

STATE
CORPORATION
COMMISSION

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State Corporation Commission
of Kansas

30-128698
Formal Complaint
June 2017

OCT 14 2024 KANSAS CORPORATION COMMISSION
PUBLIC AFFAIRS OFFICE OF PUBLIC AFFAIRS & CONSUMER PROTECTION
AND
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

EVERGY

(Respondent, name of utility company)

by

WAYNE C. YOUNG

(Complainant, your name)

For Commission
use only

DOCKET NO.

25-EKME-189-COM

Please provide complainant (your) contact information:

Full Name(s): WAYNE C. YOUNG

Address: [REDACTED]

Daytime [REDACTED]

E-mail Address (optional): [REDACTED]

FORMAL COMPLAINT

WAYNE C. YOUNG

(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

(Continued on the other side)

FORMAL COMPLAINT

Wayne Young states that the above-named respondent (Evergy) 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:

At approximately 11:30 am on February 19, 2024, our home suffered a power outage. Loud pops were heard throughout the house. While troubleshooting the issue to see if it was our internal systems, fire checks, etc. it was noted that several breakers in the breaker boxes had been tripped to the off position. Within about 10-15 minutes the power came back on and I continued to troubleshoot and also checked with neighbors. It was determined that it was a wider spread power outage and Evergy was called to report the outage. At that time the Evergy person on the phone said yes, there was a power outage. I told her that it was out but has come back on. Without prompting, she offered to send me a claim form should we have experienced any damage as a result of the outage. At about 12:30 pm there was a second spike of power, which again tripped multiple circuit breakers. Several loud bangs were heard outside by several neighbors.

Text messages from Evergy:

- 1:01 pm Thank you for registering for outage alerts. Confirmation that power is out at our address. Estimated return of service by 1:30 pm.
- 3:25 pm Updated estimate, power to be on by 4:30 pm.
- 5:22 pm Sorry it is taking longer to fix. A new update will be sent soon.
- 8:31 pm Power is back on. Determined the cause to be Equipment Failure.

Upon return of power, I continued my evaluation of any issues. It was determined that several items had been impacted by the power surge/outages. The microwave in our main kitchen was no longer working, several GFI outlets had black marks near the plug holes and would not reset, three surge protectors attached to our TVs and sound system had been blown and were inoperable, and our downstairs HVAC system was malfunctioning with an error code. G.K. Smith and Sons was called the next day to come and check things out and repair as necessary any issues associated with the outage. On February 21, 2024, G. K. Smith and Sons ended up having to replace 10 GFCI outlets and began to troubleshoot the outside unit of our basement HVAC. Several trips were required over the next three months as one repair led to the discovery of the next item in line needing to be replaced (and had to be ordered). Even yet, there is still one additional part that only impacts the heating side of the unit and will be installed when received at some future point. I will note that when initially troubleshooting the outside unit, upon taking off the cover of the equipment it was obvious that there was a serious power surge as there were pieces of some of the equipment that had blown apart.

Our address is at the end of the circuit from Evergy, so any excess power surge that found no other easy path out (neighbors) ended at our house and ultimately at our HVAC unit. Throughout this process I had heard that the surge was caused by a higher voltage line contacting the lower voltage line (the line that provides service to our area), thus the reason for the surge. **I have no idea why we experienced two outages/surges within one hour and it is impossible to determine which of the surges did the most damage. I do not believe that these concurrent power surges on**

February 19, 2024, were “normal” equipment failure. Pursuant to the Evergy Tariff Rules and Regulations, 7.12 LIABILITY OF COMPANY, I believe there was willful misconduct or gross negligence on the part of Evergy during this incident and possibly prior to this incident occurring.

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.

1. The following were original questions that were asked of Evergy by the Complainant and the responses from Evergy are noted in **bold BLUE**. Additional questions were asked (**RED**) and Evergy chose at that time, at the advice of their Legal department, to not respond to any further questions and deny the Complainant’s claim. Evergy should be directed to answer all of the questions, in which I as the complainant believe will show that there was a level of willful misconduct or gross negligence in the handling of the **two** events, under the **Evergy Tariff Rules and Regulations, 7.12 LIABILITY OF COMPANY**. It should be noted that there has yet to be a total explanation of the initial outage (at approximately 11:30 am) but only the extended outage at 12:36 pm.

“In response to your letters of July 2, 2024, and July 3, 2024, I submit the following information and questions to Evergy. I cannot file with my insurance company as my deductible is higher than the experienced loss. Evergy’s letter dated July 2, 2024, in part, states “Per my investigation the outage/surge was caused by the overhead primary phase disconnecting from the insulator. This caused the primary phase to come in contact with overhead line below it, causing line fuses to blow, and causing an outage in the area.”

- Why were there two spikes where the power came back on for a short period of time between the spikes? **11:57 first outage report and the second was at 12:36. Refused lateral between the two outages. Please provide a layman’s definition of a Refused Lateral.**
- Exactly what caused the power line to disconnect from the insulator? **It is classified as equipment failure during the ordinary course of usage.** This does not really give me an answer, and based on the below information, it sounds as though it was equipment failure that occurred during maintenance of the equipment not during the ordinary course of usage.
- When was the insulator/pole last inspected? **Oamose inspected in 2012, and monthly/yearly patrols.** Please provide a layman’s definition of Oamose. I am currently assuming that this is the pole and its attachments. An actual inspection of this pole and associated attachments was done over 10 years ago? What is the expected life of an insulator, connected to a wire of this capacity and under the strain/stress of this wire in this instance?
- When was this equipment originally installed? **1969**
- Has any maintenance been done at this pole in the past year? **Just the crossarm and insulator.** The crossarm and insulator had maintenance in the past year but no wear or signs of stress were noted. Were any items replaced at that time?

• Was any work being done at this pole location or general area on February 19, 2024, prior to the spike? **On that date the crossarm and pin insulator was being replaced, prior replaced crossarms and pin insulators on various 34kv poles per patrols. Work was being done at this location prior to the spike and a crossarm and pin insulator was being replaced, yet the action of the wire coming loose from the insulator is classed as equipment failure during the ordinary course of usage versus something that occurred (human error or equipment malfunction) during the actual replacement of the crossarm and pin insulator? In addition, you indicated above that this crossarm and insulator was maintained within the last year. This does not sound like normal equipment failure.**

• Was any work being done between the two separate outages on February 19, 2024? **Refused lateral. Please define**

• If the fuses blew, why was there a spike of electrical current at my residence? **Unfortunately we are unable to explain what happened in your home. My question is, if a fuse blew (on Evergy equipment), how did electricity pass through a blown fuse to continue down the line?**

• How many residences were impacted by this outage and how many have filed a damage claim against Evergy? **There were over 1000 customers impacted. I am unable to provide you with how many claims outside of yours have been filed. I would think this data would be available as I am sure you track each claim that is filed by the date of the occurrence and location of the customer. I know that you provide each filed claim with a claim number."**

2. The Complainant has experienced extensive time commitments in obtaining the repairs necessary due to the two spikes of electricity and the nature of damage to the HVAC unit, as well as expenses that cannot be claimed through the Complainant's Homeowner's Insurance. I understand that the Kansas Corporation Commission cannot require remuneration for expenses, but I am listing them here as an overall part of the complaint.

SUMMARY OF COSTS:

| | |
|--|------------|
| Electrical Repairs by G. K. Smith and Sons | \$6,129.09 |
| Microwave | \$ 196.63 |
| Surge Protectors | \$ 42.57 |
| TOTAL | \$6,368.29 |

Note that there is still one part for the outside unit that is back ordered and pending installation from G. K. Smith and Sons. Cost is unknown at this point.

3. As a part of this complaint, the Complainant requests that Evergy be required to review all fuses between the occurring outage and the Complainants meter to ensure that all fuses are operational and **NOT** oversized for the line and electrical load. Any fuses found to be oversized should be immediately replaced. If fuses are oversized, thereby allowing excess electrical surges to traverse the line to my location, I believe this could be considered willful misconduct under the **Evergy Tariff Rules and Regulations, 7.12 LIABILITY OF COMPANY.**

4. The Complainant requests that Evergy provide a full and complete explanation of the initial outage that occurred (which has been virtually ignored in Evergy answers to date) and all associated work around the initial outage at between 11:30 and noon on February 19, 2024.

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

VERIFICATION ON ORIGINAL FORMAL COMPLAINT DOCUMENT