

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, email address, and the facts of your case may be available online for public viewing.

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

IN THE MATTER OF THE COMPLAINT AGAINST

KCPL
(Respondent, name of utility company)

by
Kevin and Laura Fitzpatrick
(Complainant, your name)

For Commission
use only

DOCKET NO.

20-KCPE-107-COM

Please provide complainant (your) contact information:

Full Name(s): Kevin & Laura Fitzpatrick
Address: 6431 Norwood St. Mission Hills KS 66208
Daytime Phone: 913-219-6505
E-mail Address (optional): lkfitzpatrick@me.com

FORMAL COMPLAINT

Laura Fitzpatrick
(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.)

Not a week goes by summer, fall, winter
spring that we don't lose power at least
once a week! Over the past several year
we have also experienced flickering lights
power surges that is very hard on all
our appliances. We have called several times

(Continued on the other side)

Formal Complaint *continued*

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.*)

always told it is in our house we have paid several electricians who tell us it is with K.C.P.L. On Easter we lost partial power to our home, only the major appliances went out - lights all worked. We lost everything in 2 freezers and 2 refrigerators. Filed a claim and were denied stating KCPL not responsible for their equipment. If they aren't who is??? Something is wrong on our block and we need assistance.

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

8-25-2019
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.



Informal and Formal Utility Complaint Procedure

How to Start

If you have a complaint about your utility bill or services, and speaking with your utility company does not resolve the problem, Kansas law allows you to file a complaint with the Kansas Corporation Commission (KCC), the state agency responsible for regulating public utilities in Kansas.

The KCC has established an informal and formal complaint procedure to assist ratepayers seeking to resolve a utility problem.

This two-step procedure only applies to utilities under our authority. It is important to note that we do not regulate most electric and water cooperatives, municipalities, wireless, or long distance telephone service providers, cable companies, or the Internet. Our website lists the companies we regulate: <https://kcc.ks.gov/about-us/jurisdiction>

Step 1: The Informal Complaint Procedure

Contact the Public Affairs and Consumer Protection Division to start the process. Most of our complaints can be resolved through our informal procedure. Problems such as billing errors, pending disconnection of service, deposit disputes, and other service issues are often informally resolved.

No special form is required, but we will need this basic information to start our investigation:

- Your name as the customer of record;
- Mailing address or service address;
- Home and/or daytime phone numbers (e-mail, optional);
- Name of the utility company;
- Your account number;
- The facts about what the utility did or did not do (include dates, times, location and persons involved); and
- The resolution you expect.

Note: If the informal complaint procedure does not produce a satisfactory resolution, or if you are dissatisfied with the outcome, you have the right to file a formal complaint. (See Step 2)

Step 2: The Formal Complaint Procedure

The formal complaint is different from the informal complaint in that it:

- Requires formal processing and filing under KCC administrative rules;
- Is sent in written form to the utility for response;

- Requires the utility to file a written answer within 10 days;
- Requires the KCC to issue a written order, even if the matter is resolved without a hearing;
- May result in a formal, quasi-judicial evidentiary hearing; and
- Allows either you or the utility to appeal the KCC decision to District Court.

The procedure for filing a formal complaint is found in the Kansas Administrative Regulations. (K.A.R.) 82-1-220. Any proceedings which follow the filing are governed by the KCC's rules of practice and procedures, K.A.R. 82-1-201 et seq.

Your formal complaint must be in writing

You are required to submit your formal complaint in writing with a signed verification. You may use the complaint form provided by the KCC or you may draft your own written complaint providing required information. Please contact the KCC Public Affairs and Consumer Protection Division to obtain the formal complaint form.

How to file it

The formal complaint may be filed in person at the KCC or by mail. When filed by mail, the formal complaint should be mailed to the attention of the Secretary to the Commission, 1500 SW Arrowhead Road, Topeka, Kansas 66604. To expedite processing, do not direct your formal complaint to other KCC personnel. At this time, we do not accept formal complaints by email or through our website.

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Informal and Formal Utility Complaint Procedure *(Continued)*

More About the Formal Complaint Procedure

1. Establishing the Facts: When the complaint is received, it is assigned a docket number for identification purposes and is then reviewed by the KCC legal staff to determine whether the complaint provides the facts needed to establish a complaint against the company. The facts, if true, must amount to a violation for which the Commissioners may order relief. This step is referred to as establishing a prima facie case. If you meet the legal requirements to establish a prima facie case, a copy of the complaint is served on the utility (respondent) by the KCC. If it is determined that you (the complainant) have not established a prima facie case, the complaint will be returned to you and you will be given an opportunity to amend the complaint.
2. The utility, after receiving the complaint, must either answer or satisfy the complainant within 10 days.
3. KCC Staff reviews the complaint and company response and then recommends action to the Commissioners. The parties may reply to the Staff's recommendation within 10 days after service.
4. After reviewing the complaint, company answer, KCC staff recommendations, and other evidence, the Commissioners have the following options:
 - a. Schedule the matter for an evidentiary hearing;
 - b. Issue other orders as appropriate; and
 - c. Issue an order granting, denying or dismissing the complaint.
5. At any time, and with approval of the Commissioners, the parties may enter into a voluntary settlement if: (1) the matter in controversy only affects the parties involved, or (2) the issue has no direct or substantial impact upon the general public.
6. Formal Complaints filed with the KCC become a public record and may be posted on the KCC's website. Therefore, 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, email address, and the facts of your case may be available online for public viewing.

Contact Information

To file an informal complaint or request a formal complaint form, contact the KCC Public Affairs and Consumer Protection Division at:

Kansas Corporation Commission
Public Affairs and Consumer Protection Division
1500 SW Arrowhead Road
Topeka, KS 66604-4027

Phone: (785) 271-3100
Toll Free: (800) 662-0027

Email: public.affairs@kcc.ks.gov
Website: <http://kcc.ks.gov/>

KANSAS CORPORATION COMMISSION
Office Of Public Affairs & Consumer Protection
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BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

IN THE MATTER OF THE COMPLAINT AGAINST _____

(Respondent, name of utility company)

by _____

(Complainant, your name)

Please provide complainant's (your) contact information:

Full Name(s): _____

Address: _____

Daytime Phone: _____

E-mail Address (optional): _____

For Commission use only
DOCKET NO. _____

FORMAL COMPLAINT

(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:
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