

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TERRI MAXINE HURLEY)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2025-00058
)	
KENTUCKY POWER COMPANY)	
)	
DEFENDANT)	

ORDER

On March 5, 2025, Terri Maxine Hurley (Complainant) tendered a formal complaint with the Commission against Kentucky Power Company (Kentucky Power) alleging that she was overbilled \$2,609.06¹. Complainant then filed supplemental materials on May 7, 2025.²

Pursuant to Commission regulations in 807 KAR 5:001, Section 20(4)(a), upon receipt of a formal complaint, the Commission must determine whether the complaint establishes a *prima facie* case. 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

¹ Complaint (filed Mar. 5, 2025) at 3.

² Terri Maxine Hurley Disconnection Notices to Supplement Formal Complaint (filed May 7, 2025).

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 upon a review of the tendered complaint, the Complainant asserts that her meter “wasn’t correct” in October, November, December (presumably 2024) and January (presumably 2025); her bill was estimated; her meter was changed in January (presumably 2025); and that her bill \$2,609.06.³ Complainant seeks for the Commission to “. . . remove extra charge for prior months that they added on.”⁴ Following review of the complaint the Commission finds that it fails to establish a *prima facie* case as it fails to clearly describe the act or omission giving rise to the complaint or reference the law, order, or administrative regulation violated.

Since the complaint fails to establish a *prima facie* case, 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. The Commission finds that the Complainant should have 20 days from the date of service of this Order to submit additional evidence in support of her complaint. Complainant, pursuant to 807 KAR 5:001, shall file with the Commission any additional information or evidence by either

³ Complaint at 3.

⁴ Complaint at 4.


mailing the response to the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky 40602, or by emailing the response to PSCED@ky.gov.

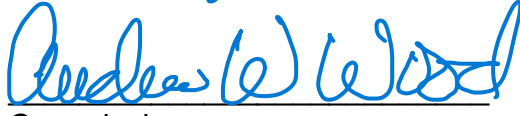
IT IS THEREFORE ORDERED that:

1. Terri Maxine Hurley shall have 20 days from the date of service of this Order to submit additional evidence in support of her complaint.
2. A copy of this Order shall be served on Complainant, Terri Maxine Hurley, by U.S. Postal Service by both First-Class mail and Certified mail, Return Receipt Requested, at 1834 Rockhouse Road, Phelps, Kentucky 41553.
3. Nothing contained in this Order shall prevent the Commission from entering further Orders in this matter.

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PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



*Terri M. Hurley
1834 Rockhouse Road
Phelps, KY 41553

*Kentucky Power Company
1645 Winchester Avenue
Ashland, KY 41101