

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

In the Matter of the Complaint Against Kansas )  
Gas Service by Kathy Reinert. ) Docket No. 24-KGSG-611-COM

**ANSWER AND MOTION TO DISMISS**

Kansas Gas Service, a division of ONE Gas, Inc. (“Kansas Gas Service” or “Company”), pursuant to K.A.R. 82-1-220 and K.A.R. 82-1-217, respectfully files its Answer and Motion to Dismiss in the above-captioned Formal Complaint filed by Kathy Reinert. In support thereof, Kansas Gas Service states the following to the State Corporation Commission of the State of Kansas (“Commission”):

1. On March 4, 2024, Kathy Reinert filed a Formal Complaint against Kansas Gas Service.

2. On March 14, 2024, the Commission issued its Order Making Prima Facie Determination, wherein the Commission found Mrs. Reinert alleged Kansas Gas Service’s billing practices were unreasonable, unfair, or unjust.

3. On April 2, 2024, the Commission granted Kansas Gas Service’s request for an extension of time to file its Answer to April 8, 2024.

**A. Answer**

4. Unless stated herein, Kansas Gas Service generally denies the allegations.

5. Mrs. Reinert alleges Kansas Gas Service improperly sent her a disconnection notice while the Cold Weather Rule was in effect despite her bill being paid (i.e., no bills were delinquent). Kansas Gas Service denies the allegation.

**B. Response**

6. Mrs. Reinert alleges she received a disconnection notice despite the account’s bill

being paid. Mrs. Reinert's allegation, unfortunately, misunderstands Kansas Gas Service's reason for issuing a disconnection notice. Kansas Gas Service issued a disconnection notice because it did not receive an application for service following the death of the account holder. The disconnection notice was unrelated to whether the account was current on its payments.

7. On December 27, 2023, Mrs. Reinert informed Kansas Gas Service that her spouse, Mr. Reinert, had passed away. Mrs. Reinert was authorized to make certain changes to the account, for example updating associated phone numbers and email addresses. However, she was not the account holder – her late husband Mr. Reinert was. This call concluded with only the account's email address and phone number being updated. On January 18, 2024, Kansas Gas Service's internal research team verified Mr. Reinert was deceased.

8. With no account holder responsible for the service provided to the premises, Kansas Gas Service took steps to avoid service interruption. On January 18, 2024, Kansas Gas Service called the phone number Mrs. Reinert had updated but the number was not working. Kansas Gas Service mailed a letter to the premises on January 18, 2024, requesting the current resident update the account to reflect their identity and contact information. Kansas Gas Service then sent a second letter warning service would be disconnected if no application for service was received. Service provided to the premises was able to be placed in Mrs. Reinert's name on February 8, 2024, and her identity was verified by Kansas Gas Service on February 26, 2024.

9. Kansas Gas Service regrets the difficulty Mrs. Reinert experienced with this account transfer, particularly given the circumstances. At the same time, Kansas Gas Service's disconnection notices did not violate the Commission's Cold Weather Rule. For this reason, Kansas Gas Service respectfully requests the Complaint be dismissed.

### **C. Motion to Dismiss**

10. Mrs. Reinert's allegations against Kansas Gas Service either: (1) do not present a claim for which relief can be granted, or (2) do not present facts or evidence sufficient to support the allegations against Kansas Gas Service.

11. Kansas Gas Service did not issue a disconnection notice to Mrs. Reinert for non-payment in violation of the Cold Weather Rule. Following the death of an account holder, Kansas Gas Service issued a disconnection notice because no application for service had been made. Accordingly, the Complaint has not presented facts or evidence sufficient to support the allegation made against Kansas Gas Service.

12. Issuing a disconnection notice when service continues to be provided under a deceased's name is not a violation of the Commission's Cold Weather Rule. The Commission's Cold Weather Rule allows immediate disconnections when service is abandoned. Billing Standards Section V.B.(2). Likewise, the Commission's Cold Weather Rule allows for service to be disconnected with 48-hours' notice when service is obtained or retained under a misrepresented identity. Billing Standards Section V.B.(6). Kansas Gas Service's disconnection notices were allowed by the Commission's Billing Standards, including its Cold Weather Rule. Accordingly, the Complaint has not presented a claim for which relief can be granted.

13. Service was transferred into Mrs. Reinert's name on February 8, 2024, and her identity was verified by Kansas Gas Service on February 26, 2024. Because Mrs. Reinert's identity has been verified there are no other account initiation procedures to complete. Accordingly, the Complaint is now moot.

WHEREFORE, Kansas Gas Service having fully responded to the Complaint respectfully moves the Commission to dismiss the Complaint for failing to state a claim upon which relief can be granted, and for such further relief as the Commission deems just and reasonable.

Respectfully submitted,

/s/ Robert Elliott Vincent

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## VERIFICATION

STATE OF KANSAS       )  
                                      )  
COUNTY OF JOHNSON    )

I, Robert Elliott Vincent, of lawful age, being first duly sworn upon oath, states as follows: I am a Managing Attorney for Kansas Gas Service, a Division of ONE Gas, Inc. I have read the above *Answer and Motion to Dismiss*, and all the statements therein are true to the best of my knowledge, information, and belief.



Robert Elliott Vincent

*Affiant*

SUBSCRIBED AND SWORN to before me on 4/8/24.



Notary public

My Appointment Expires:

6/5/26



**CERTIFICATE OF SERVICE**

I, Robert Elliott Vincent, hereby certify that a copy of the above and foregoing *Answer and Motion to Dismiss* was forwarded this 8th day of April, 2024, addressed to:

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