

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REDA GRAY)	
)	
COMPLAINANT)	
)	CASE NO.
V.)	2025-00289
)	
KENTUCKY UTILITIES COMPANY)	
)	
DEFENDANT)	

ORDER

On August 25, 2025, Ms. Reda Gray tendered a formal complaint with the Commission against Kentucky Utility Company (KU) alleging an issue with tree limb growth around the power lines behind 561 Dover Road, Lexington, Kentucky 40503. For the reasons discussed below, the Commission finds that a *prima facie* case has not been established, and that Ms. Gray should be given 20 days to amend the complaint to establish a *prima facie* case, or the case should be dismissed.

LEGAL STANDARD

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, 807 KAR 5:001, Section 20(4)(a)(1), allows a complainant to amend a complaint within a specified time.

BACKGROUND

On August 25, 2025, Ms. Gray tendered a formal complaint with the Commission against KU concerning tree limb growth in the power lines on the rear lawn of 561 Dover Road, Lexington, Kentucky 40503.¹ Ms. Gray stated that other cable suppliers, including Windstream, Spectrum, Verizon and AT&T, had been requested to visit the site and all stated that KU is the problem.²

Ms. Gray's initial informal complaint, submitted to the Commission on August 7, 2025 and attached as Appendix A to this Order, was addressed by the Commission's Division of Consumer Services and resolved in accordance with 807 KAR 5:001, Section 21. In that process, KU responded that previous tickets had been entered to address Ms. Gray's issue. KU reported that, in addition to an arborist visiting the property and finding that limbs are not interfering with KU's lines, a technician made several stops at this address and stated that KU is not responsible for the tree in accordance with Tariff Sheet No. 98.³

DISCUSSION AND FINDINGS

Ms. Gray's complaint does not state fully, clearly, and with reasonable certainty an act or omission by KU of which failure to comply is alleged. Nor does Ms. Gray currently allege a violation of a regulation, Commission Order, tariff, or statute by KU. In addition,

¹ Complaint (filed Aug. 25, 2025) at 2.

² Complaint at 2.

³ Consumer Inquiry Investigation (filed Aug. 3, 2025) at 4.

Ms. Gray does not specifically state the relief requested in the complaint although it may be implied.

Having reviewed Ms. Gray's complaint and the case record, the Commission finds that Ms. Gray has not fully, clearly, and with reasonable certainty, stated the act or omission that KU is alleged to have committed as required by 807 KAR 5:001, Section 20(1)(c), and thus, has failed to establish a *prima facie* case that the utility has violated a statute, regulation, tariff, or order for which the Commission may grant relief.

In accordance with 807 KAR 5:001, Section 20(4)(a)(1), the Commission finds that Ms. Gray should be afforded the opportunity to amend her complaint concerning the tree limb growth behind her property. The Commission further finds that Ms. Gray should file an amended complaint within 20 days of the date of service of this Order. Failure to timely amend the complaint to establish a *prima facie* case should result in dismissal of the complaint. Ms. Gray may file her amended complaint by U.S. mail or by email to PSCED@ky.gov. This Order should be served upon Ms. Gray through the U.S. Postal Service, Certified Mail, Return Receipt Requested, and First-Class Mail at the address listed on the complaint.

IT IS THEREFORE ORDERED that:

1. Ms. Gray's complaint fails to state a *prima facie* case.
2. Ms. Gray shall have 20 days from the date of service of this Order to file an amended complaint with the Commission that conforms to the requirements of 807 KAR 5:001, Section 20(1), and that states a *prima facie* case. Failure to timely amend the complaint to establish a *prima facie* case may result in dismissal of the complaint.

3. Ms. Gray may file the amended complaint with the Commission by U.S. Postal Service mail to 211 Sower Boulevard, Frankfort, Kentucky 40601 or by email to PSCED@ky.gov. Ms. Gray shall include the case number 2025-00289 in all filings with the Commission.

4. A copy of this Order shall be served on the Ms. Reda Gray through the U.S. Postal Service by Certified Mail, Return Receipt Requested, and First-Class Mail at 561 Dover Road, Lexington, Kentucky 40503. Service shall be considered complete on the first day the U.S. Postal Service attempts delivery of the certified mail.

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PUBLIC SERVICE COMMISSION


Chairman


Commissioner


Commissioner

ATTEST:


Executive Director



Case No. 2025-00289

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2025-00289 DATED

TWO PAGES TO FOLLOW

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

REDA GRAY / WILLIAM E JOHNSON
(Your Full Name))
COMPLAINANT)

VS.

KENTUCKY UTILITIES
(Name of Utility))
DEFENDANT)

RECEIVED

AUG 25 2025

PUBLIC SERVICE
COMMISSION

COMPLAINT

The complaint of REDA GRAY respectfully shows:
(Your Full Name)

(a) _____
(Your Full Name)

561 DOVER RD
(Your Address)

(b) KV KENTUCKY UTILITIES
(Name of Utility)

(Address of Utility)

(c) That: TREE LIMBS GROWTH IN POWER LINES
(Describe here, attaching additional sheets if necessary,

@ 561 DOVER RD REAR LAWN !!
the specific act, fully and clearly, or facts that are the reason

and basis for the complaint.)

KV SAYS THERE IS NO PROBLEM

Continued on Next Page

- ALL OTHER CABLE SUPPLIERS HAVE BEEN REQUESTED TO VISIT ON SITE & THEY DID TO ENSURE THEY ARE NOT A PROBLEM ALSO. (WINDSTREAM, SPECTRUM, VERIZON, AT&T) THEY ALL STATED KU IS THE PROBLEM !!

~~Wherefore, complainant asks~~

(Specifically state the relief desired.)

- TWO OTHER TREE CONTRACTORS WOULD NOT TAKE THE WORK IN SAME AREA ~~UNTIL~~ UNTIL AREA CLEARED BY KU.

Dated at LEXINGTON, Kentucky, this 22 day
(Your City)

of AUGUST, 20 25
(Month)

Reda Gray
(Your Signature*)

(Name and address of attorney, if any)

8/22/25
Date

*Complaints by corporations or associations, or any other organization having the right to file a complaint, must be signed by its attorney and show his post office address. No oral or unsigned complaints will be entertained or acted upon by the commission.

Reda Gray
561 Dover Rd
Lexington, KY 40505

*Kentucky Utilities Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010