

KANSAS CORPORATION COMMISSION
OFFICE OF PUBLIC AFFAIRS & CONSUMER PROTECTION

Formal Complaint
February 2015

FORMAL COMPLAINT

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

IN THE MATTER OF THE COMPLAINT AGAINST

KCP & L
(Respondent, name of utility company)

by

Toby L. Boschert
(Complainant, your name)

2015.08.31 10:54:39

Kansas Corporation Commission

For Commission
use only

DOCKET NO.

16-KCPL-109-COM

Received
on

AUG 31 2015

Please provide complainant (your) contact information:

by
State Corporation Commission
of Kansas

Full Name(s): Toby L. Boschert

Address: 12725 Wenonga Lane, Leawood KS 66209

Daytime Phone: 913-469-4344

E-mail Address (optional): _____

FORMAL COMPLAINT

Toby L. Boschert
(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.)

Due to a power supply issue, I sustained direct
losses totalling \$2,273.95 as detailed in letter I sent
to the KCC - Public Affairs and Consumer Protection (attached next).
Back-up documentation of losses and expert opinions
on the cause of my losses are also attached.

(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.)*

pay restitution to Toby L. Boschert totalling \$2,273.95.

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.

Toby L. Boschert
Complainant's (your) signature

8/28/15
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:

Acting Executive Secretary
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.

STATE
CORPORATION
COMMISSION

AUG 31 2015

PUBLIC AFFAIRS
DIV.

KCC-Public Affairs and Consumer Protection
1500 SW Arrowhead Road
Topeka, KS 66604

I am writing in regards to an incident at my home that occurred sometime between the dates of October 24-26, 2014. We were out of town and returned to a house that had blinking clocks, breakers that were thrown out, a crashed computer, a mother board on the upstairs furnace that was burned out, and a Time-Warner router on another computer that was completely fried. According to the Customer Service reps that I spoke with at KCPL, we had had our electric meter replaced at about that time.

After getting our systems back on line (all that I was capable of repairing), I called Midwest Heating and Cooling, INS Professionals, and Time Warner to fix the destroyed furnace board, my computer, and our router. Each of these professionals stated that power problems caused my losses (please see attached documentation).

I called KCPL again and spoke to Tia at 816.654.1558 and was told that it was possible that there was a power issue, but due to some specific tariffs that KCPL was not responsible for any damages. When I told her about the circumstances of the changing of the meter and the fact that the weather at that time was very mild with no wind or precipitation, she reiterated her points about the tariffs. I just recently contacted Pat Khoury at 816.654.1539, Tia's supervisor, who basically confirmed the points again.

We have been a customer of KCPL since 1984 and have been very pleased with their service as well as the professionalism of each of their representatives in dealing with this matter. However I believe that the circumstances and sheer scope of damages at one time during a period of mild weather and no other neighbor experiencing issues seems to me that KCPL quite probably was at fault and should reimburse me \$2,273.95 for my losses.

Thank you for your help, and I have included supporting materials as detailed:

Letter from KCPL

KCPL Damage Claim Form (2 Pages)

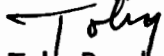
My KCPL Account Info

Letter from Midwest Heating and Cooling (3 Pages)

INS Professionals (3 pages)

Receipt from Time Warner for new router (2 pages)

Sincerely,



Toby Boschert

12725 Wenonga Lane

Leawood, KS 66209

KCPL 5510-40-4346

I can be reached on my cell at 816.591.2917

Steve

KCC

800-662-0027



November 7, 2014

Mr. Toby Boschert
12725 Wononga Lane
Leawood, KS 66209-1630

Dear Mr. Boschert:

Enclosed is a KCP&L Property Damage Claim form, as per your request. Although KCP&L works diligently to maintain its electrical distribution system, please be advised that KCP&L is not responsible for damages caused by normal equipment failure or an act of nature, such as a storm. **Please be advised that by sending this claim form, KCP&L does not automatically assume any fault or responsibility.**

If you still feel you have a claim, complete the entire form and return the original with copies of any supporting documentation you may have. Please return to KCPL, Claims Dept. 801D, P.O. Box 418679, Kansas City, MO 64141. **Please be sure to fill out the total on the back and sign the form.** Failure to fully complete the form may result in a delay in processing your claim.

Once we have received your completed claim form, we will investigate, and let you know our findings.

Sincerely,

KCP&L
Claims Department
816-654-1562

Encls.



Property Damage Claim Form

Because of your recent property damage, KCP&L wants to serve you in the quickest and most responsive manner possible. In order for us to accomplish this, we need you to review and provide the following information:

- ✓ Please complete both sides of this form. **Failure to fully complete and sign the form could delay processing of your claim.**
- ✓ Claims must be filed with us within 90 days of occurring damage (non-compliance with this requirement may disqualify your claim)
- ✓ Mail clear, legible copies of the repair estimates and receipts or, if repair is not economically feasible, provide a copy of purchase receipts for damaged items (**not the replacements**), if possible, with original claim form. Mail completed ORIGINAL claim form and receipt copies to: Kansas City Power & Light, Claims Department 801-D, P.O. Box 418679, Kansas City, MO 64141, (816) 654-1562.
- ✓ Actual cash value (replacement cost less depreciation) is the basis for settlement on items not economically repairable.
- ✓ Damaged part(s) must remain available for inspection by KCP&L until the claim is finalized.; call us with any concerns/issues on this point.
- ✓ Write your KCP&L account number here: 5510-40-4346

Claimant's name:

First: Toby MI: L. Last: Boscher-T

Exact address where damage occurred:

Street address: 12725 Weranga Lane

City: Leawood State: KS ZIP: 66209

Phone number: (913) 469-4344 Daytime phone or cell: (913) 327-1708 x1

When did damage occur? Date: 10/24-26/14 Time: ? ☐ a.m. ☐ p.m.

Claimant's mailing address: (if different from above) We went out of town on Friday 10/24 a few hours after our new meter was installed.

Street address: _____

City: _____ State: _____ ZIP: _____

Provide a brief description, as you understand it, of what caused the damage: _____

Opinions of representatives from Time Warner Cable, Midwest Heating + Cooling, and INS Information Technology said that damages were caused by a power surge

Description of property damage: _____

Complete loss of computer
Board on furnace unit burned up
Router was "fried"

Have you contacted your insurance agency? ☐ Yes ☒ No If yes,

Insurance carrier's name: _____

Are there any other supporting facts or witnesses that can be contacted? _____

Letters attached have contact information if additional information is required

Original Appliance Damage Information

Actual Damaged Appliance Description (not replacement info):

Appliance Type:	<u>Heating unit</u>	Purch. date:	<u> </u> / <u> </u> / <u> </u>	Purch. price:	\$ <u> </u>
Brand:	<u> </u>	Model number:	<u> </u>		
Damage description:	<u>Board rendered unusable</u>				
Repairable?:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Labor:	\$ <u> </u>	Replacement parts:	\$ <u> </u>
				Total:	\$ <u>368.00</u>

Appliance Type:	<u>Computer</u>	Purch. date:	<u> </u> / <u> </u> / <u> </u>	Purch. price:	\$ <u> </u>
Brand:	<u>Lenovo</u>	Model number:	<u>540P</u>		
Damage description:	<u>Complete disk and system destruction</u>				
Repairable?:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Labor:	\$ <u>603.98</u>	Replacement parts:	\$ <u>1,301.97</u>
				Total:	\$ <u>1905.95</u>

Appliance Type:	<u>Router</u>	Purch. date:	<u> </u> / <u> </u> / <u> </u>	Purch. price:	\$ <u> </u>
Brand:	<u>Time Warner-Cisco</u>	Model number:	<u> </u>		
Damage description:	<u>Router</u>				
Repairable?:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Labor:	\$ <u>0</u>	Replacement parts:	\$ <u>0</u>
				Total:	\$ <u>0</u>

Appliance Type:	<u> </u>	Purch. date:	<u> </u> / <u> </u> / <u> </u>	Purch. price:	\$ <u> </u>
Brand:	<u> </u>	Model number:	<u> </u>		
Damage description:	<u> </u>				
Repairable?:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Labor:	\$ <u> </u>	Replacement parts:	\$ <u> </u>
				Total:	\$ <u> </u>

Additional comments? We also had our microwave light burn out, 2 breakers flipped off on our system, All clocks and thermostats were blinking & needed to be reset.

Total amount for which you are filing this claim: \$ 2,273.95

Your signature: Toby Z Rosch Date: 11/20/14



For billing and service information : **816-471-5275** (816-471-KCPL)
or toll-free : **1-888-471-5275** (1-888-471-KCPL)
For emergencies or lights out : **1-888-544-4852** (1-888-LIGHT-KC)

Customer Name : **TOBY L BOSCHERT**
Account Number : **5510-40-4346**
Service Address : **12725 WENONGA LN**

Due upon receipt : **\$ 282.74**

Page 1 of 2
Billing Date: 11/04/2014

Message Board

Would you like a consistent monthly bill? KCP&L's Budget Billing option allows you to make consistent monthly bill payments based on an average of your bills from the last 12 months. For more information, visit www.kcpl.com/budgetbilling. To enroll, pay the Budget Billing amount shown on this bill.

Looking for new gift ideas? KCP&L's Energy Gift is a thoughtful way to help a friend or family member in need. You can make an anonymous, one-time donation toward their energy bill. Learn more at www.kcpl.com/energygift.

Keeping the holidays bright. If you're hanging outdoor lights this year, make sure to stay safe. Don't overload sockets and discard any lights with broken or frayed cords. Learn more holiday safety tips at www.kcpl.com/holidaysafety.

Account Summary

for service from 10/01/2014 to 10/30/2014

Previously Billed	\$ 165.62
Late Payment Charge - 10/31/2014.....	3.55
Current Charges (details on back)	
12725 WENONGA LN	113.57
Due upon receipt	\$ 282.74
Late charge if received after December 01, 2014.....	2.45
Amount due with late charge.....	\$ 285.19

Additional customer names : **TRACY J BOSCHERT**



-13228 Holmes Road
Kansas City, MO 64145
New Const. 816-943-8400
Service/Ptg. 816-943-8787
Fax: 816-943-8510

FAX COVER SHEET

Date: 11.20.14

To: Toby Boschert

Fax # 913)327-1706

From: John Birvin

Comments: Board Replacement

Page 1 of 2

If you do not receive all of this transmission, please call our office at:
(816) 943-8400 New Construction
(816) 943-8787 Service/Plumbing

Thank you,



13228 Holmes Road
Kansas City, MO 64145
New Const. 816-943-8400
Service/Ptg. 816-943-8787
Fax: 816-943-8510

**Toby Boschert
12725 WENONGA
LEAWOOD, KS 66209**

Mr. Boschert,

John was out and found the board bad on the system, due to power problems, the most common cause for the board to fail would be due to inconsistent power going to the unit. If you have any further questions or need to reach our Service Manager please give our Service Department a call at 816-943-8787.

We appreciate your Business

**Thank you,
John Girvin
Assistant Service Manager
Midwest Heating, Cooling and Plumbing
816-943-8787**

816-921-9310

**HVAC
SALES
&
SERVICE**

[illegible][illegible]

INS :: InformationTechnology :: Network :: Systems :: Professional Consulting

16479 West 132nd Circle
Olathe, KS 66062
Phone 913.908.8908

November 18, 2014

Boschert & Partners Marketing,LLP
12725 Wenonga Lane
Leawood, KS 66209
913-327-1708

Toby:

The following are the results of a professional assessment of the Lenovo ThinkPad W700 2757
Part Number: 2757CTO, Serial Number R9-14X5B.

Upon inspection of the laptop computer I have found that the laptop has been permanently damaged and the data cannot be recovered. Upon further inspection, disassembly of components, and inspection of hard drive, I have determined that damage to the computer is consistent with a power surge or voltage above (or below) the laptops normal operating voltage, causing an arc of electrical current damaging the electronic circuit boards and other electrical components. The laptop is not to be used for further business operations.

The attached invoice (Invoice #1410271) is associated with the assessment and attempted data recovery from the event.

Please let me know if you require further information and best regards,


Michael Snodgrass
Principal Consultant



INVOICE

From **INS Professionals L.L.C.**
16479 West 132nd Circle, Ste 222
Olathe, KS 66062

Invoice For **Boschert & Partners
Marketing, LLP**
12725 Wenonga Lane
Leawood, KS 66209

Invoice ID **1410271**
Issue Date **11/18/2014**
Due Date **11/18/2014 (upon receipt)**

Subject **Lenovo ThinkPad W700 2757 SN R9-14X5B assessment, recovery**

Type	Description	Quantity	Unit Price	Amount
Service	Professional Services: Consulting (10/27/2014 - 10/27/2014) Lenovo ThinkPad W700 2757 SN R9-14X5B assessment, recovery tasks, consulting, travel one-way, disassembly of components, and inspection	4.50	\$125.00	\$562.50

Subtotal	\$562.50
Discount (0.00%)	\$0.00
Tax (7.375%)	\$41.48
Amount Due	\$603.98

Notes

Micro Center
9294 Metcalf Avenue
Overland Park, KS 66212
General Manager Susan Hall
(913) 652-6000

Reference: 191 SE-5407416
Date: 10/27/14 11:33 AM
Customer: Micro Center
CSR: ROBERT H.

SALES RECEIPT SALES RECEIPT

1 339978 LENOVOOIR 1540P 4200M/4G/500/15 919.99
Sales ID: D. YORK
ORIG PRICE EACH: 949.99
YOUR SAVINGS: 30.00
S/N: 889038L6F
Manager Discretion
1 498006 ESET NOD32 A/V 2015 3-YEAR OEM 79.99
Sales ID: D. YORK
1 016055 TUG TUG-2YR CARRYIN EXT NB/1B 199.99
Sales ID: D. YORK
PC PER RUNBACH

SUBTOTAL: 1,199.97
TAX: 102.00
TOTAL: 1,301.97

XXXXXXXXX7265 VISA: 1,301.97

***** YOUR TOTAL SAVINGS: 30.00**

NOTEBOOK/LAPTOP COMPUTERS, DESKTOP COMPUTERS, TABLETS,
PROCESSORS, MOTHERBOARDS, DIGITAL CAMERAS, CAMCORDERS,
PROJECTORS AND CD/DVD DUPLICATORS MAY BE RETURNED WITHIN
15 DAYS OF PURCHASE. THE FOLLOWING SKUS APPLY: 339978

OPENED SOFTWARE, DVDS, CDS AND CONSOLE GAME
CARTRIDGES/CDS MAY BE EXCHANGED ONLY FOR THE IDENTICAL
PRODUCT, AND ONLY WITHIN 30 DAYS OF PURCHASE. THE
FOLLOWING SKUS APPLY: 498006

UNLESS STATED ABOVE YOUR PURCHASE MAY BE RETURNED WITHIN
30 DAYS OF PURCHASE.

I AGREE TO PAY ABOVE CREDIT CARD TOTAL(S) ACCORDING TO
CARD ISSUER AGREEMENT (MERCHANT AGREEMENT IF CREDIT
VOUCHER).

****PROTECTION PLAN ACKNOWLEDGEMENT****

Replacement
Router from
Time Warner

LEAWOOD
RECEIPT NBR.. 3060723

PAGE 1

OFFICE INFORMATION

DATE..... 10/29/14 TIME..... 11:04 AM
OPERATOR.. KACCANDACE
WS ID..... QPADEV
RETURN TECH NBR 08445

ACCOUNT INFORMATION

215999-01
TOBY L BOSCHERT
12725 WENONGA LN
LEAWOOD, KS 66209-1630

No
Charge

CONVERTER INFORMATION

SERIAL NBR	ITEM NBR	ISSUED	REMOTE Y/N
SACDCQWFQ	CI8742S	3/15/13	—
ESEBUA69K5659DG1670A		10/29/14	—
S6B506027	SM3262S	10/24/11	—
S7D168140	SM3362S	10/17/14	—
E5VBPP69M5919DG1670A		RETURNED	—

THANK YOU FOR CHOOSING TIME WARNER CABLE

CUSTOMER SIGNATURE

PAGE 1

/LE

LEAWOOD
RECEIPT NBR.. 3060723

PAGE 1

OFFICE INFORMATION

DATE..... 10/29/14 TIME..... 11:04 AM
OPERATOR.. KACCANDACE
WS ID..... QPADEV
RETURN TECH NBR 08445

ACCOUNT INFORMATION

215999-01
TOBY L BOSCHERT
12725 WENONGA LN
LEAWOOD, KS 66209-1630

CONVERTER INFORMATION

SERIAL NBR	ITEM NBR	ISSUED	REMOTE Y/N
SACDCQWFQ	CI8742S	3/15/13	—
E5EBUA69K5659DG1670A		10/29/14	—
S6B506027	SM3262S	10/24/11	—
S7D168140	SM3362S	10/17/14	—
E5YBPP69M5919DG1670A		RETURNED	—

THANK YOU FOR CHOOSING TIME WARNER CABLE

CUSTOMER SIGNATURE

PAGE

1/LE