

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

Before Commissioners: Andrew J. French, Chairperson
Dwight D. Keen
Annie Kuether

In the Matter of the Complaint Against)
Kansas Gas Service by Richard Mallatt, Jr.) Docket No. 25-KGSG-213-COM
and Connie B. Shaw

ORDER ON PRIMA FACIE DETERMINATION AND LEAVE TO AMEND

This matter comes before the State Corporation Commission of the State of Kansas (“Commission”). Having examined its pleadings and records, the Commission finds:

1. On November 12, 2024, Richard Mallatt, Jr., and Connie B. Shaw (“Complainants”) submitted a formal complaint against Kansas Gas Service, claiming it disconnected their service, among other grievances.

2. Pursuant to K.A.R. 82-1-220(b), a complainant must: (1) fully and completely advise the Commission as to the provisions of law or the regulations or orders of the Commission that have been violated; (2) set forth concisely and in plain language the facts claimed that constitute the violation(s); and (3) state the relief sought by the Complainant.

3. The Complainants allege their service was disconnected, but it is unclear how or why this allegation was purportedly unlawful. The complaint alludes to an estimate for work but offers no explanation for why this is relevant or unlawful.¹ The complaint is vague and does not give the Commission sufficient notice of the alleged violations of law or regulation(s) that would entitle them to relief that could be afforded by the Commission. Therefore, the complaint fails to satisfy K.A.R. 82-1-220(b)(1) and (2), because it fails to set forth concisely and in plain language the facts claimed by the Complainants to constitute a violation.

¹ See Formal Complaint by Richard Mallatt, Jr., and Connie B. Shaw (Nov. 12, 2024).

4. Due to the Complainants' failure to provide sufficient detail to allow the Commission to discern whether it has jurisdiction to resolve any dispute, the Commission finds this formal complaint fails to establish a *prima facie* case for Commission action.

5. Pursuant to K.A.R. 82-1-220(c), the Complainants may amend the formal complaint. Accordingly, the Complainants have thirty (30) days, from the date of this Order, to supplement their Complaint to explain how and why the disconnection violated any law, regulation, or Commission order. If Complainants fail to amend the formal complaint in a manner that satisfies K.A.R. 82-1-220(b), its formal complaint will be dismissed without prejudice.

THEREFORE, THE COMMISSION ORDERS:


A. The Complaint does not satisfy K.A.R. 82-1-220(b), and therefore the formal complaint does not establish a *prima facie* case for Commission action.

B. Complainants shall have 30 days to amend the formal complaint. If Complainants fail to do so in a manner that satisfies K.A.R. 82-1-220(b), the formal complaint will be dismissed without prejudice.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 12/03/2024



Lynn M. Retz
Executive Director

ARB

CERTIFICATE OF SERVICE

25-KGSG-213-COM

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 12/03/2024.

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/s/ KCC Docket Room
KCC Docket Room