental to the public interest.

The Commission finds that Ms. Huddleston's complaint does not state the specific relief sought or provide sufficient facts to acquaint the Commission fully with the details of the alleged improper billing. The complaint therefore does not satisfy the requirements of 807 KAR 5:001, Section 20(1)(c) or (d).

Because the complaint does not conform to this regulation, the Commission finds that Ms. Huddleston should be given notice of the deficiency and be afforded an opportunity to amend the complaint to cure the deficiency within 20 days of the date of service of this Order. If Ms. Huddleston fails to amend her complaint to cure the deficiencies within this time, or as extended for good cause shown, the Commission may dismiss the complaint.

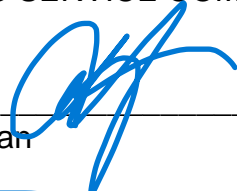
IT IS THEREFORE ORDERED that:

1. Ms. Huddleston shall have 20 days from the date of service of this Order, as calculated pursuant to 807 KAR 5:001 Section 4, to file an amended complaint.
2. Any amendment of the complaint shall state specifically the relief or remedy sought in this case.

3. Any amendment of the complaint shall identify the specific bills and charges that are alleged to have been unjust, unreasonable, or otherwise improper so to “[f]ully, clearly, and with reasonable certainty, the act or omission, of which complaint is made, . . . as necessary to acquaint the commission fully with the details of the alleged failure.”¹

¹ 807 KAR 5:001, Section 20(1)(c).

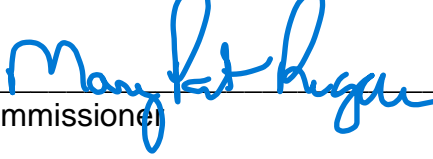
PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ENTERED
SEP 20 2024
rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

Virginia Huddleston
441 Old Hoppertown Road
Russell Springs, KENTUCKY 42642

*South Kentucky R.E.C.C.
200 Electric Avenue
Somerset, KY 42501