



CONTESTED CASES



COMPLAINT PROCESS

CONSUMER COMPLAINTS

- WHY?
- BILLING DISPUTE
 - METERING DISPUTE
 - APPLICATION OF PAYMENT
 - FAILURE TO BILL
- FAILURE TO PROVIDE SERVICE
- STATUTE or RULE VIOLATIONS (SHUTOFF)
- TARIFF VIOLATIONS







INFORMAL

1. WITH UTILITY HEARING OFFICER

Must pay all undisputed amounts.

Must pay current bills.

Often there is a settlement reached with a payment plan. If customer does not keep payment plan, does not have a right to another plan.

Customer can appeal to MPSC Staff



INFORMAL COMPLAINTS (cont.)

2. INFORMAL – SUBMISSION TO THE STAFF

- By e-mail
- By web form
- By telephone
- Written

GOLDMINE records of complaint calls/inquiries

FORMAL COMPLAINTS

FILED WITH EXECUTIVE SECRETARY

PRIMA FACIE DETERMINATION

IF NO: WRITE LETTER STATING WHY
REJECTING

IF YES: SEND TO APPROPRIATE DIVISION
WORK TO SETTLE IF POSSIBLE

IF SETTLED...



IF NO SETTLEMENT....



SET FOR HEARING
BEFORE
ADMINISTRATIVE
LAW JUDGE



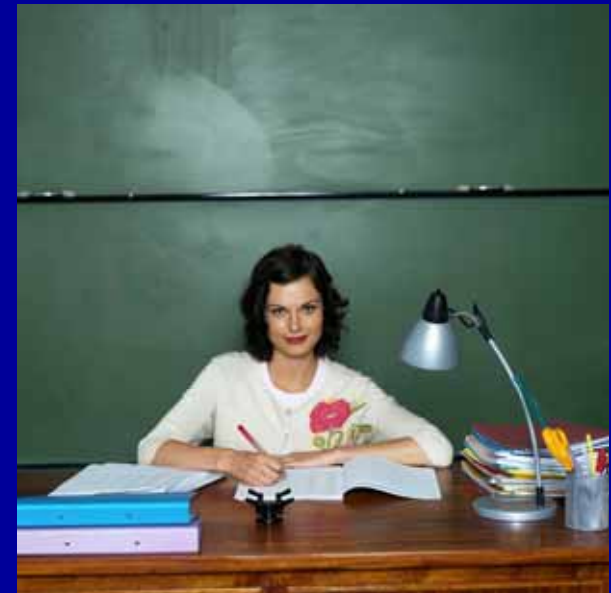
ADMINISTRATIVE HEARING

- GOVERNING RULES COME FROM STATUTE AND COMMISSION RULES OF PRACTICE.
- COMPLAINANT HAS THE BURDEN OF PROOF – EVIDENTIARY STANDARD
- COMPLAINANT PRESENTS FIRST
 - WITNESSES
 - DOCUMENTARY EVIDENCE
- RULES OF EVIDENCE
- MAY HAVE ATTORNEY OR REPRESENT SELF



AT CONCLUSION OF EVIDENTIARY HEARING

- SIMPLE CASE – ORAL PROPOSAL FOR DECISION
- MORE COMPLEX –
 - PARTIES FILE BRIEFS AND REPLY BRIEFS.
 - ADMINISTRATIVE LAW JUDGE PREPARES PROPOSAL FOR DECISION (PFD)



AFTER PFD

- PARTIES MAY FILE EXCEPTIONS AND PERHAPS REPLIES TO EXCEPTIONS
- RAD REVIEWS ENTIRE CASE, LOOKS AT BRIEFS, REPLY BRIEFS, THE PFD, EXCEPTIONS, AND REPLIES TO EXCEPTIONS AND PREPARES A PROPOSED DRAFT DECISION FOR THE COMMISSION.



COMMISSION ORDER

- COMMISSIONERS MAY ADOPT THE DRAFT AS WRITTEN, OR MAY EDIT IT, OR MAY REQUIRE A NEW RESULT ENTIRELY.
- RAD REMAINS FLEXIBLE.
- WHEN ORDER ISSUED, BOTH PARTIES GET NOTICE AND COPY. EACH FINAL ORDER CONTAINS RIGHT TO APPEAL.

POST FINAL ORDER

- REHEARING
- RECONSIDERATION
- REOPENING
- CLARIFICATION
- ENFORCEMENT
- APPEAL



