

KANSAS CORPORATION COMMISSION
OFFICE OF PUBLIC AFFAIRS & CONSUMER PROTECTION

FORMAL COMPLAINT

BND - 3/10/17

Formal Complaint
September 2016

20170323022351
Kansas Corporation Commission

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

IN THE MATTER OF THE COMPLAINT AGAINST

WESTAR ENERGY
(Respondent, name of utility company)

by

DOTTIE + DON MURPHY
(Complainant, your name)

For Commission
use only

DOCKET NO.

17-WSEE-438-COM

Please provide complainant (your) contact information:

Full Name(s): DOTTIE L + DONALD MURPHY

Address: 1120 EDWARDSVILLE DR, EDWARDSVILLE, KS 66111

Daytime Phone: 913-441-7933

E-mail Address (optional): RETRACT57@gmail.com

FORMAL COMPLAINT

DONALD + DOTTIE MURPHY
(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.)

PLEASE ACCEPT MY TYPED STATEMENT. I TRIED TO BE BRIEF

(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.)*

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.


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.

Sara,

In April 2005 we added electric for our utility barn. Westar set the meter. Westar had our barn and house on the same rate. One month later they changed the rate from residential to commercial. However, we did not know the rate was commercial because it was never stated as commercial on our bill.

In February 2017, I attempted to put our electric bills on auto pay because we travel to see our grandchildren and didn't want to miss a payment. I was successful in placing the house on auto pay, but was unable to complete the barn autopay. I called Westar representative and Erica told me our barn was being charged as a commercial building. Our barn has never been commercial and is not commercial now and asked for the rate to be changed and the money we overpaid to be reimbursed. I was told an agent needed to check the meter. On Feb 27, 2017, the agent read the meter and said his report would state our barn is not and never had been a commercial building.

I contacted Westar and was transferred to the billing department. I was told Westar usually puts a barn on commercial without knowing whether it is or not. We had requested a reimbursement of all the money we had unknowingly overpaid Westar since 2005.

March 7, 2017, Heather called me stating she had good news. Our barn was not commercial and the base rate would be decreased from \$22.50 to \$ 14.50 each month. I sent two requests for reimbursement of the money overcharge since 2005. March 9, 2017 was told by a spokeswoman Rita that each year a mandated rate summary insert is included in the bill. I asked for a copy of that insert but have not received it. Because of that Westar would not reimburse the over payment. Brandon sent me a copy of an insert and I couldn't see anything that would direct a consumer to question the rate they were being charged. I found nothing that states the codes seen on our bill equates to being billed commercially.

I have front copies of bills from 2015 and nothing on the bills would trigger anyone to believe they were billed commercially. We believed the code and statement description on the bill just denoted the fact the meter was on the barn and used very little electric.

My husband said Westar sent an agent several years ago to check the meter. The agent, which we knew because he came every time we had an outage, named J.J., said Westar sent him to check the meter because we used so very little electric. So, we know they knew this was not commercial from his report. We just don't have the exact date but they do. If they increased the rate one month after the meter was set without cause, I believe they knowingly overcharged us.

I also believe that we are not the only customer Westar has overcharged without their knowledge. If nothing else comes from this I would like to have them changed the statement to have wording that is clear and concise for the customer. The current wording on the barn states Small General Service. We had belief this just denoted a meter that would have a small usage, not a commercial usage. This wording is deliberately clouded to confuse the consumer. I believe that Westar should be required to reduce the rate billed when they know the consumer has such a small usage. They should be required to make sure the meter rate is changed and not make the consumer bear the burden of requesting that rate change.

Sincerely
Dottie Murphy