

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ROY LEON TYNDALL

COMPLAINANT

V.

CITY OF NICHOLASVILLE

DEFENDANT

CASE NO.
2025-00205

ORDER

On June 20, 2025, Roy Leon Tyndall 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 the specific intent behind the submission of these documents was unclear, the Commission chose to treat the submission as a Complaint for purposes of resolving the submission. The Commission’s interpretation of Mr. Tyndall’s submission was that he claimed that he submitted to the city of Nicholasville a check for payment towards a balance on a utility account and that payment was refused. The Commission inferred that the relief sought by Mr. Tyndall is that the city of Nicholasville accept payment “in full settlement”¹ of the account.

¹ Administrative Notice -- Refusal of Lawful Tender and Dishonor by Municipal Utility (filed June 20, 2025) at 1.

By Order dated August 12, the Commission found that Mr. Tyndall did not establish a *prima facie* case that the utility violated its tariff or some provision of law that are jurisdictional to the Commission. As The Commission noted in the Order, the city of Nicholasville retail utility rates are not under the jurisdiction of the Commission. The Commission granted Mr. Tyndall an opportunity to amend within 20 days of service of the Order to clarify the facts underlying the complaint and provide any information or legal provision permitting the Commission to exercise jurisdiction.

On August 29, 2025, Mr. Tyndall filed a document entitled “Amended Submission - Preservation of Rights and Confidential Treatment Motion.” This document stated, “Without waiving any rights, remedies, or private jurisdiction, I object to the unilateral recharacterization of my June 20, 2025 filing as a statutory complaint.”² The document then included, under the title “Amended Complaint” a recitation of the same basic facts as in the initial filing.

As Mr. Tyndall denies that his filing is intended to be a complaint, the Commission finds that it does not meet the criteria for establishing a complaint case pursuant to 807 KAR 5:001, Section 20, and should be dismissed. Furthermore, even if Mr. Tyndall’s August 29, 2025 filing were considered a complaint under 807 KAR 5:001, Section 20, he has not established a *prima facie* case that the city of Nicholasville has violated a tariff or provision of law over which the Commission exercises jurisdiction.


² Amended Submission – Preservation of Rights and Confidential Treatment Motion (filed Aug. 29, 2025) at 1.

IT IS THEREFORE ORDERED that:


1. This matter is dismissed.
2. This matter shall be closed and removed from the Commission's docket.

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PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Case No. 2025-00205

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