

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DATANYA SHANAY MORGAN,
Complainant,

v.

LOUISVILLE GAS AND ELECTRIC COMPANY (LG&E),
Respondent.

PSC CASE NO. 2026-00124

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**PUBLIC SERVICE
COMMISSION**

COMPLAINANT'S RESPONSE TO THE COMMISSION'S JUNE 16, 2026 ORDER

Comes now the Complainant, **DaTanya Shanay Morgan**, appearing on her own behalf, and respectfully submits this Response to the Commission's Order entered on June 16, 2026.

This filing responds to the findings contained in the Commission's Order, supplements the factual allegations previously presented, preserves the Complainant's objections, and expressly reserves all constitutional, statutory, administrative, civil, and procedural rights.

I. INTRODUCTION

The Commission concluded that the Complaint failed to establish a prima facie case and identified alleged procedural deficiencies.

The Complainant respectfully disputes those findings.

The Verified Complaint filed on May 12, 2026 presented substantial factual allegations regarding disputed utility billing, service disconnections, audit representations, requests for records, consumer complaint handling, billing verification, regulatory compliance, and alleged violations of Kentucky utility law and regulations. The Complaint specifically requested that the Commission initiate a formal investigation pursuant to KRS 278.260.

The Complainant submits that the allegations presented warranted substantive review and investigation.

II. RESPONSE TO THE COMMISSION'S PRIMA FACIE DETERMINATION

The Commission determined that the Complaint failed to establish a prima facie case.

The Complainant respectfully objects to that determination.

The original Verified Complaint specifically alleged:

- disputed utility billing;
- service disconnections during financial hardship;
- repeated requests for billing verification;
- repeated communications with Commission personnel over several years;
- representations that an account audit would be conducted;
- representations that an account audit had been completed;
- representations that audit documentation had been mailed;
- failure to receive the referenced audit documentation;
- statements from another Commission representative that no audit existed within Commission records;
- failure to provide billing verification;
- failure to provide audit documentation;
- failure to provide account review records;
- requests for preservation of records;
- requests for production of billing records;
- requests for production of audit records; and

- requests for a formal investigation under KRS 278.260.

The Complainant respectfully requests clarification regarding the factual basis upon which the Commission concluded these allegations were insufficient to establish a prima facie case.

Specifically, the Complainant requests clarification regarding:

1. What records were reviewed before issuance of the Commission's Order.
2. Whether Commission complaint files were reviewed.
3. Whether Commission call logs were reviewed.
4. Whether Commission internal notes were reviewed.
5. Whether prior communications with Commission personnel were reviewed.
6. Whether LG&E billing records were reviewed.
7. Whether any audit records were reviewed.
8. Whether any investigation occurred before issuance of the Order.

III. RESPONSE TO THE COMMISSION'S ALLEGED DEFICIENCIES

The Commission states that the Complaint contained procedural deficiencies.

The Complainant respectfully notes that the original Verified Complaint already identified:

- the disputed billing;
- service disconnections;
- audit representations;
- requests for billing verification;
- requests for audit documentation;
- requests for account review records;
- requests for investigation;
- requests for preservation of records;
- requests for corrective action; and
- the statutory and regulatory provisions believed applicable.

To the extent the Commission requires additional factual detail, the Complainant supplements the record through this Response while maintaining that the original Complaint already contained sufficient factual allegations to warrant investigation.

IV. PRIOR COMMUNICATIONS WITH THE PUBLIC SERVICE COMMISSION

The Complaint did not arise from a single isolated event.

The Complainant communicated with the Kentucky Public Service Commission on numerous occasions over several years regarding disputed billing, audit concerns, consumer complaints, and requests for information.

During those communications, the Complainant was advised by Commission personnel that an audit would be conducted, that the audit had been completed, and that documentation had been mailed to the address on file.

The Complainant never received the referenced documentation.

On May 12, 2026, the Complainant contacted the Commission and was advised by another Commission representative that there was no record of such an audit within Commission records.

The Complainant respectfully requests clarification regarding these inconsistent representations and whether Commission records relating to those communications were reviewed before issuance of the Commission's Order.

V. FAILURE TO INVESTIGATE

The Complainant respectfully questions whether any meaningful investigation occurred before the Commission determined that no prima facie case existed.

The Order primarily addresses procedural pleading requirements.

The Complainant respectfully requests clarification regarding:

- what investigative steps, if any, were taken;
- what evidence was reviewed;

- whether Commission complaint history was examined;
- whether prior communications were reviewed; and
- whether existing Commission records concerning the disputed account were considered before issuance of the Order.

VI. OBJECTION TO PROCEDURAL REQUIREMENTS

The Complainant respectfully objects to the use of procedural pleading requirements that, in the Complainant's view, delay or impede substantive review of consumer complaints involving essential utility services.

The Complainant further questions why existing records maintained by the Commission and LG&E were not reviewed before determining that the Complaint failed to establish a prima facie case.

VII. CONSTITUTIONAL OBJECTIONS

The Complainant objects to any interpretation or application of statutes, administrative regulations, procedural rules, or Commission practices that operate to deny meaningful review of consumer complaints involving essential utility services.

The Complainant contends that no statute, administrative regulation, Commission order, or agency practice may be applied in a manner that conflicts with rights protected by the Constitution of the United States or the Constitution of the Commonwealth of Kentucky.

The Complainant expressly preserves all constitutional objections and reserves all rights concerning the interpretation and application of the authorities relied upon in the Commission's Order.

VIII. RESERVATION OF RIGHTS

Nothing contained in this Response shall be construed as a waiver of any constitutional rights, statutory rights, civil rights, administrative remedies, procedural protections, or other rights available to the Complainant.

Participation in this administrative proceeding shall not constitute consent to waive any objection, defense, claim, or right.

The Complainant expressly reserves the right to supplement this filing with additional evidence, exhibits, correspondence, billing records, complaint history, recordings, witness statements, and any additional information obtained during these proceedings.

IX. RELIEF REQUESTED

WHEREFORE, the Complainant respectfully requests that the Kentucky Public Service Commission:

1. Accept this Response as timely filed.
2. Reconsider its determination that the Complaint failed to establish a prima facie case.
3. Clarify the records, evidence, and information reviewed before issuance of the June 16, 2026 Order.
4. Require Louisville Gas and Electric Company to produce all billing records, account records, meter records, audit records, complaint records, account review records, and any documents relied upon concerning the disputed account.
5. Initiate and conduct the formal investigation requested in the Verified Complaint pursuant to KRS 278.260.
6. Preserve all records, recordings, correspondence, complaint history, internal notes, and documents relevant to this matter.
7. Preserve the status quo and refrain from permitting adverse collection or disconnection activity concerning the disputed charges while this matter remains pending, to the extent authorized by law.
8. Grant such other and further relief as the Commission determines to be just and proper.

Respectfully submitted,

DaTanya Shanay Morgan
Complainant

Date: July 2, 2026

Email: [REDACTED]