

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

KAREN J. BURNETT	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO.
	)	2024-00378
	)	
SALT RIVER ELECTRIC COOPERATIVE	)	
CORPORATION	)	
	)	
DEFENDANT	)	

ORDER

On November 22, 2024, Karen Burnett filed a formal complaint against Salt River Electric Cooperative Corporation (Salt River Electric) in which she alleged that when the sodium vapor lamp on her streetlight went out, Salt River Electric replaced it with an LED lamp. She complained that the LED lamp gives off a harsh, glaring blue-white light compared to the pleasant gold glow of the sodium vapor lamp. She asked that customers have the option to have sodium vapor lamps.

Salt River Electric's tariff, effective at the time the complaint was filed, did not specify the types of lamps available for streetlights. It provides "[l]amp replacement will be furnished and made by the cooperative except in cases of vandalism or willful destruction."

On February 28, 2025, Salt River Electric filed a tariff to revise its outdoor lighting and commercial lighting rate schedules to be effective March 31, 2025.¹ The Commission initiated Case No. 2025-00069 to investigate the reasonableness of the proposed tariff and on March 27, 2025, issued an Order suspending the proposed tariff for five months up to and including August 30, 2025.² Due to supplies no longer being available for current outdoor lighting offerings from its suppliers, Salt River Electric proposed to transition outdoor lighting customers to LED lights once replacement is necessary.

In response to a request for information from Staff issued in Case No. 2025-00069, Salt River Electric provided correspondence from its suppliers indicating the general unavailability of non-LED lighting options going forward.³ Salt River Electric stated that it had a limited supply of non-LED lamps remaining in its inventory, and that when an outdoor light requires replacement, the customer would first be offered an LED lamp. If a customer declines the LED replacement light, the customer would be offered a non-LED light until the limited supply of non-LED lights is exhausted.⁴

In response to a follow-up request for information from Staff, Salt River Electric stated that subsequent to the filing of its tariff revisions, it had discovered a small quantity of additional non-LED lighting options in its inventory. Salt River Electric stated that Ms.

¹ Case No. 2025-00069, *Electronic Tariff Filing of Salt River Electric Cooperative Corp. To Revise Its Outdoor Lighting and Commercial Lighting Rate Schedules* (filed Feb. 28, 2025).

² Case No. 2025-00069, (Ky. PSC March 27, 2025), Order at 2-3.

³ Case No. 2025-00069, Salt River Electric's Response to Commission Staff's First Request for Information (Staff's First Request) (filed April 24, 2025), Item 4 and Appendix A.

⁴ Case No. 2025-00069, Salt River Electric's Response to Staff's First Request, Item 2.

Burnett was not offered this option because it was unaware of the non-LED lights at the time her outdoor light needed replacement.⁵

On August 22, 2025, the Commission entered an Order finding that going forward, it was “highly unlikely that Salt River Electric would be able to obtain non-LED lighting options from its suppliers.” The Commission found that for this reason, Salt River Electric’s proposed tariff revisions transitioning outdoor lighting customers to LED bulbs was reasonable and should be approved.⁶

While Salt River Electric stated in its responses to Staff’s requests for information in Case No. 2025-00069 that it had not offered a non-LED lamp to Ms. Burnett because it was unaware of the non-LED lights at the time her outdoor light needed replacement, it was unclear from the response whether Salt River Electric had accommodated Ms. Burnett after its discovery of a small inventory of additional non-LED lights. Accordingly, on August 14, 2025, the Commission entered an Order directing Salt River Electric to satisfy or answer Ms. Burnett’s complaint.⁷

On August 20, 2025, the Commission received Salt River Electric’s response to the August 14, 2025 Order. Salt River Electric stated in relevant part,

SREC has located approximately six (6) Sodium Vapor bulbs in one of its warehouses and will agree to utilize what is currently in stock, should Ms. Burnett still want the Sodium Vapor bulb light. However, since filing her Complaint, Ms. Burnett has requested the removal of her exterior light, and SREC has complied.⁸

⁵ Case No. 2025-00069, Salt River Electric’s Response to Commission Staff’s Second Request for Information (filed April 24, 2025), Item 1.

⁶ Case No. 2025-00069, (Ky. PSC Aug. 22, 2025), Order at 4-5.

⁷ Order (Ky. PSC Aug. 14, 2025).

⁸ Salt River Electric’s Answer to Complaint (filed Aug. 20, 2025) at 2.

Salt River Electric's answer was submitted by its President and CEO Timothy Sharp. Mr. Sharp is neither an attorney nor licensed to practice law in Kentucky .

LEGAL STANDARD

Pursuant to KRS 278.260, the Commission has original jurisdiction over complaints as to rates or service of any utility. The statute provides that no order affecting the rates or service complained of shall be entered by the Commission without a formal public hearing. Provided, however, if in the Commission's opinion, a hearing is not necessary in the public interest or for the protection of substantial rights, the commission may dismiss a complaint without a hearing.

Commission regulation 807 KAR 5:001, Section 4(4), provides that a "person shall not file a paper on behalf of another person, or otherwise represent another person, unless the person is an attorney licensed to practice law in Kentucky or an attorney who has complied with SCR 3.030(2). Section 22 of the regulation authorizes the Commission to grant deviations to the provisions of 807 KAR 5:001.

DISCUSSION

As noted, the Commission approved changes to the outdoor lighting rate schedule in Salt River Electric's tariff that transition outdoor lighting customers to LED lights because non-LED options were no longer available from its suppliers. Because of the unavailability of non-LED lights, the Commission finds that it cannot authorize the relief requested in the complaint to order Salt River Electric to make sodium vapor lights available to its customers.

Salt River Electric stated that it would make available to Ms. Burnett one of its few remaining non-LED bulbs in its inventory but that it had already removed Ms. Burnett's

exterior light at her request. The Commission finds that Salt River Electric's offer to accommodate Ms. Burnett with a non-LED lamp was rendered moot by the removal of the exterior light.

The Commission finds that Ms. Burnett should have 20 days from the date of entry of this Order to respond to Salt River Electric's answer and to show cause why her complaint should not be dismissed as satisfied or moot. The Commission finds that if no response is filed, the complaint should be dismissed.

The Commission finds that Salt River Electric's answer was filed by a person who is not licensed to practice law in Kentucky as required by 807 KAR 5:001, Section 4(4). The Commission further finds, on its own motion, that it should grant Salt River Electric a deviation from this requirement in this instance. The Commission admonishes Salt River Electric, however, that any paper filed on its behalf in the future by a person who is not an attorney is subject to rejection.

IT IS THEREFORE ORDERED that:

1. Ms. Burnett shall have 20 days from the date of entry of this Order to respond to Salt River Electric's answer and to show cause why her complaint should not be dismissed as satisfied or moot.

2. Salt River Electric is granted a one-time deviation from 807 KAR 5:001, Section 4(4), for the filing of its answer by a person who is not an attorney licensed to practice law in Kentucky.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Case No. 2024-00378

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