

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

JACQUELINE AND DERRICK WELLS)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2024-00408
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

ORDER

On December 26, 2024, Jacqueline and Derrick Wells (Complainants) tendered a formal complaint against Kentucky Utilities Company (KU), alleging that KU improperly buried a main power supply and wants the costs to re-bury the main supply line.

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 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 its review of the complaint, on March 4, 2025, the Commission issued an order notifying the Complainants that the Complaint, as written, did not establish a prima facie case. Pursuant to Section 20 of 807 KAR 5:001, the Commission provided the Complainants opportunity, within 20 days of service of the Order, to amend their complaint with additional information to support their claim. Following the March 4, 2025 Order, Complainants did not submit additional information or evidence sufficient to establish a prima facie case within the timeframe provided. Accordingly, the Commission finds this complaint should be dismissed without prejudice.

IT IS THEREFORE ORDERED THAT:

1. The Complainants' formal complaint and this case shall be dismissed without prejudice.
2. This matter shall be removed from the Commission's docket.
3. A copy of this Order will be mailed through the U.S. Postal Service certified mail, return receipt requested, and First-Class mail to the Complainants at 3644 State Route 351 E., Henderson, Kentucky 42420.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Jacqueline Wells
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