

BEFORE THE PUBLIC SERVICE COMMISSION OF THE
STATE OF MISSOURI

FILED
MAR 31 2000

Missouri Public
Service Commission

Philip Olson)
(your name))
Complainant)

Case No. EC-2000-614

vs.)

KCPL)
(company name))
Respondent)

COMPLAINT

Complainant resides at 3655 Campbell Street, Kansas City, MO 64109.

1. Respondent, Kansas City Power and Light Company of Kansas City, MO, is a public utility under the jurisdiction of the Public Service Commission of the State of Missouri.

2. As the basis of this complaint, complainant state the following facts:
We moved into 3655 Campbell on March 1, 1999. On March 15 we received two bills from KCPL, one for the main house, and one for a basement apartment that had been rented, but which we used as living quarters for ourselves along with the rest of the house. I paid both bills (copies attached). I did not notice until several months later that one bill had 3655 Campbell and the other had 3655A Campbell. On the 3655 bill dated March 12, 1999 there was a statement on the stub to be returned with payment that read something like, "This is a final bill." I crossed this statement out and wrote in the following: "This is a new account." Subsequently I received only one monthly bill from KCPL, which I assumed was a merger of the two accounts since there was only one family living in the entire house. Having not been a resident of this house previously I had no way to know whether the bill I received and paid regularly represented the entire house or not. I assumed it did, since I had corrected the March bill telling them this was a new account, not a final account. In mid November KCPL wrote to me that I had been using power illegally and I owed over \$700; in December I received a bill showing the total owed to KCPL as of 12-10-99: 827.56 (a copy of this bill is attached).

3. The complainant has taken the following steps to present this complaint to the respondent: Upon receipt of the bill I called KCPL and talked with a representative explaining the circumstances, and saying that I did not feel I owed this past amount since it was their mistake in billing. KCPL rejected this argument and stated I owed the full amount. I then contacted the Public Service Commission representative, Michelle Bocklage by phone and she on January 5, 2000 wrote stating that according to the Rule and Regulations of the MPSC I did owe the amount alleged by KCPL, stating the terms under which KCPL would allow such payments to be made (copy of letter attached—excuse the scribbles, but my 2 year old daughter used the letter to practice her writing without my knowledge). I again phoned Ms. Bocklage to inquire about an appeal, which this paper represents. I phoned KCPL to acknowledge that I was filing an appeal and was told they would note this and although continue to keep billing me for the full amount would not charge interest. Following that call I made, I received a call from a Mr. Douglas Nicholson at KCPL who offered again to settle with me on the terms that were set out in the letter I received from Ms. Bocklage dated Jan. 5, 2000. I informed him I was filing a formal appeal, and he said KCPL would not take any other action until the appeal was completed. Today (March 30) a KCPL worker arrived and announced he was here to turn off the power. The best he could do, he explained, to not turn it off now was to collect \$185, which would have been the winter weather monthly rate. I paid him this amount (receipt enclosed). This was a direct violation of KCPL's promise not to take further action until the appeal had been filed and resolved. Thus my complaint now includes this violation of their agreement and their threat to my wife to turn off our power, which both embarrassed and humiliated her on our front porch in front of neighbors.

WHEREFORE, Complainant now requests the following relief:

1. A formal apology to my wife for violating their promise to us and for embarrassing her in public.
2. Dismissal of the total bill KCPL alleges I owe because the error was theirs not mine that I was not billed in a timely fashion. Had I known my electric bill was actually higher than I thought it to be from the bills I was receiving, I would have taken measures to conserve energy to reduce the cost of electricity. However, I did not get this information until mid November, due to an error on the part of KCPL who had determined that my March 15 payment represented a final bill, despite my efforts to inform them in writing that it was not a final bill. Unfortunately I do not have a copy of that receipt, since it had to be mailed with the check. However, KCPL should be able to produce that receipt which will demonstrate my effort to correct their misinterpretation of the bill.
3. KCPL should be given a stern warning by the Commission for their cavalier treatment of customers. I have paid my bill to KCPL on time for 30 years; there is no reason for them to treat me in the manner in which they did. Were there an option for

power service I would choose it. Since I am beholden to them for electricity it is beholden upon them to treat all customers with due respect.

4. Mr. Douglas Nicholson be reprimanded for having give me his assurance that no action would be forthcoming until after the appeal had been completed, yet efforts were made to turn off my service on March 30, 2000.

3-30-2000

Date

Philip G. Olson

Signature of Complainant



Missouri Public Service Commission

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ROBERT G. SCHEMENAUER

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GORDON L. PERSINGER
Acting Executive Director
Director, Research and Public Affairs

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

January 5, 2000

Mr. Phillip Olson
3555 Campbell Street
Kansas City, MO 64109

Dear Mr. Olson:

This letter is regarding the complaint received by our office on December 14, 1999, concerning a complaint against Kansas City Power & Light (KCPL). I forwarded your concerns to a company representative for a response and received the following information.

At this time the apartment and home are metered separately and billed separately. After reviewing the records, KCPL cannot determine whether the representative failed to enter the information or if you failed to provide all necessary information. In an effort to resolve this situation, KCPL issued a one-time customer satisfaction credit of \$84.00, leaving a balance of \$744.00. KCPL is willing to set up your account on a budget payment plan (current usage) and deferred arrangements for the outstanding balance of \$744.00. The budget amount would be \$108.00 (based on your usage from 12/7/98 - 12/8/99, total usage of \$1,296.81 divided by 12 months) and the deferred arrangement would be \$62.00 (\$744.56 divided by 12 months). The amount due each month would then be \$170.00 (\$108 budget amount plus \$62.00 deferred arrangement).

If that arrangement is not suitable for you, KCPL would be willing to allow you to pay off your past due amount of \$744.56 in five (5) months (same amount of time it took to accumulate).

The Missouri Public Service Commission's Rules and Regulations state:

"In the event of an undercharge, an adjustment shall be made for the entire period that the undercharge can be shown to have existed not to exceed twelve (12) monthly billing periods or four (4) quarterly billing periods, calculated from the date of discovery, inquiry or actual notification of the utility, whichever was first;"

Mr. Phillip Olson
January 5, 2000
Page 2 of 2

If you wish to have your account up on either of the above referenced payment options, please contact KCPL directly.

I hope this information will be of assistance to you. I am sorry I was unable to have the charges removed from your account, which I am sure was the desired outcome. If you have any further questions, please feel free to contact me at 1-800-392-4211.

Sincerely,

Michelle
Consumer Services Specialist

Enclosure: Cold Weather Rule Brochure



Commissioners

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January 18, 2000

GORDON L. PERSINGER
Acting Executive Director
Director, Research and Public Affairs

WESS A. HENDERSON
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ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. KOLILIS
Director, Administration

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Mr. Philip Olson
3655 Campbell Street
Kansas City, MO 64109

Dear Mr. Olson:

This is in response to your complaint filed against Kansas City Power & Light Company and your indication you may wish to file a formal complaint.

A formal complaint must be filed in written form including an original or duplicate original and fourteen (14) copies addressed to Dale Hardy Roberts, Secretary/Chief Regulatory Law Judge of the Commission. After filing, the Commission will give the company thirty (30) days to either satisfactorily resolve the complaint or respond in writing with the company position. If the complaint is not settled and the company responds denying the allegations, the Commission may order the Staff to conduct an investigation and may schedule a hearing.

The hearing is very similar to a trial in a court of law. At the time of the hearing, state law requires that you present evidence which will substantiate your claim against the company. The company also will be given the opportunity to present evidence discounting your claims. All parties, including the Commission's Staff, will have the opportunity to cross-examine the other parties witnesses. Further, any person as defined in 4CSR 240-2.010(11), other than an individual must be represented by an attorney.

Please note further filing requirements in the enclosed Chapter 2 - Rules of Practice and Procedure.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Bocklage".

Michelle Bocklage
Consumer Services Specialist
MB/ca

Enc: Formal complaint form - Chapter 2 - Rules of Practice and Procedure

Account Number 26-304-26030.08
 Customer Name PHILLIP G OLSON
 Service Location 3655 CAMPBELL
 Statement Date 03-12-99
 Deposit NO

Account Number 26-304-25964.04
 Customer Name PHILLIP G OLSON
 Service Location 3655A CAMPBELL
 Statement Date 03-12-99
 Deposit NO

RATE DESCRIPTION AND SERVICE DATES

Rate Description	Rate Code	Service From	Service To	Days
S ELECTRIC SERVICE	1RS1A	03-01-99	03-09-99	

RATE DESCRIPTION AND SERVICE DATES

Rate Description	Rate Code	Service From	Service To	Days
RES ELECTRIC SERVICE	1RS1A	03-01-99	03-09-99	

CURRENT USAGE AND BILLING CHARGES

Code	Present Reading	Previous Reading	Meter Multiplier	Kilowatt-hours Used	Amount
S1A	34760	34602	1	158	12.55
				KANSAS CITY GROSS RECEIPTS TAX	1.15
				THIS MONTH'S TOTAL	13.70
				TOTAL AMOUNT NOW DUE	\$13.70
				DELINQUENT AFTER APR 05, 1999	\$13.97

CURRENT USAGE AND BILLING CHARGES

Rate Code	Present Reading	Previous Reading	Meter Multiplier	Kilowatt-hours Used	Amount
1RS1A	17416	17366	1	50	5.12
				KANSAS CITY GROSS RECEIPTS TAX	.41
				THIS MONTH'S TOTAL	5.53
				TOTAL AMOUNT NOW DUE	\$5.53
				DELINQUENT AFTER APR 05, 1999	\$5.64

WOULD YOU LIKE TO EVEN OUT YOUR ELECTRIC BILL PAYMENTS FROM MONTH TO MONTH? THEN YOU'LL WANT TO JOIN KCPL'S AVERAGE PAY PLAN (APP). IF YOU'D LIKE TO JOIN OR WANT MORE DETAILS, PLEASE CALL OUR CUSTOMER COMMUNICATION CENTER AT 471-KCPL.

WOULD YOU LIKE TO EVEN OUT YOUR ELECTRIC BILL PAYMENTS FROM MONTH TO MONTH? THEN YOU'LL WANT TO JOIN KCPL'S AVERAGE PAY PLAN (APP). IF YOU'D LIKE TO JOIN OR WANT MORE DETAILS, PLEASE CALL OUR CUSTOMER COMMUNICATION CENTER AT 471-KCPL.

pd
4-6-99

13.70
5.53

19.23

pd
4-6-99

COMPARATIVE USAGE INFORMATION

Days	kWh	kWh Per Day	Total Cost Per Day	Last Year's Monthly Usage
8	158	19.8	1.71	NOT AVAILABLE

COMPARATIVE USAGE INFORMATION

This Month's Usage	Days	kWh	kWh Per Day	Total Cost Per Day	Last Year's Monthly Usage
8	50	6.3	.69	NOT AVAILABLE	

2

Customer Communication Center
(816) 471-KCPL

Kansas City Power & Light

Rate information
available upon request.

Amount \$185.50 Date 3-30 By 38 Cash Check Money Order

YOUR SERVICE HAS BEEN SCHEDULED FOR DISCONNECTION ON: _____ DATE _____
 YOUR SERVICE HAS BEEN DISCONNECTED: _____ DATE _____ INITIALS _____

PLEASE REFER TO RECONNECTION INSTRUCTIONS ON BACK

OUR RECORDS INDICATE YOUR ACCOUNT REMAINS UNPAID

No application for service Unpaid bill Security deposit Check returned by bank Cash or money order required

ACCT. NO. 2513-89-3603

SERVICE TO
03-07-2000

PHILLIP G OLSON
3655 CAMPBELL ST
KANSAS CITY MO 64109-2623

744.56
CUT-OFF AMOUNT
Plus any reconnection charges

DEPOSIT: NO

PREPARED DATE 03-28-2000

PLEASE KEEP THIS TOP PORTION FOR YOUR RECORDS.



Commissioners

SHEILA LUMPE
Chair

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General Counsel

Information Sheet Regarding Mediation of Commission Formal Complaint Cases

Mediation is process whereby the parties themselves work to resolve their dispute with the aid of a neutral third-party mediator. This process is sometimes referred to as "facilitated negotiation." The mediator's role is advisory and although the mediator may offer suggestions, the mediator has no authority to impose a solution nor will the mediator determine who "wins." Instead, the mediator simply works with both parties to facilitate communications and to attempt to enable the parties to reach an agreement which is mutually agreeable to both the complainant and the respondent.

The mediation process is explicitly a problem-solving one in which neither the parties nor the mediator are bound by the usual constraints such as the rules of evidence or the other formal procedures required in hearings before the Missouri Public Service Commission. Although many private mediators charge as much as \$250 per hour, the University of Missouri-Columbia School of Law has agreed to provide this service to parties who have formal complaints pending before the Public Service Commission at no charge. Not only is the service provided free of charge, but mediation is also less expensive than the formal complaint process because the assistance of an attorney is not necessary for mediation. In fact, the parties are encouraged not to bring an attorney to the mediation meeting.

The formal complaint process before the Commission invariably results in a determination by which there is a "winner" and a "loser" although the value of winning may well be offset by the cost of attorneys fees and the delays of protracted litigation. Mediation is not only a much quicker process but it also offers the unique opportunity for informal, direct communication between the two parties to the complaint and mediation is far more likely to result in a settlement which, because it was mutually agreed to, pleases both parties. This is traditionally referred to as "win-win" agreement.

The traditional mediator's role is to (1) help the participants understand the mediation process, (2) facilitate their ability to speak directly to each other, (3) maintain order, (4) clarify misunderstandings, (5) assist in identifying issues, (6) diffuse unrealistic expectations, (7) assist in translating one participant's perspective or proposal into a form that is more understandable and acceptable to the other participant, (8) assist the participants with the actual negotiation process, (9) occasionally a mediator may propose a possible solution, and (10) on rare occasions a mediator may encourage a participant to accept a particular solution. The mediator will not possess any specialized knowledge of the utility industry or of utility law.

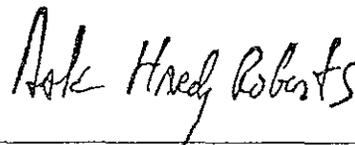
In order for the Commission to refer a complaint case to mediation, the parties must both agree to mediate their conflict in good faith. The party filing the complaint must agree to appear and to make a good faith effort to mediate and the utility company against which the complaint has been filed must send a representative who has full authority to settle the complaint case. The essence of mediation stems from the fact that the participants are both genuinely interested in resolving the complaint.

Because mediation thrives in an atmosphere of free and open discussion, all settlement offers and other information which is revealed during mediation is shielded against subsequent disclosure in front of the Missouri Public Service Commission and is considered to be privileged information. The only information which must be disclosed to the Public Service Commission is (a) whether the case has been settled and (b) whether, irrespective of the outcome, the mediation effort was considered to be a worthwhile endeavor. The Commission will not ask what took place during the mediation.

If the dispute is settled at the mediation, the Commission will require a signed release from the complainant in order for the Commission to dismiss the formal complaint case.

If the dispute is not resolved through the mediation process, neither party will be prejudiced for having taken part in the mediation and, at that point, the formal complaint case will simply resume its normal course.

Date: January 25, 1999



Dale Hardy Roberts
Secretary of the Commission