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**PUBLIC SERVICE
COMMISSION**

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

Case No. 2026-00190

CHERYL ROLAND, Complainant

v.

OWEN ELECTRIC COOPERATIVE, INC., Defendant

REPLY TO DEFENDANT'S ANSWER AND SUPPLEMENT TO COMPLAINT

Comes now the Complainant, Cheryl Roland, acting *pro se*, and respectfully submits this combined **Reply to Owen Electric Cooperative, Inc.'s Answer** and **Notice of Supplemental Information** detailing the exact laws and administrative regulations violated by the Defendant utility:

I. REPLY TO DEFENDANT'S ANSWER AND REBUTTAL OF DEFENSES

1. REBUTTAL TO BLANKET EASEMENT CLAIM: Complainant denies that a standard customer service agreement signed in 2008 grants Owen Electric a broad "blanket easement" capable of overriding recorded Kentucky real estate instruments. Utility regulations and state property law do not permit boilerplate service applications to unseat explicitly defined, metes and bounds property restrictions.

2. REBUTTAL TO CASUAL CHAT CLAIM: Complainant denies that a friendly phone conversation with counsel equates to a formal conveyance of property rights. The Kentucky Statute of Frauds (**KRS 371.010**) strictly mandates that any modification or granting of easement rights must be explicitly executed in writing by the lawful interest holder.

3. REBUTTAL TO CONTIGUOUS PROPERTY CLAIM: Complainant denies that the contiguity of her property to the service applicant grants Owen Electric an automatic right to occupy her restricted ingress/egress corridor. Nine other contiguous properties exist, and the utility possesses alternative routes that do not obstruct a strictly defined travel-only corridor.

4. REBUTTAL TO ACCOMMODATION DEFENSE: Complainant strongly denies that Owen Electric's decision to avoid using an existing pole in her residential yard grants the utility an implied legal right to encroach upon her separate, restricted 40-foot ingress/egress corridor. Complainant requested yard accommodations specifically to maintain a physical safety buffer due to documented harassment and boundary aggression from the service applicant. Owen Electric cannot legally convert a critical safety accommodation into a blanket license to violate recorded property deeds or bypass standard title-checking procedures.

5. REBUTTAL TO EASEMENT DEED NOT PROHIBITING UTILITY ACCESS: When an easement deed is silent regarding utilities, Kentucky courts have determined that utilities are not included.

II. STATEMENT OF FACTS AND EVIDENCE OF WILLFUL MISCONDUCT

1. There exists a legally recorded 40-foot metes and bounds ingress/egress corridor affecting the subject property, as clearly outlined in the public property records of the Grant County Clerk in Williamstown, Ky. This transit corridor is a shared easement utilized by three parties: the Complainant, the service applicant, and another neighbor.

2. Thirty (30) days prior to construction, Complainant explicitly notified Owen Electric's Planning Department via email and verbally on-site that the proposed pole placement fell within a restricted 40-foot ingress/egress corridor, along with information regarding the controlling deed documents. Further, Complainant phoned the Engineering and Design Department followed by email conversations regarding the proposed project utilizing the restricted travel-only corridor.

3. Ten (10) days prior to construction, seeing no corrective action, Complainant escalated the matter and sent the formal, recorded Easement Agreement directly to Owen Electric's Legal Department via email.

4. On April 27, 2026, during an official on-site property inspection prior to construction, Owen Electric Planning Supervisor Greg Humphries, who was actively accompanied by a new utility planner, openly admitted to the Complainant that the applicant requesting service claimed to "own the easement and have authority" and that the other neighbor "didn't mind them using the easement" as long as they stayed off his specific side.

5. On that same April 27 site visit, Complainant explicitly and directly corrected Supervisor Humphries on-site, informing him that the applicant did not own the easement, did not possess the authority to grant permission, and that the other neighbor's verbal consent was legally invalid to bind or restrict a shared transit lane.

6. Furthermore, on September 10, 2025, the former Planner, visited the site to discuss the initial proposed construction which would have used the pole in Complainant's residential yard, then cross over the travel corridor. Complainant, at that time, requested accommodation for safety reasons to not use that pole nor her property. Complainant had mapped out an alternative route which Complainant believed solved the problem when a new pole with crossarms was placed a few months later on an adjacent property within easy reach of the applicant's property, avoiding both Complainant's property and the travel corridor.

7. Despite receiving a 9-month notice, a 30-day written notice, a 10-day legal notice, and the live verbal warning on April 27, Owen Electric deliberately entered the site and erected two (2) utility poles and three (3) guy wires directly inside this active ingress/egress corridor.

III. SPECIFIC STATUTORY AND REGULATORY VIOLATIONS

1. VIOLATION OF KRS 278.030(2) (FAILURE TO PROVIDE REASONABLE SERVICE): Owen Electric failed to furnish adequate, efficient, and reasonable service by neglecting basic administrative diligence as detailed herein and further outlined in Exhibit A.

2. VIOLATION OF KRS 371.010(6) (STATUTE OF FRAUDS): Owen Electric attempted to establish rights to construct utility poles and guy wires based entirely on unverified verbal claims of third parties, directly violating written property restrictions.

3. VIOLATION OF 807 KAR 5:006, SECTION 10 (REFUSAL TO INVESTIGATE A DISPUTE): By moving forward after Complainant explicitly notified Supervisor Humphries on-site of the active title dispute, the utility substituted an intentional refusal to investigate for a mandatory regulatory duty.

4. VIOLATION OF LINE EXTENSION TARIFFS: Owen Electric directly deviated from its own PSC-approved Tariff rules, which require the utility to establish a valid, clean, and legally binding right-of-way easement before construction begins.

5. VIOLATION OF KRS 278.170 (DISCRIMINATION AND UNREASONABLE PREFERENCE): Owen Electric directly violated KRS 278.170(1) by catering to the unverified verbal preferences of the other two shared easement users to systematically shift the infrastructure burden exclusively into the Complainant's path of travel.

6. VIOLATION OF 807 KAR 5:006, SECTION 25 (FAILURE OF MANAGEMENT OVERSIGHT): Supervisor Humphries actively trained a subordinate employee that a regulated utility may bypass standard title verification procedures and instead rely on legally invalid verbal assertions, proving a severe failure of management oversight.

7. AGGRAVATED WILLFUL VIOLATION UNDER KRS 278.990(1): By proceeding in spite of compounding written, legal, and live verbal notices, Owen Electric demonstrated a conscious, bad-faith defiance of Kentucky utility regulations.

IV. DEFENSE AGAINST MOTION TO DISMISS

Complainant respectfully requests that the Commission flatly DENY Owen Electric's request for dismissal. Material facts remain fiercely in dispute regarding the physical placement of utility infrastructure, and Complainant has provided a prima facie case of willful regulatory violations that warrant further investigation.

V. REQUEST FOR RELIEF

Wherefore, Complainant requests that the Commission:

1. Order Owen Electric to immediately remove the two poles and three guy wires from the restricted 40-foot ingress/egress corridor;
2. Order Owen Electric to restore the land to its original condition;
3. Find that Owen Electric unlawfully discriminated against Complainant in direct violation of **KRS 278.170**;
4. Levy civil penalties against the utility for willful violations pursuant to **KRS 278.990**; and
5. Grant any other relief to which the Complainant may be entitled.

Dated: August 7, 2026

Respectfully submitted,

/s/ Cheryl D. Roland

Cheryl D. Roland, Pro se Complainant

5785 Lawrenceville Rd
Williamstown, KY 41097



CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Reply and Supplement to Complaint was served via electronic mail and standard U.S. Postal mail on this 7th day of August, 2026, upon the designated legal counsel for the Defendant utility:

Hon. Jake A. Thompson
Hon. James M. Crawford
CRAWFORD & BAXTER. P.S.C.
JThompson@cbkylaw.com
523 Highland Avenue
P. O. Box 353
Carrollton, KY 41008
Counsel for Owen Electric Cooperative, Inc.

/s/ Cheryl D. Roland

Cheryl D. Roland, Pro se Complainant

LIST OF ATTACHED EXHIBITS:

Exhibit A: Complainant's Detailed Log of Additional Violations and Supporting Arguments.

Exhibit B: Recorded Deed/Easement Agreement of the 40-foot corridor.

Exhibit C: Logs of emails to Owen Electric Planning and Engineering/Design Departments (Sent 30 days prior to construction).

Exhibit D: Email to Owen Electric Legal Department (Sent 10 days prior to construction).

Exhibit E: Photographs of the 2 poles and 3 guy wires obstructing the corridor.

Exhibit A

COMPLAINANT’S DETAILED LOG OF ADDITIONAL REGULATORY VIOLATIONS AND SUPPORTING ARGUMENTS

Complainant, Cheryl Roland, hereby submits the following additional evidentiary points, regulatory citations, and operational notes detailing the continuous non-compliance of Owen Electric Cooperative, Inc. in Case No. 2026-00190:

**1. VIOLATION: FAILURE TO PROVIDE REASONABLE SERVICE AND VIOLATION OF FILED
TARIFFS UNDER KRS 278.030 and 807 KAR 5:006**

Owen Electric has failed to furnish adequate, efficient, and reasonable service. Instead, the utility engaged in bad-faith engineering and deployment practices by forcing an installation over a contested right-of-way. Furthermore, Owen Electric’s official filed tariff explicitly requires a valid utility right-of-way prior to construction. By substituting a valid and lawful right-of-way with a pattern of verbal coercion, deception, and administrative pressure, the utility has violated the very rules governing the conduct of its business under **KRS 278.030(2)** and **807 KAR 5:006**.

**2. VIOLATION: FAILURE TO PROVIDE REASONABLE SERVICE AND VIOLATION OF FILED
TARIFFS UNDER KRS 278.030 and 807 KAR 5:006**

Owen Electric failed to furnish adequate, efficient, and reasonable service and violated their own rules by which they conduct their business by willfully misrepresenting and using deceptive utility practices to the Commission. In its Formal Answer, Owen Electric asserted in bad faith that its legal counsel “believed the matter resolved” based on a mischaracterized conversation with the Complainant’s attorney. This assertion is blatantly false and designed to deceive the Commission. Owen Electric possessed actual, written, and explicit notice of the Complainant’s total objection via onsite verbal notice to Greg Humphries, Planning Supervisor, accompanied by the new planner, on 4/27/26, multiple emails and phone calls with Greg Humphries, Lucas McNally, and legal counsel Jake Thompson. Complainant actually emailed the documents controlling the use of the

travel corridor to their legal counsel Jake Thompson on 5/23/26. Using a casual conversation with counsel to falsely imply consent, while simultaneously leveraging external administrative pressure through the Attorney General's Office of Rate Intervention (Heather Napier) to coerce the Complainant, constitutes a gross abuse of the regulatory process and violation of the rules governing the conduct of its business under **KRS 278.030(2)** and **807 KAR 5:006**.

3. VIOLATION: STATUTORY DISCRIMINATION AND UNREASONABLE PREJUDICE UNDER KRS 278.170 and KRS 278.030

Owen Electric Cooperative has failed to provide adequate, efficient, and reasonable service by willfully abusing its monopoly power by subjecting the Complainant to severe and unreasonable prejudice. The utility knowingly bypassed the Complainant's explicit, written objections to construct hazardous infrastructure within a recorded dominant travel easement. To accommodate a single, unpermitted structure, Owen Electric chose to destroy the Complainant's safe roadside clear-zones, limit emergency fire/medical vehicle access, and create severe life-safety hazards. By rushing infrastructure to a pedestal sitting near a weekend camper while actively destroying a Complainant's property rights constitutes an unconscionable and illegal preference under **KRS 278.170** and a failure to provide reasonable service under **KRS 278.030(2)**.

4. VIOLATION: SEVERE SAFETY HAZARD, PHYSICAL OBSTRUCTION UNDER KRS 278.030(2) and NESC STANDARDS UNDER KRS 278.042, STATUTORY DISCRIMINATION KRS 278.170 and CLEAR-ZONE ENCROACHMENT ONTO PRIVATE ACREAGE

Owen Electric has failed to provide adequate, efficient, reasonable and safe service and has subjected Complainant to an extreme disadvantage and prejudice. They knew that the Applicant's property was surrounded by nine (9) other properties also contiguous with that of the Applicant. Instead, the utility carelessly chose to insert an invalid 30-foot-wide utility right-of-way inside Complainant's 40-foot-wide travel-only corridor when other possible engineering options actually existed. In addition to needing to spill over the hard wall of the corridor boundary onto neighboring private land in an attempt to accomplish this impossible feat without a valid right-of-way, they placed two (2)

massive poles and guy wires recklessly and hazardously close to the driving surface creating a severe safety trap and crash hazard. By ignoring logical, reasonable safety practices and other options in a rush to complete the project for the demanding camper owner and creating a hazardous bottleneck obstruction as well as crash hazards in Complainants only access when other options existed, Defendant has failed to provide adequate, efficient, reasonable and safe service as well as non-prejudicial treatment under **KRS 278.030(2)**, **KRS 278.042** and **NESC safety protocols**, and **KRS 278.170**, as follows:

- **Pole 1** is dangerously placed approximately **7.5 feet from the meandering gravel driveway, slightly downgrade, right at a blind hill crest on a curve**. As a vehicle crests this hill, the hood rises and the driver completely loses sight of the driveway. Pole 1 appears **directly in the center of the windshield, causing severe driver disorientation** as to where the driveway sits on the curve, nearly forcing vehicles completely off the road. Furthermore, this sits in a **severe winter crash zone**; because drivers must build up heavy momentum at the bottom of the hill to climb it in even 2–3 inches of snow, vehicles are prone to fish-tail, go sideways, and spin out directly into the area where this pole sits.
- **Pole 2 and its guy wire** are placed a mere **3 feet from the gravel driveway** on the opposite side of the hill on a bank, located **directly across the driveway from a neighbor's entrance**, creating an unavoidable crash hazard when vehicles are backing out or sliding on winter ice and snow. Under **KRS 278.030(2)** and the **National Electrical Safety Code (NESC)** standards adopted by **KRS 278.042**, utilities are strictly required to maintain **safe, adequate, and reasonable infrastructure [KRS 278.030(2), KRS 278.042]**.
- Placing infrastructure that disorients drivers on a blind crest and pins them on a slick bank where they must maintain high momentum is an egregious safety violation under **KRS 278.042** and **NESC safety standards**, a severe failure to provide adequate, efficient, and reasonable service under **KRS 278.030(2)**, and

subjects Complainant to risk of severe injury, property damage, and extreme prejudice under **KRS 278.170**.

5. VIOLATION: STATUTORY DISCRIMINATION, UNREASONABLE PREJUDICE, and INCONSISTENT UTILITY PLACEMENT UNDER KRS 278.170 and KRS 278.030(2)

Defendant violated **KRS 278.170** and failed to furnish adequate, efficient, and reasonable service by establishing an inconsistent, preferential, and highly hazardous infrastructure layout by failing to treat customers similarly under similar conditions. While other utilities correctly respected the “travel-only” restrictions of the corridor or utilized alternate routes, Defendant engaged in inconsistent infrastructure placement, subjecting the Complainant and another neighbor to a severe disadvantage and prejudice. They constructed--preferentially for the underlying owner--the massive utility infrastructure requested within a travel-only corridor subjecting Complainant to a severe and unreasonable prejudice while ignoring that the same underlying owner had previously refused the Complainant access to run a waterline through a small section of this exact corridor. This resulted in the Corinth Water District previously being denied boring access. Despite knowing that utility access through this corridor was a contested, blocked, and highly restricted matter—and that they were moving forward with an invalid right-of-way—Owen Electric chose to ignore the corridor's history and Complainant's objections subjecting Complainant to a double disadvantage and unreasonable prejudice as to adequate, efficient, and reasonable service under **KRS 278.170** and **KRS 278.030(2)**.

Signed: Cheryl D. Roland

Cheryl D. Roland, Pro se Complainant

Exhibit B
Recorded Deed/Easement Agreement
for the 40-foot corridor

(This attached file is from Formal Complaint of July 10, 2026)



Exhibit A Recorded Documents.zip

Exhibit C

Logs of emails to Owen Electric Planning and Engineering/Design Departments (Sent 30 days prior to construction)

GH

Greg Humphries

Add keywords

Messages

Photos

Documents

All

Keep as New

Move

Delete

Spam

*** More

Sort

April

</

Exhibit C

Logs of emails to Owen Electric Planning and Engineering/Design Departments

(Sent 30 days prior to construction)

(continued)

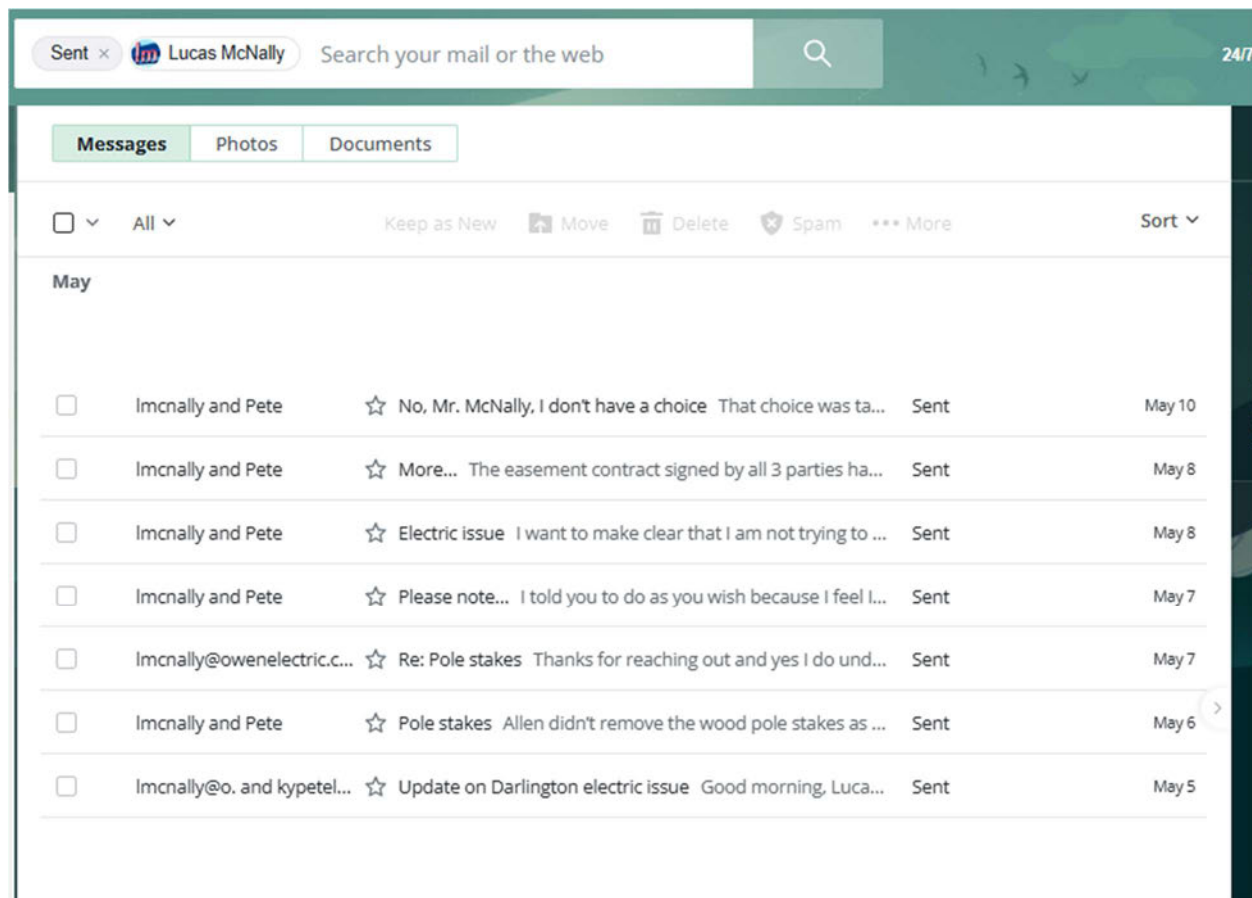


Exhibit D

Email to Owen Electric Legal Department

(Sent 10 days prior to construction)

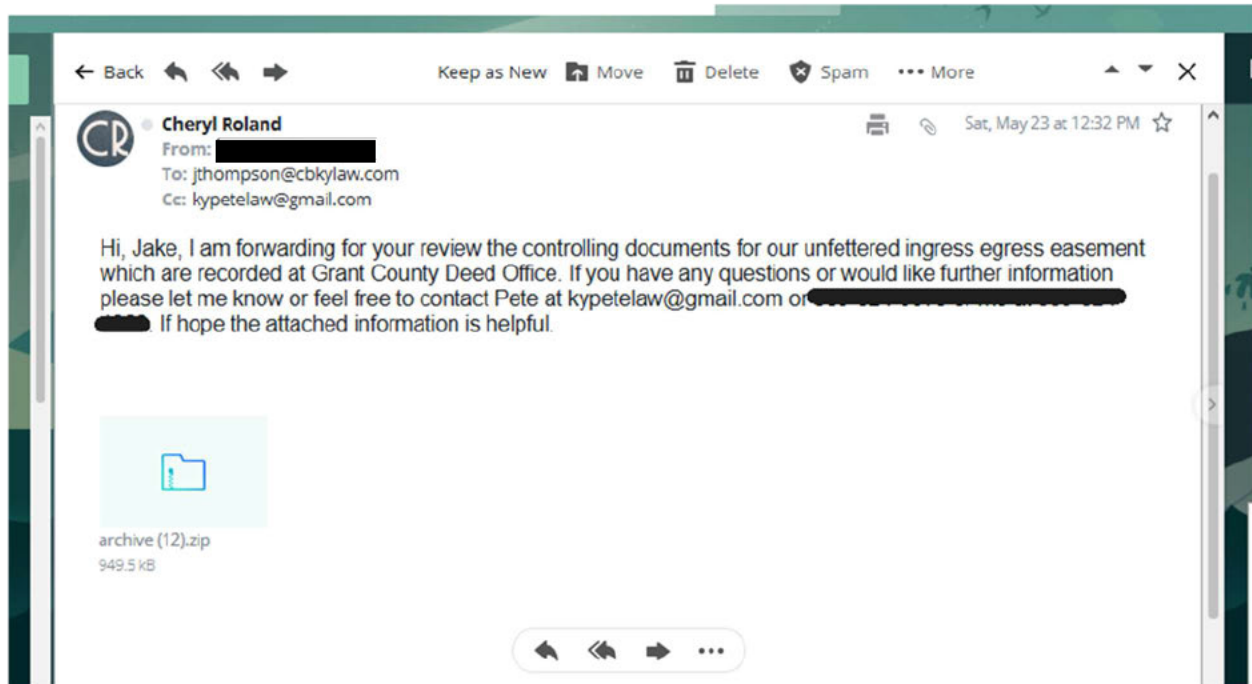


Exhibit E

Photographs of the 2 Poles and 3 Guy Wires

Obstructing the Corridor

(This attached file is from Formal Complaint of July 10, 2026)



Exhibit D Driveway Photos.zip