

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MELONIE SMITH)	
)	
COMPLAINANT)	
)	
V.)	CASE NO.
)	2025-00146
)	
LOUISVILLE GAS AND ELECTRIC COMPANY)	
)	
DEFENDANT)	

ORDER

On May 15, 2025, complainant, Melonie Smith, tendered a formal complaint with the Commission against Louisville Gas and Electric Company (LG&E) alleging that as a result of consecutive estimated meter reads she received a bill of \$629.66, and requesting the bill be written off.¹ On July 1, 2025, the Commission entered an Order which found that the complaint did not establish a *prima facie* case.²

On July 14, 2025, Ms. Smith tendered a response to the Commission’s July 1, 2025 Order. In the response Ms. Smith stated that between December 2024 and March 2025 she was issued four consecutive estimated bills by LG&E, that each were marked “ESTIMATED”, and that as a result of those estimated reads, Ms. Smith received a bill totaling \$629.66. Ms. Smith alleged that on January 22, 2025, LG&E installed a new

¹ Melonie Smith Complaint (filed May 15,2025).

² Order (Ky PSC July 1, 2025)

meter.³ Ms. Smith requested two forms of relief—first that LG&E provide a detailed accounting of the estimated versus actual usage during the December 2024 through March 2025 period in which she was issued estimated bills, and second that LG&E write off all or a significant portion of the \$629.66 bill she received during that period.

LEGAL STANDARD

Pursuant to KRS 278.260, the Commission has jurisdiction over complaints regarding rates or service.⁴ Commission regulation 807 KAR 5:001, Section 20(1)(c) requires each complaint to state fully, clearly and with reasonable certainty, the act or omission, of which failure to comply is alleged.⁵ Pursuant to Commission regulation 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, it may be dismissed. However, pursuant 807 KAR 5:001, Section 20(4)(a)(1), a complainant should be given an opportunity to amend a complaint after a finding that it does not establish a *prima facie* case.⁶

KRS 278.160(2) provides that no utility shall charge, demand, collect or receive from any person a greater or less compensation for any services rendered or to be rendered than that prescribed in its filed schedules.

³ Melonie Smith Response to Commission Order (filed July 14,2025).

⁴ KRS 278.206.

⁵ 807 KAR 5:001, Section 20(4)(c).

⁶ 807 KAR 5:001, Section 20(4)(a)(1).

Pursuant to 807 KAR 5:006, Section 7(5), utilities are required to read each customer's meter at least quarterly unless prevented from doing so for reasons beyond its control. In Case No. 2020-00350 the Commission approved a stipulation which granted LG&E a deviation from 807 KAR 5:006, Section 7(5) requiring manual meter reads, relieving LG&E of the obligation to manually read each meter at least once every quarter, during and following the implementation of its Advanced Metering Infrastructure (AMI).⁷

DISCUSSION AND FINDINGS

The Commission finds that Ms. Smith's response to the July 1, 2025 Order established a *prima facie* case, pursuant to 807 KAR 5:001, Section 20, in that she alleged that LG&E failed to perform an actual meter read for four consecutive months between December 2024 through March 2025, and she requested a detailed accounting of the estimated versus actual usage during that period, which is relief that is within the Commission's authority to provide. With regard to Ms. Smith's request to write off all or a significant portion of the \$629.66 bill, pursuant to KRS 278.160(2) the Commission does not have the authority to Order that requested relief based solely on LG&E's alleged failure to perform an actual meter reading during the relevant period.

LG&E should satisfy the matters complained for which Ms. Smith established a *prima facie* case by filing in this case a detailed accounting of her actual versus estimated usage during the relevant period, along with any narrative explanation necessary to

⁷ Case No. 2020-00350, *Electronic Application of Louisville Gas And Electric Company For An Adjustment Of Its Electric And Gas Rates, A Certificate Of Public Convenience And Necessity To Deploy Advanced Metering Infrastructure, Approval Of Certain Regulatory And Accounting Treatments, And Establishment Of A One-Year Surcredit* (Ky. PSC June 30, 2021), Order, ordering paragraph 3 and Appendix A, paragraph 5.9, see also Case No. 2020-00350, Nov. 25, 2020 Application, paragraph 31.

reasonably understand the accounting, or LG&E should file a written answer to the complaint within ten days from the date of service of this Order. The Commission also finds that Ms. Smith should be given 20 days after LG&E files the detailed accounting to amend the complaint with respect to the allegations or relief sought.

The Commission directs LG&E to the Commission's July 22, 2021 Order in Case No. 2020-00085⁸ regarding filings with the Commission.

IT IS THEREFORE ORDERED that:

1. LG&E shall satisfy the matters complained of by providing the detailed accounting discussed herein above or file a written answer to the complaint within ten days from the date of service of this Order.

2. Ms. Smith shall have 20 days after LG&E files the detailed accounting in which to amend the Complaint with respect to the requested relief.

3. A copy of this Order shall be served by the U.S. Postal Service, certified mail with return receipt requested, and first class mail to Melonie Smith, 1108 Harmony Lane, Goshen, KY 40026.

⁸ Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission mandated the use of the electronic filing procedures found in 807 KAR 5:001, Section 8, except for *pro se* formal complaints filed against utilities).


PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:

 RP

Executive Director



Service List for 2025-00146

* Melonie Smith
1108 Harmony Lane
Goshen, KY 40026

* Louisville Gas and Electric Company
820 West Broadway
Louisville, KY 40203

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820 West Broadway
Louisville, KY 40203