

The Defendant relies on the same three cases in its Motion to Dismiss which it seemingly always attempts to rely on in matters before this body. None of the cases cited by the Defendant address the issue which is before this body on this Complaint. Despite the claim of the Defendant

that the meter in question was tested and found to be sufficiently accurate, the fact remains that there was no change in circumstances for the Complainant which would have led to this situation; ergo, it must be an issue with the Defendant and its systems. The Complainant has established a case to move forward, and dismissal of the Complaint at this time would be unwarranted and would not serve the purpose of this body.

WHEREFORE, the Complainant requests the Commission overrule the Defendant's Motion to Dismiss.

Respectfully submitted,

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/s/ Rhett B. Ramsey
RHETT B. RAMSEY

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was transmitted to the Commission at psced@ky.gov and that a true and correct copy of the foregoing was served via U.S. Mail and e-mail to Hon. Lindsey W. Ingram III, Stoll Keenon Ogden PLLC, 300 West Vine Street, Suite 2100, Lexington, KY 40507, L.Ingram@skofirm.com; all this done this 4th day of June, 2025.

/s/ Rhett B. Ramsey
RHETT B. RAMSEY