

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 September 21, 2026, Melonie Smith filed a petition for rehearing, pursuant to KRS 278.400, requesting rehearing of the Order entered September 2, 2026, which dismissed her complaint. Ms. Smith stated that the Order did not fully address the procedural circumstances surrounding the April 6, 2026 Order. Ms. Smith further challenged that she did not have proper notice or opportunity to properly respond to an earlier Order of the Commission and a subsequent response by Louisville Gas and Electric (LG&E), and that LG&E's response to that subsequent Order provided material information.

LEGAL STANDARD

KRS 278.400, which establishes the standard of review for motions for rehearing, limits rehearing to new evidence not readily discoverable at the time of the original hearing, to correct any material errors or omissions, or to correct findings that are unreasonable or unlawful. A Commission Order is deemed unreasonable only when "the

evidence presented leaves no room for difference of opinion among reasonable minds.”¹
An order can only be unlawful if it violates a state or federal statute or constitutional provision.²

By limiting rehearing to correct material errors or omissions, and findings that are unreasonable or unlawful, or to weigh new evidence not readily discoverable at the time of the original hearings, KRS 278.400 is intended to provide closure to Commission proceedings. Rehearing does not present parties with the opportunity to relitigate a matter fully addressed in the original Order.

BACKGROUND

On May 15, 2025, complainant, Melonie Smith, tendered a formal complaint with the Commission against LG&E alleging that she received a bill of \$629.66 as a result of consecutive estimated meter reads, and requesting the bill be written off.³

On July 1, 2025, the Commission entered an Order which found that the complaint did not establish a *prima facie* case.⁴ That Order gave Ms. Smith 30 days to amend her complaint and was served on Ms. Smith by U.S Postal Service, certified mail, return receipt requested, and first-class mail at 1108 Harmony Lane, Goshen, Kentucky, 40026.⁵ 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

¹ *Energy Regulatory Comm’n v. Kentucky Power Co.*, 605 S.W.2d 46 (Ky. App. 1980).

² *Public Service Comm’n v. Conway*, 324 S.W.3d 373, 377 (Ky. 2010); *Public Service Comm’n v. Jackson County Rural Elec. Coop. Corp.*, 50 S.W.3d 764, 766 (Ky. App. 2000); *National Southwire Aluminum Co. v. Big Rivers Elec. Corp.*, 785 S.W.2d 503, 509 (Ky. App. 1990).

³ Melonie Smith’s Complaint (filed May 15, 2025).

⁴ Order (Ky. PSC July 1, 2025).

⁵ Order (Ky. PSC July 1, 2025), ordering paragraphs 1 and 2.

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 meter.⁶ 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.

On April 16, 2026, the Commission entered an Order finding that Ms. Smith had established a *prima facie* case pursuant to 907 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.⁷ The Commission further found that a *prima facie* case was not established in regards to Ms. Smith’s request to write off all or a significant portion of the \$629.66 bill, as the Commission does not have the authority to Order the requested relief based solely on LG&E’s alleged failure to perform an actual meter reading during the relevant period.⁸ The Order required LG&E to satisfy the matters complained of by providing the detailed accounting of the time period in question or file a written answer to the complaint within ten days of date of service of the order.⁹ Ms. Smith was given 20 days after LG&E filed the detailed accounting to amend her Complaint with

⁶ Melonie Smith’s Response to Commission Order (filed July 14,2025).

⁷ Order (Ky. PSC Apr. 6, 2026).

⁸ Order (Ky. PSC Apr. 6, 2026).

⁹ Order (Ky. PSC Apr. 6, 2026), ordering paragraph 1.

respect to the requested relief.¹⁰ Once again the Order was served on Ms. Smith by U.S. Postal Service, certified mail with return receipt request, and by first class mail to Melonie Smith, 1108 Harmony Lane, Goshen, KY 40026.¹¹ Records provided by the U.S. Post Office indicate that Ms. Smith or her agent picked up the Order at the Post Office in Goshen Kentucky on April 11, 2026, and signed for them which, pursuant to U.S. Post Office policy, requires a photo ID.¹²

LG&E tendered a notice of satisfaction of complaint and motion to dismiss on April 16, 2026.¹³ LG&E provided the detailed accounting through the narrative in the motion, as well as providing an account detail,¹⁴ copies of the bills sent to Ms. Smith for the requested time period,¹⁵ and the Advanced Metering Infrastructure (upl) meter data from January 23, 2025, through March 18, 2025.¹⁶ LG&E included a Certificate of Service with its filing which stated “and that a true a and accurate copy of this filing has been sent via. U.S. Mail to Ms. Smith at the Address provided on the Complaint”.¹⁷

On September 2, 2026, the Commission entered an Order granting LG&E’s motion to dismiss, dismissing Ms. Smith’s complaint, removing the case from the docket, and that the Order was to be served on Ms. Smith by certified mail. The Commission based

¹⁰ Order (Ky. PSC Apr. 6, 2026), ordering paragraph 2.

¹¹ Order (Ky. PSC Apr. 6, 2026), ordering paragraph 3. See also Appendix A.

¹² Appendix A. See also <https://faq.usps.com/s/article/Picking-Up-Mail-that-is-Being-Held-at-Your-Post-Office>.

¹³ Notice of Satisfaction of Complaint and Motion to Dismiss (filed Apr. 16, 2026).

¹⁴ Notice of Satisfaction of Complaint and Motion to Dismiss, Exhibit 1.

¹⁵ Notice of Satisfaction of Complaint and Motion to Dismiss, Exhibit 2.

¹⁶ Notice of Satisfaction of Complaint and Motion to Dismiss, Exhibit 3.

¹⁷ Notice of Satisfaction of Complaint and Motion to Dismiss at 5.

that Order on findings that LG&E had complied with the April 6, 2026 Order to satisfy the complaint, and that Ms. Smith had failed to amend her complaint.

On September 21, 2026, Ms. Smith filed a petition for rehearing. Ms. Smith stated that she does not contend that she should get free electricity that she actually consumed.¹⁸ Ms. Smith argued that she recalled “receiving some correspondence or mailing from the Commission [sic] LG&E during this period, but she does not presently recall whether that mailing contained LG&E’s April 16 filing, the detailed accounting, or clear notice that the 20-day period to amend her complaint had begun.”¹⁹ Ms. Smith further argued that LG&E’s April 16, 2026 filing revealed information that was not previously available to Ms. Smith such as that the new AMI meter was recoding, that it was not reaching LG&E’s billing system, and that Ms. Smith had been billed zero usage during certain periods, that LG&E imposed retroactive corrections.²⁰

On September 28, 2026, LG&E filed a response to Complainants petition for rehearing, objection to the petition for rehearing and moving the Commission to deny the request. LG&E outlined the procedural history of the case and argued that the Commission’s September 2, 2026 Order was warranted and fully consistent with 807 KAR 5:001, Section 20, and that Ms. Smith’s petition failed to meet the burden required for rehearing.²¹

¹⁸ Ms. Smith’s Petition for Rehearing (filed on Sept. 21, 2026) (Petition for Rehearing) at unnumbered PDF page 2.

¹⁹ Petition for Rehearing at unnumbered PDF page 2.

²⁰ Petition for Rehearing at unnumbered PDF page 3.

²¹ LG&E’s Response to Complainant’s Petition of Rehearing (filed Sept. 28, 2026) (Response to Petition for Rehearing) at 1–3.

DISCUSSION AND FINDINGS

Having reviewed the record the Commission finds that Ms. Smith's petition for rehearing should be denied. Ms. Smith has not presented any evidence that was not available at the time that the September 2, 2026 Order was entered, did not allege any material errors or omission in the Order, and she did not argue or present any evidence that any of the findings were unreasonable or unlawful. Regarding Ms. Smith's concerns regarding service of the April 6, 2026 Order and LG&E's April 16, 2026 filing, Ms. Smith did not raise any challenges to the validity of service; rather she acknowledges that she did receive something, she just does not recall the details of the contents. LG&E tendered a certificate of service that listed the same address that was used previously for Ms. Smith, which she provided on her formal complaint filed on May 15, 2025, and the Order was served on Ms. Smith via certified mail to the same address and was picked up at the Goshen Post Office.

IT IS THEREFORE ORDERED that:

1. Ms. Smith's petition for rehearing is denied.
2. A copy of this Order shall be served by the U.S. Postal Service, Certified Mail, Return Receipt Requested, and First-Class Mail to Melonie Smith, 1108 Harmony Lane, Goshen, KY 40026.
3. This case is closed and removed from the Commission's docket.

Entered on this 9th day of October, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair



Mary Pat Regan
Vice Chair



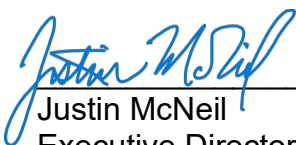
Andrew W. Wood
Commissioner

by AH
w/ permission



Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00146 DATED OCT 09 2026

TWO PAGES TO FOLLOW

Mailer: Kentucky Public Service Commission

Date Produced: 04/13/2026

ConnectSuite Inc.:

The following is the delivery information for Certified Mail™/RRE item number 9214 8901 9403 8365 3789 21. Our records indicate that this item was delivered on 04/11/2026 at 09:58 a.m. in GOSHEN, KY 40026. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**1108 HARMONY LN
GOSHEN, KY 40026-9540**

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

MELONIE SMITH
1108 HARMONY LN
GOSHEN KY 40026-9540

Customer Reference Number: C6716004.41096833
Return Reference Number Case No. 2025-00146



Return address:

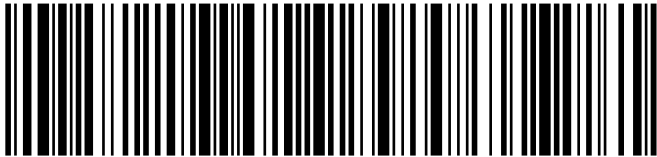
PUBLIC SERVICE COMMISSION
211 SOWER BLVD
FRANKFORT KY 40601

Recipient address:

MELONIE SMITH
1108 HARMONY LN
GOSHEN KY 40026-9540

MAILING DATE: 04/06/2026
DELIVERY DATE: 04/11/2026

USPS CERTIFIED MAIL



9214 8901 9403 8365 3789 21

USPS Tracking Label Number: 9214 8901 9403 8365 3789 21

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	FRANKFORT,KY 40602	04/06/2026 08:56
ORIGIN ACCEPTANCE	FRANKFORT,KY 40602	04/08/2026 18:45
PROCESSED THROUGH USPS FACILITY	LOUISVILLE,KY 40221	04/08/2026 20:00
PROCESSED THROUGH USPS FACILITY	LOUISVILLE,KY 40221	04/10/2026 02:50
NO AUTHORIZED RECIPIENT AVAILABLE	GOSHEN,KY 40026	04/10/2026 14:16
DELIVERED INDIVIDUAL PICKED UP AT PO	GOSHEN,KY 40026	04/11/2026 09:58

CUSTOM 1:

Service List for Case 2025-00146

* Melonie Smith
1108 Harmony Lane
Goshen, KY 40026

* Louisville Gas and Electric Company
2701 Eastpoint Parkway
Louisville, KY 40223

* Louisville Gas and Electric Company
2701 Eastpoint Parkway
Louisville, KY 40223