

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DAVID ETHINGTON	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO.
	)	2026-00028
JACKSON ENERGY COOPERATIVE	)	
CORPORATION	)	
	)	
DEFENDANT	)	

ORDER

On December 19, 2025, David Ethington filed a complaint against Jackson Energy Cooperative Corporation (Jackson Energy) in which he alleged that his utility bills for the last three months had doubled even though he had not been using as much electricity.¹ He alleged that the utility said it had tested the meter but wouldn't show him the results.² He asked that his bills be adjusted and for the meter to be tested by a third party.³

Subsequent to the filing of the complaint, David Ethington or Cheryl Ethington, who was not a party to the original complaint but is presumed to be David Ethington's wife, have filed a total of five supplements to the complaint, four of which objected to the most

¹ Complaint (filed Dec. 19, 2025) at 1.

² Complaint at 2.

³ Complaint at 2.

recent electric bill.⁴ Jackson Energy and its counsel have filed three letters into the record concerning the Ethingtons' account, delinquencies, and service termination notices.⁵

On May 28, 2026, the Commission entered an Order directing Jackson Energy to satisfy or answer the complaint, as supplemented.⁶ The Commission also ordered Jackson Energy to file a copy of all meter test records of the meter removed from service on November 6, 2025, and copies of all tests of the replacement meter.⁷ The Commission further ordered Jackson Energy to make the meter removed from service available to Commission Staff for testing.⁸

On June 1, 2026, Jackson Energy filed an answer to the complaint and motion to dismiss. Jackson Energy submitted, with its response, copies of test results of the meter removed from service and of the replacement meter.⁹ The results show that both meters were tested within the allowable accuracy requirements of 807 KAR 5:041, Section 17, (1).¹⁰

Pursuant to the May 28, 2026 Order, Jackson Energy made the meter removed from service available to Commission Staff for testing. On June 15, 2026, Commission

⁴ David Ethington Supplemental Complaint (filed Feb. 26, 2026); Cheryl Ethington Supplement to Complaint (filed Apr. 15, 2026); Cheryl Ethington Supplement to Complaint (filed May 6, 2026); and Cheryl and David Ethington Supplement to Complaint (filed May 18, 2026).

⁵ Jackson Energy Letter with Meter Test Results (filed April 7, 2026); Jackson Energy Letter regarding Service Disconnect Notice (filed May 4, 2026); and Jackson Energy Letter regarding Service Update (filed May 21, 2026)

⁶ Order (Ky. PSC May 28, 2026) at 5.

⁷ Order (Ky. PSC May 28, 2026) at 5.

⁸ Order (Ky. PSC May 28, 2026) at 5.

⁹ Answer and Motion to Dismiss (filed June 1, 2026) at 18, 19.

¹⁰ Answer and Motion to Dismiss at 18, 19.

Staff filed into the record a report of the meter test results.¹¹ The report states that a meter test was performed pursuant to 807 KAR 5:041, Section 17(1), and that the meter met the allowable accuracy requirements established by Commission regulations.¹²

No party has requested a formal hearing, and this matter stands ready for decision.

LEGAL STANDARDS

The Commission has original jurisdiction over complaints as to rates or service of any utility pursuant to KRS 278.260. That statute provides that the Commission shall not enter an order affecting the rates or service complained without a formal public hearing. The Commission, however, may enter an order dismissing a complaint without a hearing if it finds that “a hearing is not necessary in the public interest or for the protection of substantial rights.”¹³

The Commission's regulations provide that all electric energy sold shall be measured by commercially acceptable measuring instruments.¹⁴ Pursuant to KRS 278.160(2), no person shall receive service from a utility for compensation greater or less than that prescribed within the utility's filed schedules. KRS 278.160(2) codifies the “filed rate doctrine,” which requires strict application of tariffed rates and bars equitable defenses against a utility billing its filed rates for services provided.¹⁵ The Commission has consistently applied this requirement in holding that customers are

¹¹ PSC Notice of Filing of Customer Meter Test Report (Meter Test Report) (filed June 15, 2026).

¹² Meter Test Report, Attachment B at 2.aa.

¹³ KRS 278.260(2).

¹⁴ 807 KAR 5:041, Section 9(1).

¹⁵ See *Boone County Sand and Gravel v. Owen County Rural Electric Coop. Corp.*, 779 S.W.2d 224, 226 (Ky. App. 1989).

responsible for paying for all service that passes through a meter that is reading accurately.¹⁶

DISCUSSION

The Ethingtons' meter was tested by both Jackson Energy and Commission Staff. If a meter is tested by a utility and by the Commission and the testing reflects that the meter is within accuracy parameters established by Commission regulations based on industry standards, and there is no evidence that the meter was misread, then a rebuttable presumption exists that the stated usage was properly recorded by the meter.¹⁷ The Commission finds that the Ethingtons' have not overcome this presumption and that they are responsible for paying for their service as measured by their meter. The Commission further finds that the complaint should be dismissed without a hearing for the reason that a hearing is not necessary to serve the public interest or for the protection of substantial rights.

IT IS THEREFORE ORDERED that:

1. The complaint is dismissed without prejudice.
2. This matter is closed and removed from the Commission's docket.

¹⁶ See Case No. 2003-00032, *Brian and Amy Collins v. Louisville Gas and Electric Company* (Ky. PSC July 1, 2003), Order at 3, 4.

¹⁷ Case No. 2023-00115, *Richard Hall Jouett vs. Kentucky-American Water Company* (Ky. PSC Dec. 20, 2023), Order at 2.

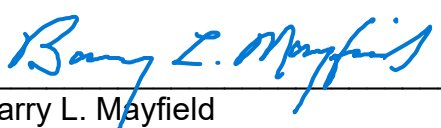
Entered on this 13th day of August, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

Case No. 2026-00028

Service List for Case 2026-00028

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