

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ROY LEON TYNDALL)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2025-00205
)	
CITY OF NICHOLASVILLE)	
)	
DEFENDANT)	

ORDER

On June 20, 2025, Roy Leon Tyndall (Complainant) submitted a series of documents entitled “Administrative Notice -- Refusal of Lawful Tender and Dishonor by Municipal Utility” and alleging that the city of Nicholasville, Kentucky, had refused to honor payment for undisclosed utility service. Although neither these documents, nor his subsequent supplemental documents filed July 16, 2025, use the word “complaint,” nor fully comply with 807 KAR 5:001, Section 20, pertaining to filing complaints, the Commission finds that it should treat the filings as a complaint for purposes of resolving the submission.

Upon review of the complaint, the Commission finds that Complainant did not satisfy the requirements of 807 KAR 5:001, Section 20. More specifically, the complaint fails to comply with 807 KAR 5:001, Section 20(1)(c)–(d), which require a complaint to state:

(c) Fully, clearly, and with reasonable certainty, the act or omission, of which complaint is made, with a reference, if

practicable, to the law, order, or administrative regulation, of which a failure to comply is alleged, and other matters, or facts, if any, as necessary to acquaint the commission fully with the details of the alleged failure; and
(d) The relief sought.

The complaint fails to comply with 807 KAR 5:001, Section 20(1)(c)–(d), because it does not “fully, clearly, and with reasonable certainty, the act or omission, of which complaint is made.” The complaint references “billing and settlement practices” but does not provide intelligible information that establish the acts or omissions giving rise to the complaint.

Moreover, the complaint fails to comply with 807 KAR 5:001, Section 20(1)(c)–(d), because it does not provide “reference, if practicable, to the law, order, or administrative regulation, of which a failure to comply is alleged.” Here, the complaint references the city of Nicholasville, a municipality of the Commonwealth of Kentucky. While the Commission has jurisdiction over utilities, its jurisdiction over municipalities is more circumscribed. As a result, in situations that raise questions regarding the extent of the Commission’s jurisdiction over a particular entity or circumstance, the Complainant is charged with establishing a basis for that jurisdiction. This complainant is absent of any basis, reasoning or argument addressing the Commission’s jurisdiction or authority to provide relief. Accordingly, the Commission finds that the complaint fails to establish a prima facie case and fails to comply with 807 KAR 5:001, Section 20.

Once a complaint is found deficient, complainants are provided one opportunity to amend a complaint within a specified time pursuant to 807 KAR 5:001, Section 20(4)(a)(2). Consequently, the Commission finds that the Complainant may amend his

complaint within 20 days of service of this Order. If the complaint is not amended within this period, the case should be dismissed and removed from the docket.

IT IS THEREFORE ORDERED that:

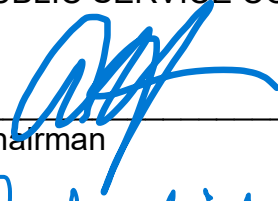
1. The complaint fails to state a prima facie case and does not comply with Section 20 of 807 KAR 5:001.


2. Complainant shall have 20 days from the service of this Order to file an amended complaint with the Commission that conforms to the requirements of 807 KAR 5:001, Section 20, and establishes a prima facie case over which the Commission has jurisdiction.

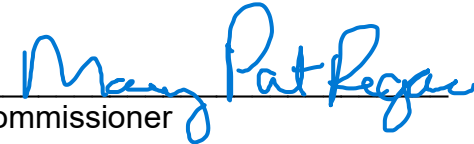
3. Complainant may file his amended complaint with the Commission by U.S. Postal Service mail to P.O. Box 615, Frankfort, Kentucky 40602-0615 or by email to PSCED@ky.gov. Complainant shall include the case number, 2025-00205, in all filings with the Commission.

4. A copy of this order shall be mailed through the U.S. Postal Service First-Class Mail and Certified Mail, return receipt requested, to Roy Leon Tyndall at 200 Baybrook Cir., Nicholasville, Kentucky 40356. Pursuant to Section 4(8) of 807 KAR 5:001, service shall be complete upon mailing.

PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



*Roy L. Tyndall
200 Baybrook Circle
Nicholasville, KY 40356

*City of Nicholasville
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