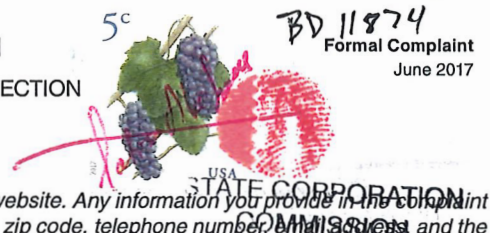


**SPECIAL DEPOSIT**

KANSAS CORPORATION COMMISSION  
OFFICE OF PUBLIC AFFAIRS & CONSUMER PROTECTION

**FORMAL COMPLAINT**



**Note:** Formal Complaints filed with the KCC become a public record and may be posted on the KCC's website. Any information you provide in the complaint or other documents related to the complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, and the facts of your case may be available online for public viewing.

NOV 15 2021

**BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

IN THE MATTER OF THE COMPLAINT AGAINST

EVERGY Inc  
(Respondent, name of utility company)

by

LATISA MICHEAUX  
(Complainant - your name)  
claimant

claimant  
Please provide complainant (your) contact information:

Full Name(s): LATISA MICHEAUX

Address: care of: 849 South Drury Lane

Daytime Phone: [REDACTED]

E-mail Address (optional): [REDACTED]

For Commission  
use only

DOCKET NO.

22-EKCE-219-COM

**FORMAL COMPLAINT**

LATISA MICHEAUX  
(Your name)

states that the above-named respondent is a public utility providing service in Kansas and is subject to the jurisdiction of the State Corporation Commission.

The facts and circumstances surrounding the complaint are set out in detail below:  
(Be specific and as brief as possible. If necessary, attach additional sheets.)

SEE ATTACHED AFFIDAVIT

7120930 JA10398

**Formal Complaint** *continued*

*claimant*  
~~Complainant~~

requests that the respondent utility be required to provide an answer to the complaint and requests the following action be ordered by the Commission. (*State action or result desired.*)

*See Attached Affidavit*

and for such further order or orders as the Commission may deem necessary.

VERIFICATION: I do solemnly, sincerely, and truly declare and affirm that the statements made in this complaint form are true and accurate to the best of my knowledge, and I do this under the pains and penalties of perjury.

I understand that Formal Complaints filed with the KCC become a public record and may be posted on the KCC's website. Any information provided in the complaint or other documents related to the complaint, including, but not limited to, my name, address, city, state, zip code, telephone number, email address, and the facts of the case may be available online for public viewing.

\_\_\_\_\_  
*Complainant's (your) signature*

\_\_\_\_\_  
*Date signed*

## FILING INSTRUCTIONS

This form may be filed in person at the Kansas Corporation Commission's Office or by mail. All formal complaints, whether filed by mail or delivered in person, must be directed to:

Secretary to the Commission  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604

For more information about the formal complaint process please refer to the instructions provided with this form or visit the KCC website: <http://kcc.ks.gov/>, Consumer Assistance, Filing a Complaint. You may also contact our Consumer Assistance staff toll-free at 1-800-662-0027 or by e-mail at [public.affairs@kcc.ks.gov](mailto:public.affairs@kcc.ks.gov).

SPECIAL DEPOSIT



THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS 1500 SW Arrowhead RD, Topeka, Kansas  
66604-4027,

In the Matter of the claim Against Evergy Inc, affiliates of KANSAS CITY  
POWER AND LIGHT COMPANY

by Latisah Michaux Civilian/Private Woman/Beneficiary/End User

**Notice of Dispute/Affidavit of Facts**

To all respondents and all other responsible parties known and unknown,

These are the Provisions of Laws and regulations that govern this Claim;

(1) The provisions of law, regulations or orders of the Commission that have been  
or are being violated by the acts or omissions of Respondent(s):

(A) **GSA Areawide service agreement**, Kansas City Power and Light Company & Affiliate:  
Westar Energy, Inc. [47PA0418D0010 \[PDF - 850 KB\]](#),  
See, Title 1 GSA Contract definitions,

See Title 6 - BILLS AND BILLING DATA,

Title 7.4 - PAYMENTS FOR SERVICES- 7.4. Each payment made by Treasury check to the Contractor shall include the Contractor's billing stub(s), or a Government or Ordering Agency payment document, that clearly and correctly lists all of the Contractor's account numbers to which the payment applies and the dollar amount applicable to each account. If payment is by Electronic Funds Transfer either through the Automated Clearing House (ACH) or the Federal Reserve Wire Transfer System, the provisions of FAR Subpart 52.232-34 shall apply (See Article 14) and the Ordering Agency must specify the method of payment and the designated payment office on the Authorization form.

(B) **Public Utilities Act** 1978; sec 115g(2)(A): "such consumer establishes that [s]he is unable to pay for such service in accordance with the requirements of the utility's billing

(C) **12 USC 411 - Federal reserve notes**, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the purpose of **making advances** to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other

VOID WHERE PROHIBITED BY LAW

purpose...

(D) **18 USC 8 - Obligation or other security of the United States** defined The term "obligation or other security of the United States" includes all bonds, certificates of indebtedness, national bank currency, Federal Reserve notes, Federal Reserve bank notes, coupons, United States notes, Treasury notes, gold certificates, silver certificates, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps and other representatives of value, of whatever denomination, issued under any Act of Congress, and canceled United States stamps. (Billing Error)

(E) **Article 1 section 8 clause 1 - Powers of Congress - The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts** and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; Is Everyg or KCC Congress: Yes\_\_\_ or No\_\_\_

(F) **Article 1 section 8 clause 3 - Commerce Clause** - refers to the constitution, which gives Congress the power "to regulate commerce with foreign nations, and among the several states"... Is Everyg or KCC Congress? Yes\_\_\_ or No\_\_\_

(G) **Fair Debt Collections Practices Act**, it appears that the respondents are posing as debt collectors, according to title [15 USC 1692a 6] The term "debt collector" means any person who uses any instrumentality of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.

**(2) Set forth concisely and in plain language the facts claimed by the Complainant to constitute the violation(s);**

In the year 2017, LaTisah (hereinafter Petitioner) a private woman, natural person, beneficiary initiated service with Westar Engery now Everyg Inc (hereinafter Respondents) for electric services respectively, currently an affiliate of KANSAS CITY POWER AND LIGHT COMPANY.

Since that time Petitioner has received "statements" which were expected to be treated as "bills" from Respondents.

Petitioner has faithfully promised to pay every month since that time until this knowledge has been revealed.

Recently Petitioner discovered that these services have and are already funded prior to the initiation of service at Petitioners private place of living.

This private living place is not a place of business to be treated or charged as a commercial



business engaged in interstate or foreign commerce..

Whereas congress has declared their Congressional intent, persons and practices that operate contrary to that intent violate licensing agreements and laws under the regulatory acts:

Whereas Respondents have a **duty to serve**, because the duty applies to any company defined as a "public utility" under common law, including municipal utilities.

Respondents are a person, corporation, or other association that carries on an enterprise for the accommodation of the public, the members of which are entitled as a matter of right to use its facilities."

The duty may well be incorporated into State statutes for regulated utilities [see Comment, Liability of Public Utility for Interruption of Service, 1974 Wash. U. L.Q. 344, 345, 346, n.9 (1974)]

See also In the Matter of Jose J. Moran v. Duke Energy Carolinas, L.L.C., 2014 N.C. PUC LEXIS 926 (N.C. Utils. Comm'n July 11, 2014) (Docket No. E-7, Sub 1054) finding good cause to deny utility the right to terminate the family's electric service: "In today's society, electricity is a necessity of life. A home is not a safe or healthy environment without electricity."

#### **Respondents Violations:**

Have misidentified woman as trustee instead of end user. Provide proof that woman is trustee and not beneficiary.

[Fair Debt Collection Practices Act]

#### **Abusive practices**

There is abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy.

#### **Purposes**

It is the purpose of this sub chapter to eliminate abusive debt collection practices by debt collectors, to insure that those debt collectors who refrain from using abusive debt collection practices are not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuses.

- **Communicating** about a debt without prior written consent [Cf 15 U.S. Code § 1692c(a)]

Respondents did and do communicate without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction, a debt collector may not communicate with a consumer in connection with the collection of any debt.

- **Deceptive business practices** by misapplying commercial commerce rates on private woman [Cf. 15 USC 1692e(2)]

As a noncommercial, nonresident alien, not engaged in interstate or foreign commerce for pecuniary purposes, Consumer is not and cannot be liable to pay any amount. Therefore presenting a "statement" that attempts to act as a "bill" demanding payment is a false and misleading representation.

- **Furnishing certain deceptive forms** [15 USC 1692j (a)] It is unlawful to design, compile, and furnish any form knowing that such form would be used to create the false belief in a consumer that a person other than the creditor of such consumer is participating in the collection of or in an attempt to collect a debt such consumer allegedly owes such creditor, when in fact such person is not so participating. Yet, Respondents are doing this every month.

- **Creating fictitious obligation** [8 U.S. Code § 514]

Since the rates charged by Public Utilities are only for business consumers as per your GSA contract, using the service for pecuniary purposes, to send a "statement" attempting to act as a "bill" to demand payment is proof of Respondents creating a fictitious obligation.

- **Demanding an impossibility** [12 USC 411] There is no "money of account" in circulation and no law authorizes private people the use for Federal Reserve Notes or the Federal reserve system for private debt. The system is "for the purpose of making advances to Federal reserve banks through the Federal reserve agents... and for no other purpose".

- **Threatening to terminate service** for not participating in a Federal Funding ponzi scheme is a form of deprivation and conspiracy to deprive rights [18 USC 241 and 18 USC 242 ] Congress has already determined that public utilities like electricity and Gas are the class of service that creates an obligation to keep the services on as it is necessary to protect life and property. Further, the GSA Respondents have agreed to dictate that funding for the services are already provided for by "appropriation".

**(3) State the relief sought by the Claimant in the form of a claim.**

1. Claim to Command Respondents to stop using unfair business practices, sending false and misleading "statements" in deceptive form to support their fictitious obligation that Petitioner owes any debt through the United States Post Office.
2. Claim that, Since alleged obligations are already pre-paid to Respondents by government appropriation (According to the GSA contract) Respondents should process it "PAID BY DRAFT or PAID THROUGH draft of their account.
3. Claim of a Full re-fund for all statements since the initiation of service began, year nunc pro tunc to present, calculated at \$425,000 (Four hundred twenty five thousand) USD modestly, and submitted by invoice to agency, to be applied to the account and accounts. Willing to waive, in the event the record is corrected and account drafted monthly this day forward
4. Claim that An investigation of Respondents violations of Fair Debt collection Practices Act will result in additional enforceable charges. In the event of continued dishonor, and there will be and intent to sue,
5. Claim for the respondent to Correct all billing errors, inspect and correct the record.
6. Claim for respondent to Provide proof/ documentary evidence that that Latisa is not the beneficiary and Provide proof/documentary evidence that Latisa is participating in interstate commerce
7. Claim that No response will be accepted by any attorney unless delegation of authority and request for admissions is completed. Only response is to be from the registered Agent

