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VIA ELECTRONIC FILING

Justin McNeil
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40601-8294

RECEIVED

SEP 25 2026

**PUBLIC SERVICE
COMMISSION**

September 25, 2026

Re: Datanya Morgan vs. Louisville Gas and Electric Company
CN 2026-00124

Dear Mr. McNeil:

Louisville Gas and Electric Company ("LG&E") hereby files its response to the Complainant's September 18, 2026 Application for Rehearing and Demand to Vacate Void Dismissal Order in the above-referenced case.

Please contact me if you have any questions concerning this filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael E. Hornung", is written over a light blue horizontal line.

Michael E. Hornung

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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

**LOUISVILLE GAS AND ELECTRIC COMPANY’S RESPONSE TO COMPLAINANT’S
APPLICATION FOR REHEARING AND DEMAND TO VACATE VOID DISMISSAL
ORDER**

The Public Service Commission’s (“Commission”) decision to dismiss the Complaint was warranted and fully consistent with the procedures set forth in 907 KAR 5:001, Section 20. Complainant Datanya Morgan’s (“Complainant”) Application for Rehearing and Demand to Vacate Void Dismissal Order (“Application”) fails to raise any new issues or meet the high burden required for rehearing. The Commission should deny her Application.

Procedural History

On May 11, 2026 Complainant filed the initial Complaint in this matter alleging she was overbilled and that Louisville Gas and Electric Company (“LG&E”) improperly disconnected her service. *See* Compl., Case No. 2026-00124.

On June 16, 2026, the Commission issued an Order finding that Complainant failed to establish a *prima facie* case as required by 807 KAR 5:001, Section 20(4)(a) and provided

Complainant with twenty days to amend the Complaint to establish a *prima facie* case. *See* PSC Order, June 16, 2026, Case No. 2026-00124.

Complainant filed a Response to the Commission’s Order on July 2, 2026. *See* Response to Commission’s June 16, 2026 Order, July 2, 2026, Case No. 2026-00124.

On July 6, 2026, Complainant filed a motion for an extension of time to supplement the record. *See* Mot. For Extension of Time to Supplement the Record Amend Compl., July 6, 2026, Case No. 2026-00124.

On July 20, 2026, the Commission issued an Order granting such an extension through August 14, 2026. *See* PSC Order, July 20, 2026, Case No. 2026-00124.

Complainant did not file any additional material prior to that date.

In an Order dated September 11, 2026, the Commission found that Complainant “has not established a *prima facie* case that LG&E violated a tariff, Commission order, regulation, statute, or other law for which the Commission can offer remedy.” *See* PSC Order, September 11, 2026, Case No. 2026-00124.

Complainant filed the Application on September 18, 2026. *See* Application for Rehearing and Demand to Vacate Dismissal Order, September 18, 2026, Case No. 2026-00124.

Argument

The Commission’s decision to dismiss the Complaint was warranted and fully consistent with the procedures set forth in 907 KAR 5:001, Section 20. Complainant’s Application fails to meet the burden required for rehearing under Kentucky law.

KRS 278.400 establishes the standard of review for motions for rehearing, and limits rehearing to new evidence not readily discoverable at the time of the original hearing, to correct any material errors or omissions, or to correct findings that are unreasonable or unlawful. A

Commission Order is deemed unreasonable only when “the evidence presented leaves no room for difference of opinion among reasonable minds.” *Energy Regulatory Comm’n v. Kentucky Power Co.*, 605 S.W.2d 46 (Ky. App. 1980). An order can only be unlawful if it violates a state or federal statute or constitutional provision. 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.

Complainant’s Application raises a number of claims regarding her opportunity to be heard. However, this assertion is belied by the facts. After her initial Complaint was deemed insufficient to establish a *prima facie* case, Complainant was given the opportunity to file an amended complaint. Complainant filed an amended complaint (titled “Response”). Complainant then requested additional time to supplement the record. The Commission granted this request and gave Complainant an additional four weeks to file any supplemental records. Complainant filed nothing during that time. Nor did Complainant file any additional records in the four weeks between the end of her initial extension of time and the date upon which the Commission issued the Order dismissing this matter. The approach taken by the Commission in this case more than complies with the procedures set forth in 907 KAR 5:001, Section 20 and gave Complainant every opportunity to be heard on this matter.

Moreover, Complainant fails to meet her high burden required for rehearing. Complainant’s Application introduces no new evidence that was not readily discoverable at the time of the original hearings, fails to demonstrate that the Commission’s Order contained material

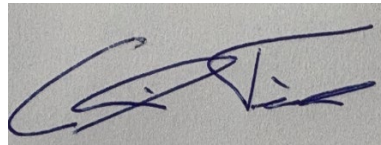
errors, omissions, or shows that any findings made by the Commission were unreasonable or unlawful.

Conclusion

The Commission fully complied with the provisions of 907 KAR 5:001, Section 20 and Complainant failed to meet the statutory burden for reconsideration under Kentucky law. Accordingly, the Application should be denied.

Dated: September 25, 2026

Respectfully submitted,

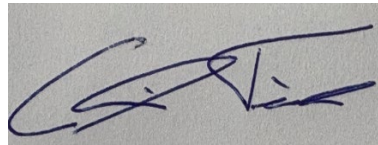
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*Counsel for Louisville Gas & Electric
Company*

CERTIFICATE OF SERVICE

In accordance with the Commission's Order of July 22, 2021 in Case No. 2020-00085 (Electronic Emergency Docket Related to the Novel Coronavirus COVID-19), this is to certify that the electronic filing has been transmitted to the Commission on September 25, 2026 ; and that a true and accurate copy of this filing has been sent via Certified U.S. Mail to Ms. Smith at the address provided on the Complaint.

A handwritten signature in blue ink, appearing to be "G. E. Smith", is written over a horizontal line.

*Counsel for Louisville Gas & Electric
Company*