

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JAMES M. VINCENT)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2024-00360
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

ORDER

On November 6, 2024, James M. Vincent (Vincent) filed a complaint against Louisville Gas and Electric Company (LG&E) relating to excavation in connection with LG&E's installation of a gas pipeline across the street from his residence. He stated that he doesn't understand why the new line was being installed across the street rather than in the easement on his property and complained that LG&E told him that it would cost him \$10,000 to connect his residence to the new gas line across the street. Vincent also complained that LG&E had damaged a tree on his property when replacing a utility pole. The relief Vincent asks for is a "PSC decision."

LEGAL STANDARDS

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 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


The Commission finds that the complaint does not conform to 807 KAR 5:001, Section 20(1), because the complaint does not state the specific relief, within the meaning 807 KAR 5:001, Section 20(1)(d), that Vincent seeks. The Complaint also does not state Vincent's address. Further, the Complaint does not provide sufficient facts to acquaint the Commission fully with the details of the matter as required by 807 KAR 5:001, Section 20(1)(c). It is not clear if his complaint seeks relief for the location of the new line, the digging of a hole in the easement on his property, being told that it would cost \$10,000 to connect his residence to the new gas line, or the alleged damage to his tree. Consequently, the Commission finds that the complaint does not establish a prima facie case.

The Commission finds that pursuant to 807 KAR 5:001, Section 20(4)(a)(1), Vincent should be afforded an opportunity to amend his complaint within 20 days of the date of the order to address these procedural deficiencies.

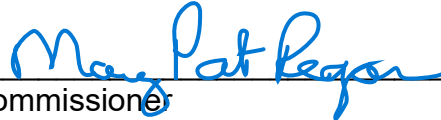
IT IS THEREFORE ORDERED that:

1. Vincent 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 state Vincent's address.
4. Any amendment of the complaint shall identify the specific allegedly wrongful conduct for which Vincent seeks relief from the Commission.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



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