

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DATANYA MORGAN	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2026-00124
	)	
LOUISVILLE GAS AND ELECTRIC COMPANY	)	
	)	
DEFENDANT	)	

ORDER

On May 11, 2026, DaTanya Morgan tendered a formal complaint with the Commission against Louisville Gas and Electric Company (LG&E), alleging that she was overbilled and that LG&E improperly disconnected her service. On June 16, 2026, the Commission issued an Order finding that Ms. Morgan had not established a *prima facie* case pursuant to 807 KAR 5:001, Section 20(4)(a), and granted her 20 days to file an amended complaint as permitted by Section 20(4)(a)(1). Ms. Morgan timely filed an amended complaint on July 2, 2026. On July 6, 2026, Ms. Morgan filed a motion for an extension of time to supplement the record in support of her amended complaint. On July 20, 2026, the Commission issued an Order granting such an extension through August 14, 2026. Ms. Morgan did not file any additional material prior to that date. On September 11, 2026, the Commission issued an Order finding that the amended complaint did not establish a *prima facie* case and dismissed the matter. Review of the Commission's public records outside of this administrative proceeding revealed that Ms.

Morgan recently filed two open records requests with the Commission, the first on September 17, 2026, and the second on September 21, 2026, attached hereto as Appendix A, that were each responded to pursuant to the Kentucky Open Records Act. On September 18, 2026,¹ Ms. Morgan timely filed a motion for rehearing pursuant to KRS 278.400. On September 28, 2026, Ms. Morgan filed a motion for a protective order.²

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 hearings, to correct any material errors or omissions, or to correct findings that are unreasonable or unlawful.³ A Commission Order is deemed unreasonable only when “the evidence presented leaves no room for difference of opinion among reasonable minds.”⁴ An order can only be unlawful if it violates a state or federal statute or constitutional provision.⁵

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.

¹ Motion for Rehearing (filed Sept. 18, 2026) (September 18, 2026 Motion).

² Motion for Protective Order (filed Sept. 28, 2026) (September 28, 2026 Motion).

³ See KRS 278.400, KRS 278.440, KRS 278.430.

⁴ *Energy Regulatory Comm’n v. Kentucky Power Co.*, 605 S.W.2d 46 (Ky. App. 1980).

⁵ *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).

MOTION

Ms. Morgan's September 18, 2026 Motion asserts that she should be granted rehearing because (1) her extension to file supplementary information to her amended complaint was insufficient in length; and (2) she should have received certain documents from the Commission's consumer services division.⁶ Ms. Morgan admitted that she received an email copy of the extension Order on July 20, 2026, the day it was issued, but did not read it until after the submission deadline.⁷ Regarding documentation requests, Ms. Morgan contends that she is entitled to documents, including "audit papers," she contends would help her prove her case.⁸

On September 25, 2026, LG&E filed a response to Ms. Morgan's September 18, 2026 Motion for rehearing asserting that she was afforded the opportunity to amend her complaint and was provided an extension to supplement the record in support of her amended complaint but did not do so. LG&E argued that Ms. Morgan had ample opportunity to be heard.⁹ LG&E also argued that Ms. Morgan does not allege new evidence not readily discoverable at the time of the original hearings, has not established any material errors or omissions, and has not established a need to correct findings that are unreasonable or unlawful.¹⁰

⁶ September 18, 2026 Motion at unnumbered 3–4.

⁷ September 18, 2026 Motion at unnumbered 2.

⁸ September 18, 2026 Motion at unnumbered 4.

⁹ LG&E's Response to September 18, 2026 Motion (filed Sept. 25, 2026) at 3.

¹⁰ LG&E's Response to September 18, 2026 Motion (filed Sept. 25, 2026) at 3–4.

Ms. Morgan's September 28, 2026 Motion for a protective order asks the Commission to prevent LG&E from disconnecting her service.¹¹

DISCUSSION AND FINDINGS

The Commission finds that Ms. Morgan's September 18, 2026 Motion for rehearing should be denied. First, the argument that Ms. Morgan had insufficient time to gather information to prove her case is not compelling. She made her first call to the Consumer Services division on January 17, 2023.¹² Ms. Morgan has had over three years to collect whatever information she needed. Yet, she was still granted additional time to supplement the record in support of her amended complaint and did not read the extension Order and therefore did not provide additional information or ask for a further extension. Ms. Morgan also waited until after the September 11, 2026 Order to finally make a request under the Kentucky Open Records Act.¹³

Second, regarding documents collected or compiled by the Consumer Services division, the information provided by the Commission included recordings of calls to Consumer Services made by Ms. Morgan, summaries of the calls, response emails from LG&E, and a cover letter for instructions for filing a formal complaint. Nothing in those materials supports any of the claims made by Ms. Morgan in her complaint or amended complaint.

Third, even if the Commission were to accept as true every factual allegation set forth in the complaint and amended complaint, none of those alleged facts would support

¹¹ September 28, 2026 Motion for a Protective Order at unnumbered 1.

¹² See call summary attached as Appendix B.

¹³ See Open Records Act request attached as Appendix A.

a *prima facie* case that a violation over which the Commission has jurisdiction occurred. For instance, Ms. Morgan argued that her bills were high and inconsistent,¹⁴ which would not entitle Ms. Morgan to a refund taken alone. Ms. Morgan argued that her service was disconnected despite financial hardship.¹⁵ While there are programs available to provide limited assistance to individuals facing financial hardship with utility bills, financial hardship does not prohibit disconnection in most circumstances. Ms. Morgan did not allege that LG&E violated any specific regulation regarding disconnection. Ms. Morgan argued that consumer services promised to complete an audit of her account.¹⁶ While the Commission's Consumer Services division facilitates the resolution of complaints between utilities and their customers, it neither performs audits as they are commonly understood, nor are their activities the basis for any remedy related to rates or service complaints against a utility.¹⁷ Ms. Morgan argued that LG&E failed to provide billing verification, audit documentation, and account review records.¹⁸ The complaint does not explain what these are—nor does 807 KAR 5:006 require production of such documents upon a customer's request, assuming they exist.

Ms. Morgan did argue that LG&E charges higher rates in “lower-income and predominantly Black communities” in violation of KRS 278.030(3) and the Civil Rights Act (42 U.S.C. § 2000d). KRS 278.030(3) and KRS 278.170 do prohibit unreasonable discrimination in rates such that an allegation of discriminatory rates could support the

¹⁴ Complaint at unnumbered 3.

¹⁵ Complaint at unnumbered 3.

¹⁶ Complaint at unnumbered 3.

¹⁷ See 807 KAR 5:001, Section 21 (setting forth the informal complaint process).

¹⁸ Complaint at unnumbered 4.

finding of a *prima facie* case under certain circumstances. However, pursuant to KRS 278.160, LG&E is only permitted to charge rates in schedules on file with the Commission. Pursuant to those schedules, which are vetted before being allowed to go into effect,¹⁹ LG&E charges residential rates that are predominately based on usage, charges the same rates to similarly situated residential customers, and charges the same rates throughout its service territory.²⁰ Ms. Morgan's allegations do not identify any rate or rates that are higher or otherwise discriminatory in the manner alleged. Thus, she has not established that she is entitled to rehearing on that issue.

Having reviewed the record and being otherwise sufficiently advised, the Commission finds that Ms. Morgan's motion for rehearing should be denied. She does not allege new evidence not readily discoverable at the time of the original hearings, has not established any material errors or omissions, and has not established a need to correct findings that are unreasonable or unlawful.

Regarding her motion for a protective order, Ms. Morgan moved for an Immediate Order Preventing LG&E from disconnecting service during her pending billing dispute pursuant to KRS 278.280, which generally requires the Commission to establish reasonable rules for a utility upon a finding, following a complaint or on the Commission's own motion, that a utility's existing rules or practices are unreasonable. However, the

¹⁹ LG&E's rates, including its residential rates, are typically addressed by the Commission in rate case applications every few years in which numerous parties representing ratepayers, including low income residential customers, intervenor and provide testimony and arguments regarding the reasonableness of LG&E's rates and terms and conditions of service.

²⁰ Case No. 2025-00114, *Electronic Application of Louisville Gas and Electric Company for an Adjustment of Its Electric Rates and Approval of Certain Regulatory and Accounting Treatments* (Ky. PSC Feb. 16, 2026), Order at 311; Case No. 2020-00350, *Electronic Application of Louisville Gas and Electric Company for an Adjustment of Its Electric and Gas Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit* (Ky. PSC June 30, 2021), Order at 69.

Commission has established rules under which such issues may be raised by a customer through a complaint, and as discussed in the September 11, 2026 Order and above, Ms. Morgan has failed to establish a *prima facie* case or that she is otherwise entitled to the substantive relief requested in this case.²¹ Moreover, for the reasons discussed above and in the September 11, 2026 Order, the Commission does not believe that additional discovery or a hearing are in the public interest or necessary to protect substantial rights in this matter. Thus, having reviewed the record and being otherwise sufficiently advised, the Commission finds that Ms. Morgan's motion for a protective order should be denied.

IT IS THEREFORE ORDERED that:

1. Ms. Morgan's September 18, 2026 Motion for rehearing is denied.
2. Ms. Morgan's September 28, 2026 Motion for protective order is denied.
3. A copy of this Order shall be served upon Ms. Morgan by U.S. Postal Service Certified Mail, Return Receipt Requested and First-Class Mail to 2821 W. Jefferson St., Louisville, Kentucky 40212 as well as by email to her email address on file.
4. This matter is closed and shall be removed from the Commission's docket.

²¹ The Commission notes that there are already existing regulations regarding when a customer's account may be considered current, notwithstanding an outstanding disputed bill. See 807 KAR 5:006, Section 11(6) and Section 12.

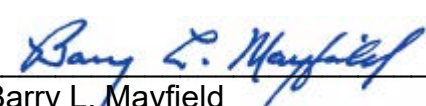
Entered on this 8th day of October, 2026.

PUBLIC SERVICE COMMISSION



Angie Hatton
Chair

Mary Pat Regan
Vice Chair

Andrew W. Wood
Commissioner

Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2026-00124 DATED OCT 08 2026

TWO PAGE TO FOLLOW

SEP 17 2026

PUBLIC SERVICE
COMMISSION

From: [DaTanya Morgan](#)
To: [PSC ORA Custodian](#)
Subject: Open Records Request: Complaints History - DaTanya Shanay Morgan (Accts: [REDACTED])
Date: Thursday, September 17, 2026 7:59:32 PM

Pursuant to the Kentucky Open Records Act (KRS 61.870 to 61.884), I am requesting copies of all public records and files regarding complaints I have personally filed against Louisville Gas and Electric Company (LG&E).

Specifically, this request covers:

1. All historical informal complaints, consumer inquiries, and online feedback submissions filed under the name DaTanya Shanay Morgan associated with utility account numbers [REDACTED] (and service address: 2821 W. Jefferson Street, Louisville, KY 40212).
2. All records, filings, exhibits, correspondence, and utility responses tied to any formal cases or dockets associated with these accounts.
3. Any associated resolution letters, audit logs, or closing documents tied to these submissions.

I certify that the records requested are NOT for a commercial purpose. Please provide these records electronically via email to reduce processing time and costs.

Thank you
DaTanya Shanay Morgan

From: [DaTanya Morgan](#)
To: [PSC ORA Custodian](#)
Subject: RE: Open Records Request & Preservation Notice — KRS 61.870 to KRS 61.884
Date: Saturday, September 19, 2026 1:45:40 PM

RECEIVED

SEP 21 2026

**PUBLIC SERVICE
COMMISSION**

TO: Open Records Custodian
Kentucky Public Service Commission

To Whom It May Concern,

Pursuant to the Kentucky Open Records Act, **KRS 61.870 through KRS 61.884**, I am writing as a resident of the Commonwealth of Kentucky to request copies of and **demand the preservation of** specific public records regarding my communications with the Commission.

This request covers all call logs, internal staff notes, and audio recordings for telephone communications originating from or received by phone number **502-414-8650** between **May 11, 2026, at 8:11 AM** and **May 12, 2026, at 9:30 AM**, including my conversation with staff member **Stacey** immediately prior to the formal filing of Case No. 2026-00124.

Please ensure these specific call records, logs, and audio files are preserved and not deleted, overwritten, or purged.

Additionally, please provide records regarding any unverified audit papers or communications involving LG&E branch manager Rosemary related to these matters.

As required by **KRS 61.870(10)**, I am a resident of the Commonwealth of Kentucky. Under **KRS 61.880(1)**, please provide your written response within the statutory **five (5) business days** via electronic mail at this address.

Respectfully submitted,

DaTanya Shanay Morgan

2821 W. Jefferson St.

Louisville, Kentucky 40212



APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2026-00124 DATED OCT 08 2026

TWO PAGES TO FOLLOW

PSC Consumer Inquiry System

9/23/2026

Complaint:	2023-00100	Entry Date:	1/17/2023	Closed Date:	1/18/2023	Contact Type:	Hotline
Name:	Morgan, Datanya			Utility:	Louisville Gas and Electric Company		
Address:	2821 West Jefferson Street Louisville, KY 40212			Utility Nbr:	500	Location:	Residence
County:	Jefferson			Utility Type:	Investor-		
Home:		Work:		Reason:	Rates/Policies (Objects to utility policy/practices) (none) ((none))		
Fax:		CBR Nbr:		Complaint referred by:			
Cell:	██████████	Email:					
Contacted Utility?	☒	Spoke with:	not for sure				
		Cust Relations:	Rude/Discourteous				
Utility Contact:	Customer Commitment Staff			Contact's	██████████		
Preliminary Description:	question about extension			Other Contacts:			
Processor:	ROSEMARY						
See File	☐	Case Related	☐	Staff Referral	☐	Confidential	☐
Info Only	☐	Formal Forms	☐	Ref to Util	☒	Customer Satisfied	Yes ☐ No ☒

PSC Narratives:**Investigator: ROSEMARY****Date:** 1/17/2023 4:46:47 PM

Customer was told today by agency that LG&E is suppose to give a 30 day extension on a brown bill(?), so customer can get to an agency to get help. She doesn't appreciate getting a brown bill when LG&E knows she doesn't have any money and when she calls she is treated very rudely, had some trouble hearing customer because she was ordering food. Customer did get a \$00.00 pledge today. She states the last payment was made on 11/15/2022 for \$206.00, what is the payment history on this account, how far behind is it? Thank you.

Utility Response:**Date:** 1/18/2023 12:35:37 PM**Background:**

12-13-2022

Tara worked a PSC Complaint and honored Ms. Morgan with the extension she requested. Tara has attached the installment plan.

12-29-2022

The previous installment plan agreed to on 12-13-2022 deactivated. The amount of \$360.71 was not paid on the due date. Services eligible for disconnection.

01-03-2023

LG&E issued a disconnection notice in the amount of ██████████ with a due date of 01-13-2023.

01-09-2023

LG&E issued a bill in the amount ██████████ with a due date of 01-31-2023. The bill consists of a past due balance of ██████████, current charges of ██████████ and a pending pledge of \$206.00.

01-12-2023

LG&E received the payment for the pending pledge in the amount of \$206.00.

01-17-2023

2023-00100 (Continued)

LG&E received a payment in the amount of [REDACTED], leaving the account with a past due balance in the amount of [REDACTED], account open balance is [REDACTED].

Ms. Morgan contacted LG&E and was advised she needed to be connected to the reconnect department, the LG&E representative advised Ms. Morgan of the fast path for future calls.

Ms. Morgan was connected to LG&E's reconnect department. LG&E advised there is a pending disconnection for [REDACTED], a pending pledge of [REDACTED] was applied to the account today. Ms. Morgan stated she was advised by the agency to contact LG&E to make a payment arrangement. Ms. Morgan was upset that she was connected to the reconnect line. Ms. Morgan requested a supervisor call back; the case was entered, and the case id was provided. LG&E advised Ms. Morgan a payment arrangement had to be set up before the disconnection notice expired. LG&E went over the billing with Ms. Morgan.

An LG&E supervisor attempted to contact Ms. Morgan at the number on the request and received her voicemail. A message was left advising Ms. Morgan if she needed further assistance to contact us back.

PSC Tariffs and Regulations: PSC LG&E Sheet 101

Response:

Tara attempted to contact Ms. Morgan to discuss her complaint. During the conversation Tara stated past due instead of open balance. When Tara tried to correct it, Ms. Morgan became rude and didn't allow Tara to speak. Tara advised Ms. Morgan she would respond to the PSC since she's not allowing her to talk and ended the call.

After reviewing the account, the agency made a [REDACTED] pledge to the customer account, usually when an agency pledges 50% of the past due balance a contact is automatically issued to the account. Since the disconnection notice had expired, the lock had to be manually entered on the account. Tara issued a 30-day lock on the account that expires on 02-12-2023. At the present time the account has a past due balance of [REDACTED] and an open balance of [REDACTED].

Thank You,

Tara Hunter

Date: 1/18/2023 3:35:50 PM

I wanted to reach out to you on this complaint and advise I made a mistake, however we will still honor the decision made. Since Ms. Morgan's disconnection notice had expired, she was not eligible for a 30 day extension.

Making you aware just incase Ms. Morgan makes a complaint next month. If the disconnection notice has expired the full amount will have to be paid or a 30day CFN will have to be completed by the agency. A regular Crisis Pledge isn't eligible for a 30 day extension.

Thank You,

Tara Hunter

Service List for Case 2026-00124

* DaTanya Morgan
2821 W Jefferson Street
Louisville, KY 40212

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

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