

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

KCP & L, ETAL
(Respondent, name of utility company)

by
STUART AULD
(Complainant, your name)

For Commission
use only

DOCKET NO.

20-KCPL-158-COM

Please provide complainant (your) contact information:

Full Name(s): STUART AULD
Address: [REDACTED] K.C., MO 64114
Daytime Phone: [REDACTED]
E-mail Address (optional): [REDACTED]

FORMAL COMPLAINT

STUART AULD
(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 EXHIBIT "A" ATTACHED HERETO & MADE A PART
HEREOF BY THIS REFERENCE); K.C.P. & L IS A
MONOPOLY AND SHOULD NOT BE ALLOWED TO ENGAGE
IN PRICE GOUBING IN ANY WAY FOR THE NECCESITY
OF LIFE NOR REQUIRE PAYMENT DEPOSITS IN ORDER
TO OBTAIN SERVICE, EVEN WHEN THERE IS A
LEGITIMATE DISPUTE UNDER THE FDCA

(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.)

- 1) NO DEPOSIT CAN BE DEMANDED WHEN THERE IS A LEGITIMATE DISPUTE UNDER THE FDCA
- 2) NO DEPOSIT CAN BE RETAINED BY ANY UTILITY COMPANY FOR ESSENTIAL UTILITIES IN EXCESS OF 6 MONTHS, REGARDLESS OF Pymt. History
- 3) NO DEPOSIT CAN BE DEMANDED BY ANY UTILITY FOR THE NECESSITIES OF LIFE FOR SS RECIPIENTS & OTHER HARDSHIP CASES.

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

9/17/19

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.



For billing and service information : **816-471-5275** (816-471-KCPL)
 or toll-free : **1-888-471-5275** (1-888-471-KCPL)
 For emergencies or lights out : **1-888-544-4852** (1-888-LIGHT-KC)

Customer Name : **STUART AULD**
 Account Number : **[REDACTED]**

RETAINED FOR APPROX. 1 YR NOW

Page 1 of 2
 Billing Date: 09/09/2019

<p align="center">MESSAGE BOARD</p> <p>We are currently holding a deposit of \$250.04.</p> <p>Our Budget Billing option allows you to make consistent monthly bill payments. For more information, visit kcpl.com/budgetbilling.</p> <p>You live in our KCP&L - KS service area. Rates and available programs can vary based on your service area. For more information visit kcpl.com/ServiceArea.</p> <p>KCP&L will soon become Evergy. Learn more at kcpl.com/evergy.</p>	<p>Account Summary</p> <p><i>For service from 08/07/2019 to 09/08/2019</i></p> <table border="0"> <tr> <td>Previously Billed.....</td> <td align="right">\$110.25</td> </tr> <tr> <td>Utility.....</td> <td align="right">\$110.25</td> </tr> <tr> <td>Current Charges (details on back)</td> <td align="right">\$53.76</td> </tr> <tr> <td>Utility</td> <td align="right">\$52.60</td> </tr> <tr> <td>Miscellaneous.....</td> <td align="right">\$1.16</td> </tr> <tr> <td>Due Upon Receipt.....</td> <td align="right">\$164.01</td> </tr> <tr> <td>Late charge if received after September 30, 2019</td> <td align="right">\$1.16</td> </tr> <tr> <td>Amount due with late charge.....</td> <td align="right">\$165.17</td> </tr> </table>	Previously Billed.....	\$110.25	Utility.....	\$110.25	Current Charges (details on back)	\$53.76	Utility	\$52.60	Miscellaneous.....	\$1.16	Due Upon Receipt.....	\$164.01	Late charge if received after September 30, 2019	\$1.16	Amount due with late charge.....	\$165.17
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Please return this portion with your payment. Thank you.

Customer Name : **STUART AULD**
 Account Number : **[REDACTED]**
 Billing Date : **09/09/2019**

Due upon receipt : **\$164.01**
 Payments must be received by : **September 30, 2019**

Amount Enclosed : \$ _____

*CHECK HERE
 to indicate address or phone
 changes on back of stub*

AV 01 018725 24227B 65 A**5DGT



STUART AULD

[REDACTED]
 LEAWOOD KS 66224-4253



KCP&L
 PO BOX 219330
 KANSAS CITY MO 64121-9330

EXHIBITS "A"

0007036969446000016401000011609301901

RE: COMPLAINT AGAINST KCP&L...REFUSAL TO RETURN DEPOSIT OF \$200

From: Steve Boyd (s.boyd@kcc.ks.gov)

To: [REDACTED]

Date: Wednesday, September 11, 2019, 10:33 AM CDT

Mr. Auld,

You have the right to file a formal complaint that, if accepted by our Legal Division, will allow you to express your views to the Commissioners. I will send you the form and instructions. If you want help with the wording on the form you may wish to contact the Citizen's Utility Ratepayer's Board (CURB), <http://curb.kansas.gov/>.

Cordially,

Steve

Program Consultant



Public Affairs and Consumer Protection

Kansas Corporation Commission

1500 SW Arrowhead Road | Topeka, KS | 66604-4027

Phone (785) 271-3242 | Fax (785) 271-3111 | <http://kcc.ks.gov/>

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From: Stuart Auld <[REDACTED]>
Sent: Saturday, August 24, 2019 5:10 PM
To: Steve Boyd <s.boyd@kcc.ks.gov>
Subject: Re: COMPLAINT AGAINST KCP&L...REFUSAL TO RETURN DEPOSIT OF \$200

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

Well as usual your alleged facts and there alleged facts are wrong! This was a wrong foreclosure unlawful conversion case on my mother and 5 children beneficiaries owned property...I was illegally removed and the people that came in ran up a \$400+ bill in my name before KCPL canceled the account...it is not my responsibility to pay the property owners electric bills!

KCPI represented at the time the reason was because I refused to give my SS#...so again another lie. The confiscation of my money is a violation of the FDCPA as this was a disputed bill...the FDCPA does not allow dispute debts to be collected in this manner...IF your offices are not going to do anything please refer this matter to the KSAG consumer protection division.

IT is not your offices job to protect monopolies but rather the people from monopolies! KCPL does not pay your salary...the people do!

Regards

Stuart Auld
[REDACTED]

On Thursday, August 22, 2019, 03:56:01 PM CDT, Steve Boyd <s.boyd@kcc.ks.gov> wrote:

Mr. Auld,

According to KCPL records you did not always pay by the due date at your previous residence, and you left an unpaid balance for nearly one year. Those two factors were used by the company to determine that your credit rating with it was unsatisfactory. When that is the case it may request a deposit. Please see the KCC Billing Standards Section III A. (1) (a), https://kcc.ks.gov/images/PDFs/pi/billing_2012.pdf#page=26

From: Stuart Auld <[REDACTED]>
Sent: Tuesday, September 10, 2019 5:33 PM
To: Steve Boyd <s.boyd@kcc.ks.gov>
Subject: Re: COMPLAINT AGAINST KCP&L...REFUSAL TO RETURN DEPOSIT OF \$200

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.



There is a BIG problem with this stated position and that is it is proposing a contract that is perpetual/non-ending...Such contracts are illegal as a matter of law. What if I never pay on time? The commissions position is that the deposit can remain in perpetuity...which is illegal.

I hereby demand that the commission instigate a time limit on the keeping of customers deposits...ASAP! Then commission should not be allowing the utilities to charge a deposit for the necessities of life in the 1st place, not to mention in light of my particular facts, i.e. a bill dispute under the FCCPA.

Regards,

Stuart Auld
[REDACTED]

On Tuesday, September 10, 2019, 03:07:44 PM CDT, Steve Boyd <s.boyd@kcc.ks.gov> wrote:

Mr. Auld,

I am sorry that you had issues at the property that you formerly occupied, but it is the responsibility of the customer of record to cancel service. It would be a civil matter between you and the property owner if you believe that they should reimburse you for service used after you vacated the property.

The KCP&L Customer Service Representative that you spoke with may have said that your reluctance to provide a Social Security Number was the reason for the deposit request, but even if that issue was addressed your credit rating with the company was still unsatisfactory, so the deposit request was valid. Again, if you pay on time in 10 of 12 months the deposit will be returned.

It is certainly your right to take your case to the Attorney General, but you would need to do that yourself. You may reach the Attorney General at 800-432-2310, or see the website for information about how to file a complaint online; <https://ag.ks.gov/>

Cordially,

Steve

Program Consultant



Public Affairs and Consumer Protection

Kansas Corporation Commission

1500 SW Arrowhead Road | Topeka, KS | 66604-4027

Phone (785) 271-3242 | Fax (785) 271-3111 | <http://kcc.ks.gov/>

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Mr. Auld, should you pay by the due date for 10 of 12 months the deposit should be returned to you, but I see from an account analysis that you are still occasionally paying after the due date. Sometimes KCPL can change a due date for customer that receives Social Security. If you are interested in that option please contact a company rep.

I understand that you would like to have the deposit returned as soon as possible, but according to the records that I have seen KCPL does have the right to retain the deposit. If you have other questions or concerns please let me know.

Cordially,

Steve

Program Consultant



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From: Stuart Auld <[REDACTED]>
Sent: Wednesday, August 21, 2019 3:25 PM
To: Public.Affairs <public.affairs@kcc.ks.gov>
Subject: COMPLAINT AGAINST KCP&L...REFUSAL TO RETURN DEPOSIT OF \$200

This is an EXTERNAL EMAIL. Think before clicking a link or opening attachments.

KCP&L CHARGED A DEPOSIT BECAUSE I DID NOT WANT TO SUPPLY MY SS# WHEN I APPLIED FOR NEW SERVICE AT A DIFFERENT LOCATION LAST YEAR. I HAVE HAD SERVICE OFF AND ON WITH THEM SINCE THE 1970'S. IT IS AGAINST FEDERAL LAW TO USE THE SS# FOR IDENTIFICATION PURPOSES AND YOUR LAWS NEED TO BE CHANGED. I DID SUPPLY THEM WITH MY DRIVERS LICENSE NUMBER FOR IDENTIFICATION PURPOSES, HOWEVER, THEY CHARGED ME A DEPOSIT ANYWAY. THIS IS PRICE GOUGING BY A MONOPOLY FOR THE NECESSITIES OF LIFE AND IT IS ILLEGAL UNDER THE CLAYTON ACT/SHERMAN ANTI TRUST AND OTHER STATE AND FEDERAL LAWS.

I AM ON SS NOW AND AM A HARDSHIP CASE...KCPL HAS HELD ON TO MY MONEY FOR ABOUT A YEAR NOW AND I WANT IT BACK. PLEASE REQUIRED THEM TO RETURN MY DEPOSIT. IT IS NOT ACCEPTABLE TO ME THAT THEY ILLEGALLY ENGAGE IN PRICE GOUGING JUST BECAUSE THEY ARE A MONOPOLY AND CAN GET AWAY WITH IT. THEY STATE SHOULD NOT BE COMPLICIT IN THEIR MONOPOLISTIC PRICE GOUGING WAYS THAT DAMAGE THE CONSUMER!

REGARDS,

STUART AULD

[REDACTED]

KCPL#[REDACTED]