

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

Kansas Gas Service
(Respondent, name of utility company)

by

Michael & Terri Clagg
(Complainant, your name)

For Commission
use only

DOCKET NO.

18-KGSG-460-COM

Please provide complainant (your) contact information:

Full Name(s): Michael Clagg & Terri Clagg
Address: 1497 Raintree Lane, Haysville, KS 67060
Daytime Phone: (316) 613-3449
E-mail Address (optional): mclagg1@cox.net

FORMAL COMPLAINT

Michael & Terri Clagg
(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 see attached sheet.
Thank you!

(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.)*

We request the \$449.07 bill be eliminated.

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.

Michael Clagg
Complainant's (your) signature

4-19-18
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.

We received a letter from Kansas Gas Service dated April 9th, 2018. They told us that "... the gas meter installed at 1497 Raintree Lane ceased to record gas consumption." They replaced the meter on March 28, 2018. They determined the meter did not record gas consumption for 16 months; from November 21, 2016 to the date the meter was replaced. They then enclosed a statement that "... reflects our estimate of unrecorded consumption." The bill of **\$449.07 is due on April 25, 2018.** That is only 16 days after we received the bill.

Steps we have taken so far:

1. We phoned KGS the day we received the bill and spoke with a customer service representative. She explained the process of how the estimation was made but offered no solution to the outrageous bill.
2. We asked to speak with a supervisor. After a long wait (34 minutes) we were told the supervisor would not speak with us as she had no new information.
3. We asked for the next supervisor and were told to contact the Kansas Corporation Commission.
4. We called them and were given another explanation of how they arrived at the amount on the bill. We explained that we were not seeking an explanation, we were seeking a resolution. She told us we could file a complaint form which she agreed to send.

Our position is that **we should not have to pay the \$449.07 bill** for the following reasons:

1. Kansas Gas Service admittedly owns the meter, not us.
2. The responsibility for maintaining the meter was theirs, not ours.
3. They claim to have known the meter was faulty on November 21, 2016 but waited 16 months to repair it.
4. They were responsible for billing us for what we used, not what they think we might have used. If they are allowed to make guesses about how much gas someone used, there would be no need to have meters on homes.
(If I get gas at the local store and the pump does not accurately meter what I use, the store cannot come back on me more than a year later and guess what I owed them.)
5. We paid, on time and in full, every monthly bill they sent. The average bill was \$18 over a 16 month period. which comes to **\$288.00 plus the \$449.07 guestimate for a total of \$737 .07!**
6. Their estimate of what we owed was based on usage during the winter months, when usage is at it highest, and not over the course of a full year.

We have no problem paying for what we used. The problem is that due to their equipment failure, they want us to pay a huge bill that is based on a "guestimate" of use, not evidence of use. We should not have to pay a bill that has no recorded data to justify it, especially when we did pay the bills they sent us. Our request is to eliminate the \$449.07 bill.