



N A R U C
National Association of Regulatory Utility Commissioners



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FROM THE AMERICAN PEOPLE

Consumer Affairs

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Complaint Policy

4 CSR 240-2.070 Complaints

- (1) The commission on its own motion, the commission staff through the general counsel, the office of the public counsel, or any person or public utility who feels aggrieved by a violation of any statute, rule, order or decision within the commission's jurisdiction may file a complaint. The aggrieved party, or complainant, has the option to file either an informal or a formal complaint.



Complaint Procedures

4 CSR 240-13.070

Commission Complaint Procedures

(1) Prior to filing an informal or formal complaint, the customer shall pursue remedies directly with the utility as provided in this chapter. The commission specifically reserves the right to waive this requirement when circumstances so require.

Two Types of Consumer Complaints

- ❑ Informal Complaint
- ❑ Formal Complaint





Informal Complaint

An issue typically involving a billing, payment, service quality or safety issue that requires PSC staff to contact the utility company for mediation or resolution. It does not necessarily mean the utility has violated Commission rules and regulations or the company's tariff.

Informal Complaint Resolution

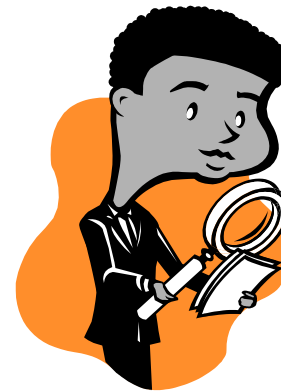
Consumer Services Investigators follow:

- ✓ “Checklist” (see handout) to ensure all processes followed and all information needed to mediate resolution is complete.
- ✓ Verify utility compliance with approved tariff, Commission rules and State Statutes.
- ✓ Verify mathematical calculations of utility, based on approved tariff rates.



Informal Complaint Resolution

- ✓ Utility also has “Checklist” (see handout) to ensure they have submitted all necessary information needed by the Commission Investigator has been submitted to assist with the mediation to resolve informal complaint.





Informal Complaint Resolution

- During investigative process if additional information or clarification is needed from the consumer, the investigator will attempt to make contact with consumer by phone.
- If unsuccessful by phone, Investigator will send the consumer a letter asking them to contact the Investigator to discuss complaint.

Informal Complaint Resolution

Upon Completion of Investigation:

- Investigator will contact consumer by telephone to discuss and mediate resolution.
- If consumer is satisfied a closure letter is sent to the consumer confirming the details discussed in the telephone conversation and closing the informal complaint.





Informal Complaint Resolution

Upon Completion of Investigation:

- ❑ If the consumer is dissatisfied with informal complaint resolution, the Investigator will provide the consumer with their rights to file a formal complaint, as an appeal process to the informal complaint.
- ❑ These rights may be communicated verbally and in writing.

Formal Complaint Policy

FORMAL COMPLAINT:

4 CSR 240-13.070 (4) If the staff is unable to resolve the complainant to the satisfaction of the parties, the staff shall send a dated letter to that effect to the complainant and to the utility.

(A) The letter shall advise the complainant that, if s/he desires, s/he may file a formal complaint in accordance with 4 CSR 240-2.070.

Formal Complaint Process

Once a consumer expresses their desire to file an appeal, a Formal Complaint packet is sent:

- Complaint Form
- Chapter 2-Practice and Procedure
- Handbook-Representing Yourself Before the Missouri Public Service Commission:
 - ? What is the Complaint Process
 - ? What Other Tools Does the PSC Have to Help Me
 - ? What Should I Expect When I Appear before the PSC
 - ? What can I Expect in a Complaint Hearing
 - ? Can the Office of the Public Counsel Represent me Personally in a Proceeding before the PSC



Formal Complaint Process

- ✓ Similar to an informal complaint there is a formal complaint “Checklist” (see handout), used by the Coordinator. There is no checklist available to the utility for Formal Complaints.
- ✓ Checklist includes specific information needed depending on the formal complaint dispute stated by the consumer, as listed on handout.

Formal Complaint Process

- Commission issues an order for Utility and Staff to file response to formal complaint allegations by consumer.



- Staff completes checklist for gathering data and information before writing the Staff Memorandum of Findings.

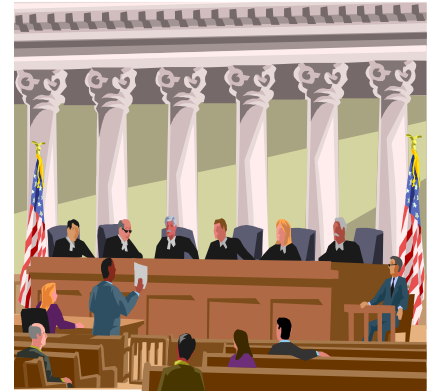


Formal Complaint Process

- The Commission orders a pre-hearing so that the parties can discuss any additional discovery necessary, state the list of issues, witnesses and exhibits. Parties shall provide a list of suggested dates and estimated length of the hearing to the Judge. The Judge then encourages the parties to discuss possible settlement.
- The Commission after receiving notice from the parties will determine if a hearing shall be held and shall set date, time and place of the hearing.

Formal Complaint Resolution

- ❑ Evidentiary Hearing is held where Commission and Judge hears all parties evidence and cross-examines parties.
- ❑ At the close of the hearing, the Judge determines briefing schedule.
- ❑ Briefs are filed by parties.
- ❑ Judge reviews briefs and provides summary to Commission in Agenda for Commission decision.



Formal Complaint Resolution

- Settlement is reached, the parties make a determination who will draft the pleading to advise the Commission that the dispute has been settled.



- Following the filing of the pleading, the Judge issues an Order Closing Case, based on a settlement reached.



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Any Questions?

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