COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MARY CHARLOTTE SMYLY	)	
	)	
COMPLAINANT	)	
	)	CASE NO.
V.	)	2009-00364
	)	
LOUISVILLE GAS AND ELECTRIC COMPANY	)	
	)	
DEFENDANT	)	

ORDER TO SATISFY OR ANSWER

Louisville Gas and Electric Company ("LG&E") is hereby notified that it has been named as defendant in a formal complaint filed on September 3, 2009, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, LG&E is HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days of the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

By the Commission

ATTEST:

Executive Director

ENTERED

SEP 28 2009

KENTUCKY PUBLIC SERVICE COMMISSION

gS

COMMONWEALTH OF KENTUCKY CASE NO: 2009-00364

BEFORE THE PUBLIC SERVICE COMMISSION

In the matter of:

MARY CHARLOTTE SMYLY
(Your Full Name)
COMPLAINANT

VS.

LG&E / EON-US
(Name of Utility)
DEFENDANT

RECEIVED
SEP 03 2009
PUBLIC SERVICE COMMISSION

COMPLAINT

The complaint of MARY CHARLOTTE SMYLY respectfully shows:
(Your Full Name)

(a) MARY CHARLOTTE SMYLY
(Your Full Name)
1412 N ENGLISH STATION RD
LOUISVILLE, KENTUCKY 40223
(Your Address)

(b) LG&E / EON-US
(Name of Utility)
820 W. BROADWAY
LOUISVILLE, KY 40202
(Address of Utility)

(c) That ATTACHMENT PAGES 1 & 2 of 2
(Describe here, attaching additional sheets if necessary,

the specific act, fully and clearly, or facts that are the reason

and basis for the complaint.)

Continued on Next Page

Formal Complaint

MARY CHARLOTTE SMITH vs. LG&E/EON-US

ATTACHMENT PAGES 1 & 2 of 2

Wherefore, complainant asks 1) SELECT DUE DATE PROGRAM
(Specifically state the relief desired.)

REINSTATED, 2) REMOVAL OF DEPOSIT FEE, 3) REMOVAL OF RECONNECTION FEE, 4) REMOVAL OF ALL LATE FEES 5) COMPENSATION FOR DAMAGE TO ELECTRONIC EQUIPMENT

Dated at LOUISVILLE, Kentucky, this 02 day
(Your City)

of SEPTEMBER, ~~[illegible]~~ 2009
(Month)

Mary Charlotte Smith
(Your Signature)

(Name and address of attorney, if any)

ATTACHMENT PAGE 1 of 2

I am contesting late fees, a reconnection fee, a deposit charge and overcharges. Also I want compensation for damage done to my electronic equipment due to their negligence.

I, for myself and others, am requesting a customer selected due date program for those on whom the current plan is a hardship.

For about two years I have been asking LG&E/EON-US to change the due date of payment for services from the end of the month to mid-month when I would have the funds to pay the bill on time. Their customer service people would say they would accommodate my request and when it didn't happen I would call again and would be told that they would not allow a later pay date then the one on the bills. This went on for months and months until after I was disconnected and I spoke with LG&E/EON-US's "Customer Commitment" manager and their attorney. Then with the migration to their new system, "Customer Care Solution," the selection option was eliminated altogether.

Also, LG&E's bills evidently come from Louisville, KY but the pay stub has an Atlanta, GA address. In general, the period of time from receiving billing, sending payment, and having payment processed in Atlanta practically guarantees late fees.

In December 2008 LG&E turned off my electrical service without notice. As a result 1) the registry in a computer was damaged ($500.00 for repair), 2) a DVD player was damaged beyond repair, 3) I was charged a $20 reconnection fee and 4) I was charged a $240 deposit.

In February 2009 LG&E sent two men in a bucket truck who, again without notice, turned off the electricity. It would have been a simple thing for one of them to announce the outage before the fact. Again, I had computer damage. There was a witness.

I made payment for two months on which I was charged late fees. Some of the money intended for services received was diverted to satisfy the contested deposit without my knowledge. I wasn't told that that was what they were doing and there was no indication on the bills. I found out about this after I asked how the contested deposit had been paid because the third bill indicated payment but did not state how that happened. Their old billing system for two months showed both a required deposit and no deposit due.

LG&E/EON-US's old billing system was flawed which I pointed out in a meeting with them. Besides discontinuing the option of customer selected due dates in the new system, which works hardship on a lot of customers, the new system (computer and/or

ATTACHMENT PAGE 2 of 2

human processing) also seems to have problems.

Example 1 - my bill with a due date of 08/24/09 shows a charged late fee for a payment which was definitely not late and a gas usage charge where there was no usage. The utility charge was due 07/27/09 and a payment was made 07/21/09. Yet I was charged a late fee. This has been pointed out to "Customer Commitment" twice to no avail.

Example 2 - On 31 August 2009 I received a disconnection notice even though it is my understanding that "customer accounts shall be considered to be current while the dispute is pending as long as a customer continues to make undisputed payments and stays current on subsequent bills". LG&E's bill with due date of 08/24/09 shows a balance due of $419.35. I paid $126.53 which includes one contested charge. The contested balance becomes $292.82. But the disconnection notice says that I owe $299.15. The difference is significant to me. And since I am being overcharged, what about the rest of LG&E/EON-US's customer set?

YAHOO! MAIL Classic

RE: Account Information

Tuesday, June 30, 2009 10:33 AM

From: "Clark, Katrina" <Katrina.Clark@eon-us.com>
To: [redacted]
Cc: "Melton, Timothy" <Timothy.Melton@eon-us.com>, "Stethen, Julie" <Julie.Stethen1@eon-us.com>
Billing History.doc (54KB)

Ms. Smyly,

Mr. Melton asked me to re-send the response that I sent to you on Thursday, June 25, 2009.
Katrina Clark
Customer Commitment (502-627-2202)
PSCComplaints@eon-us.com

From: Clark, Katrina
Sent: Thursday, June 25, 2009 9:04 AM
To: [redacted]
Cc: Melton, Timothy
Subject: Account Information

Ms. Smyly,

Mr. Melton has asked me to respond to your recent e-mail.

I have updated the billing and payment history that Ginny Smith forwarded to you some time ago. (See Attached)

In reference to your question about the deposit billing;

- Your bill due on 2/9/09 indicates a required deposit of $240
- Your bill due on 3/9/09 indicates a required deposit of $240

2/12/09 - Payment received: $269.87 ($55.04 was applied to deposit & remaining $214.83 was applied to current charges)
3/10/09 - Payment received: $214.83 ($184.96 was applied to the remaining deposit and $29.87 was applied to the account balance)

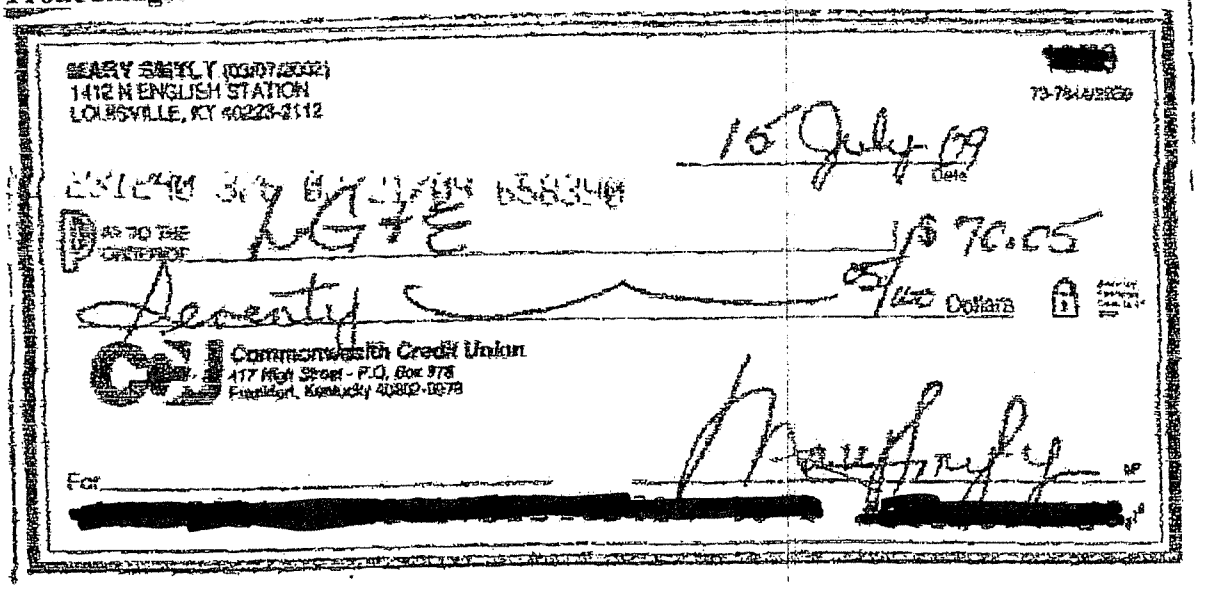
- Your bill due on 4/9/09, reflected the deposit as being paid in full, which is correct.

I trust this information will be help you to understand your account balance.

Sincerely,

Katrina Clark

Front Image:


MARY SMITH (03/07/2002)
1412 N ENGLISH STATION
LOUISVILLE, KY 40223-2112

[redacted]

15 July 09
Date

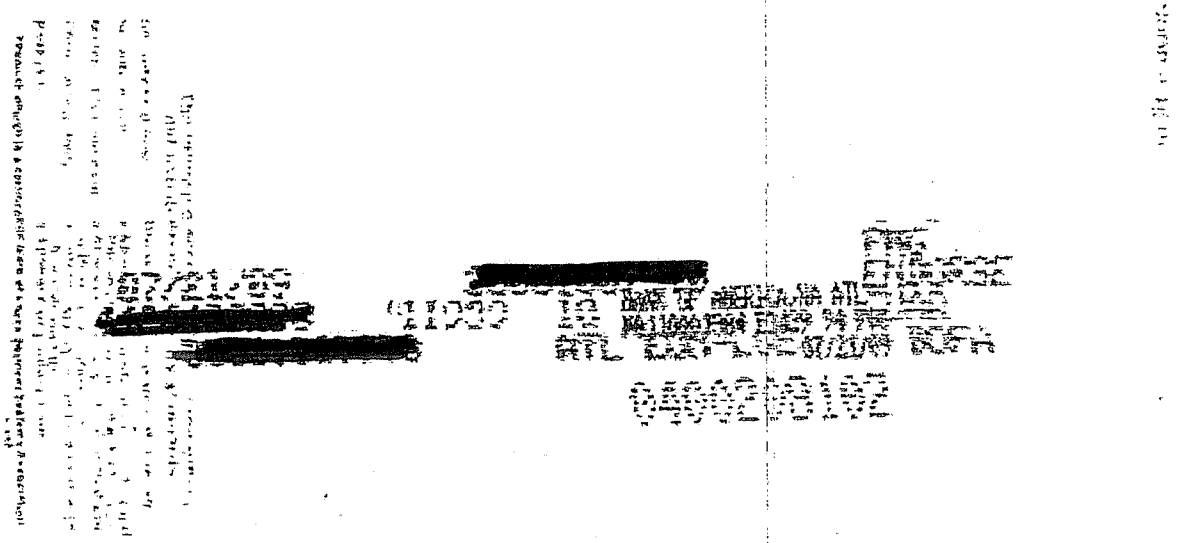
Pay to the Order of: UGE $ 70.05

Seventy 05/100 Dollars

Commonwealth Credit Union
417 High Street - P.O. Box 978
Frankfort, Kentucky 40602-0978

For [redacted]

Back Image:



LG&E
an E-on company

Customer Service: (502) 589-1444 Mon-Fri 7AM-7PM
Walk-In Center Hours: Mon-Fri 8AM-5PM
Telephone Payments: (800) 780-9723
Power Outage Reporting: (502) 589-3500
www.eon-us.com

FINAL PAY DATE	DELINQUENT AMOUNT DUE
09/07/09	$299.15

Reconnection of Service:
Service will be reconnected within 24 hours after verification of full payment of the delinquent amount due. A reconnect fee and a new or additional deposit will be required as a condition of reconnection. If paying by credit card, debit card, or electronic check or at one of our Authorized Payment Agent locations, you will need to call LG&E Customer Service at (502) 589-1444 after payment is made in order to have your service restored.

ACCOUNT INFORMATION

Account Number: [redacted]
Account Name: MARY SMYLY
Service Address: 1412 N ENGLISH STATION RD LOUISVILLE KY

Unauthorized reconnection of service is a crime - punishable by law.

DISCONNECTION NOTICE

Payment required by the final payment date to avoid disconnection: 299.15

BILLING INFORMATION

Your account is past due. If full payment of the delinquent amount due is not received by the final pay date shown above, your service will be subject to disconnection.

CUSTOMER ASSISTANCE

If you are unable to pay the total delinquent amount by the final pay date, call our Customer Service department. You may also contact the Commonwealth of Kentucky's Cabinet for Families and Children at (800) 372-2973 for information about the availability of local, state or federal programs for assistance.

Full payment of the delinquent amount due can be made:

- By credit card, debit card, or electronic check by calling (800) 780-9723. (Transaction fees may apply.)
- On-line at www.eon-us.com. (Transaction fees may apply.)
- By mail. (Payment must be received by the Final Pay Date listed above to avoid disconnection of service.)
- At one of our Authorized Payment Agent locations. (You must present a recent bill at the time you make your payment.)
- At your local LG&E Customer Service Center.

The final pay date will not change upon receipt of future bills. If you dispute the reason for termination, call LG&E at (502) 589-1444.

419.35 299.15
-126.53 -292
292.82 6.3

Customer Service (502) 589-1444

Account Number
[redacted]

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Final Pay Date	Delinquent Amount Due	Amount Enclosed
09/07/09	$299.15	$

OFFICE USE ONLY:
MRU080000, G000000

#423904564 8#
120002983 01 AV 0.335
MARY SMYLY
1412 N ENGLISH STATION RD
LOUISVILLE KY 40223-2112

LG&E

PO BOX 538612
ATLANTA, GA 30353-8612

PRINTED ON RECYCLED PAPER
RW, 09.06.12

Service Address: 1412 N ENGLISH STATION RD
Home Phone (502) 245-4236

[redacted]

LG&E
an eon company

Customer Service: (502) 589-1444 Mon-Fri 7AM-7PM(EST)
Walk-In Center Hours: Mon-Fri 8AM-5PM(EST)
Telephone Payments: (800) 780-9723
Power Outage Reporting: (502) 589-3500
www.eon-us.com

DUE DATE	AMOUNT DUE
08/24/09	$419.35

Current due date applies to the current bill only. Previous amount due may be subject to disconnection.

from 311

701 South 9th St (no pgp)

Averages for Billing Period	This Year	Last Year
Average Temperature	74°	80°
Number of Days Billed	29	29
Electric/kwh per day	52.2	27.2
Gas/ccf per day	0.1	0.0

ACCOUNT INFORMATION

Account Number:	[redacted]
Account Name:	MARY SMYLY
Service Address:	1412 N English Station Rd
Next Read Date:	09/09/09

BILLING SUMMARY

Previous Balance		460.27
Payment as of 08/12		(170.95)
Balance as of 08/12		289.32
Electric Charges	$126.53 113.02	
Gas Charges	13.51	
Utility Charges as of 08/12	#1077	126.53
Other Charges		3.50
Total Amount Due		**419.35**

ELECTRIC CHARGES

Rate Type: Residential Electric Service

Customer Charge	5.00
Energy Charge	100.94
Other Charges For Above Rates	
Electric Fuel Adjustment ($0.00184 x 1516 kwh)	2.79
Electric DSM ($0.00193 x 1516.00 kwh)	2.93
Environmental Surcharge (1.080% x $111.66)	1.21
Home Energy Assistance Fund Charge	0.15
Total Electric Charges	$113.02

Value Markets
315 Whittington Pkwy
Louisville, KY
Jason Lindsay 40222
423-9110

100.90
70.05
170.95

paid 8/21/09 OK $126.53

GAS CHARGES

Rate Type: Residential Gas Service

Customer Charge	9.50
Gas Distribution Charge ($0.21349 x 5 ccf)	1.07
Gas Supply Component ($0.46914 x 2 ccf)	0.94
Gas Supply Component ($0.59913 x 3 ccf)	1.80
Other Charges For Above Rates	
Gas DSM ($0.00923 x 5.00 ccf)	0.05
Home Energy Assistance Fund Charge	0.15
Total Gas Charges	$13.51

9.50
.15
9.65

13.51
9.65
3.86

Please see reverse side for additional charges. Bring entire bill when paying in person.

Customer Service (502) 589-1444

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Account Number	Payment Due Date	Amount Due by Due Date	Amount Due 3 Days After Due Date	Winter Help Donation	Amount Enclosed
[redacted]	08/24/09	$419.35	$425.68		$

☐ Check here if plan(s) requested on back of stub

Home Phone (502) 245-4236
OFFICE USE ONLY:
MRU08833025, G000000
P460.27

LG&E

PO BOX 538612
ATLANTA, GA 30353-8612

#122314274 4#
110009234 01 AV 0.335
MARY SMYLY
1412 N ENGLISH STATION RD
LOUISVILLE KY 40223-2112

PRINTED ON RECYCLED PAPER Rev. 09.08.11

Service Address: 1412 N English Station Rd

[redacted]

Lonnie E Bellar
Vice President - State Regulation
Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40202

Mary Charlotte Smyly
1412 N. English Station Rd
Louisville, KY 40223