

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CHERYL ROLAND	)	
	)	
COMPLAINANT	)	
	)	
V.	)	CASE NO.
	)	2026-00190
OWEN ELECTRIC COOPERATIVE, INC.	)	
	)	
DEFENDANT	)	

ORDER

This issue arises from a complaint filed by Ms. Cheryl Roland against Owen Electric Cooperative, Inc. (Owen Electric) concerning the installation of electric poles and utility lines that Ms. Roland claims violates a travel only easement and encroaches on her property located at 5785 Lawrenceville Road, Williamstown, Kentucky 41097.¹ For the reasons discussed below, the Commission finds that a *prima facie* case of a violation of a statute, tariff or regulation has not been established, and that Ms. Roland 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 KRS 278.260, the Commission has jurisdiction over complaints regarding rates or service.² Commission regulation 807 KAR 5:001, Section 20(1)(c),

¹ Cheryl Roland Complaint (Complaint) (filed July 10, 2026).

² KRS 278.206.

requires each complaint to state fully, clearly and with reasonable certainty, the act or omission, of which failure to comply is alleged.³ Furthermore, 807 KAR 5:001, Section 20(4)(a), requires the Commission to examine the complaint to ascertain if the complaint establishes a *prima facie* case that the utility has violated a statute, regulation, tariff, or order for which the Commission may grant relief.⁴ 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.⁵

BACKGROUND

On July 10, 2026, Ms. Roland tendered a formal complaint with the Commission against Owen Electric concerning the installation of electric poles and utility lines erected to connect service to another property owner adjoining Ms. Roland's property. Ms. Roland argued that Owen Electric installed utility infrastructure within the boundaries of an easement restricted to vehicle and foot traffic, in addition to extending a 30-foot clearance zone into her private acreage, thus altering the primary purpose of a court settled travel easement.⁶ In her complaint, Ms. Roland requested that the Commission order Owen Electric to disconnect and de-energize the transmission line, physically remove all utility pole and associated infrastructure from the easement, restore the

³ 807 KAR 5:001, Section 20(1)(c).

⁴ 807 KAR 5:001, Section 20(4)(a).

⁵ 807 KAR 5:001, Section 20(4)(a)(1).

⁶ Complaint at 4–5.

easement to its original condition, and completely reroute the adjoining neighbors' service lines so that they do not infringe upon Ms. Roland's property.⁷

In its July 20, 2026 answer to Ms. Roland's complaint, Owen Electric provided an Application for Membership signed by Ms. Roland which granted Owen Electric a perpetual easement and right of free access for the purpose of providing electrical service to another member of the Cooperative.⁸ After another member of Owen Electric requested service, and despite having the right to proceed, Owen Electric stated it took a longer route and built a new line exclusively on the adjoining property in order to avoid Ms. Rolands property.⁹ Owen Electric did state that one of the poles used to provide service to the adjoining neighbor is adjacent to the shared driveway with the travel only easement, but that neither the pole nor the lines blocks the driveway.¹⁰ In addition, Owen Electric stated that when first contacted by Ms. Roland regarding this issue, Owen Electric's counsel communicated with Ms. Roland's counsel, and believed the matter resolved.¹¹

DISCUSSION AND FINDINGS

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

⁷ Complaint at 6–7.

⁸ Owen Electric Cooperative, Inc. (Owen Electric) Answer to Formal Complaint (filed July 20, 2026), at 16.

⁹ Owen Electric Answer to Formal Complaint at 5 and Exhibit D at 17.

¹⁰ Owen Electric Answer to Formal Complaint at 5 and Exhibit E at 18–20.

¹¹ Owen Electric Answer to Formal Complaint at 5.

Owen Electric. Although Ms. Roland was granted a transit easement, a signed application was submitted in the record granting Owen Electric a perpetual easement for the purpose of providing electrical service to another member of the Cooperative.¹²

Based on the information above, the Commission finds that Ms. Roland's complaint has failed to comply with the requirements of 807 KAR 5:001, Section 20(1)(c), and Section 20(4)(a), by not establishing a *prima facie* case for which the Commission has the jurisdiction to grant relief.

In accordance with 807 KAR 5:001, Section 20(4)(a)(1), the Commission also finds that Ms. Roland should be granted 20 days from the service date of this Order to amend her complaint with the Commission. In addition, the amended complaint must meet the requirements of 807 KAR 5:001, Section 20(1)(c), and state a *prima facie* case complying with 807 KAR 5:001, Section 20(4)(a).

All future filing should be submitted via U.S. Postal Service or by email at PSCED@ky.gov. Failure to file a properly filed timely amended complaint in this case will result in dismissal without prejudice. This Order should be served through the U.S. Postal Service, Certified Mail, Return Receipt Requested, and First-Class Mail upon Ms. Roland at the address listed in the complaint.

IT IS THEREFORE ORDERED that:

1. The complaint filed by Cheryl D. Roland is rejected for filing.
2. Cheryl D. Roland shall have 20 days from the date of service of this Order to file an amended complaint with the Commission that conforms to requirements of

¹² Owen Electric Answer to Formal Complaint at 5 and Exhibit C at 16.

807 KAR 5:001, Section 20(1)(c), and state a *prima facie* case complying with 807 KAR 5:001, Section 20(4)(a).

3. Failure to file a properly filed timely amended complaint in this case shall result in dismissal without prejudice.

4. A copy of this Order shall be served by U.S. mail, Certified Mail with Return Receipt Requested, and First-Class Mail on Ms. Cheryl D. Roland at 5785 Lawrenceville Road, Williamstown, Kentucky 41097.

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Entered on this 1st day of September, 2026.

PUBLIC SERVICE COMMISSION



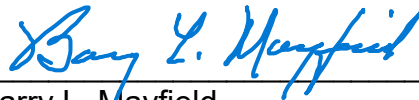
Angie Hatton
Chair



Mary Pat Regan
Vice Chair

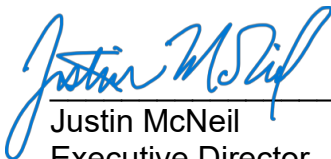


Andrew W. Wood
Commissioner



Barry L. Mayfield
Commissioner

ATTEST:



Justin McNeil
Executive Director

Service List for Case 2026-00190

* Cheryl D Roland
5785 Lawrenceville Road
Williamstown, KY 41097

* Owen Electric Cooperative, Inc.
8205 Highway 127 North
P. O. Box 400
Owenton, KY 40359

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8205 Highway 127 North
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