

1500 SW Arrowhead Road
Topeka, KS 66604-4027



20141201090000
Kansas Corporation Commission


Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

Sam Brownback, Governor

MEMORANDUM

To: Thomas A. Day, Acting Executive Director

From: Jesse Borjon, Director 
Public Affairs and Consumer Protection

Date: December 1, 2014

Re: Public Comments
Docket No. 14-WSEE-589-TAR

Attached is the report summarizing comments received by the Office of Public Affairs and Consumer Protection (PACP) in the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of Revisions to Their General Terms and Conditions Related to the Credit Card Convenience Fee.

There have been five comments received either by letter, phone or email between June 18, 2014, and November 21, 2014.

Copies of the comments and summary are attached as "Attachment A." I request the Docket Room file the comment memo and supporting materials into the docket.

Cc: Amber Smith, Litigation Counsel

**Kansas Corporation Commission
Consumer Protection
Complaint System**

**Docket Comments
14-WSEE-589-TAR**

Docket No	Total Comments	Total Signatures	Total
	5	0	5
Grand Total	5	0	5

“Attachment A”

KANSAS CORPORATION COMMISSION



Division of Public Affairs
 1500 SW Arrowhead Road
 Topeka, KS 66604-4027
 (785) 271-3100

Complaint ID **99218**
 Date Filed **08/22/2014**
 Investigator **SBOYD**

Account Information

Account No	Notified KCC by E	Consumer Class R
Name MIKE FAULKNER	Home Phone	Cell Phone
Business	Work Phone	Ext Fax #
Street Address	Email Address MSFAULKNER@COX.NET	
Mailing Address	Special Instructions	
City		
State KS Zip Code		

Contacts

No Contacts Exist

Complaint Coding

Not Applicable									Dollars KCC
Company ID	Complaint Code	Complaint Type	Company Resolution	Complaint Closed	Violation/Concern	Issue	Dispute Explanation	Disputed Dollars	Saved Consumer

Docket Opinion

Compan y	Docket Number	Consumer Opinion	Number of Petitions/
WSEE	14-WSEE-589-TAR	0	

KANSAS CORPORATION COMMISSION



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Complaint ID **99218**
Date Filed **08/22/2014**
Investigator **SBOYD**

Narrative

08/22/2014 I AM NOT RESPONSIBLE TO PAY FEES FOR WESTAR CUSTOMERS THAT PAY WITH CREDIT CARDS.
IF I DO NOT USE A SERVICE, I SHOULD NOT HAVE TO PAY FOR THAT SERVICE.
I AM FORCED TO USE WESTAR FOR ELECTRIC SERVICE.
I AM 73 YEARS OLD AND REALLY, REALLY TIRED OF HAVING TO PAY TO SUPPORT EVERYBODY ELSE.

MIKE FAULKNER

KANSAS CORPORATION COMMISSION



Division of Public Affairs
 1500 SW Arrowhead Road
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 (785) 271-3100

Complaint ID **98847**
 Date Filed **09/15/2014**
 Investigator **SBOYD**

Account Information

Account No	Notified KCC by P	Consumer Class R
Name THOMAS SMITH	Home Phone	Cell Phone
Business	Work Phone	Ext Fax #
Street Address 11010 W. 11TH CT NORTH	Email Address TOM7501@COX.NET	
Mailing Address	Special Instructions	
City WICHITA		
State KS Zip Code 67212		

Contacts

No Contacts Exist

Complaint Coding

Company ID	Complaint Code	Complaint Type	Company Resolution	Complaint Closed	Violation/Concern	Dispute Issue Explanation	Disputed Dollars	Dollars KCC Saved Consumer
WSEE	199	C		09/15/2014			0.00	0.00

Docket Opinion

Company	Docket Number	Consumer Opinion	Number of Petitions/
WSEE	14-WSEE-589-TAR	0	

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Complaint ID **98847**
Date Filed **09/15/2014**
Investigator **SBOYD**

Narrative

09/15/2014 DEAR SIRs AND MADAMS:

AFTER WRITTEN DISCOURSE WITH CURB'S ATTORNEY, NIKKI CHRISTOPHER, WHO VERY KINDLY AND SIMPLY EXPLAINED THE ISSUES, I MUST REJECT HER COMMENTS AND STATE MY OWN COMMENTS FOR YOUR CONSIDERATION REGARDING DOCKET NO. 14-WSEE-589-TAR.

AFTER VERY CAREFUL ANALYSIS, I BELIEVE THE ANSWER TO WESTAR'S REQUEST IS VERY SIMPLE.

NO MATTER HOW WESTAR HAS PRESENTED IT, IT IS INHERENTLY WRONG AND WILL PLACE ADDITIONAL EGREGIOUS COSTS TO THE MAJORITY OF WESTAR CUSTOMERS WHO ARE NOT AS "COMPUTER SAVVY" AS SOME ARE.

SIMPLY PUT: "THERE CAN BE NO LOGICAL REASON WHY 95% OF WESTAR CONSUMERS WHO PAY BY MAIL, SHOULD PAY FOR ANY OF THE COSTS FOR THE 5% WHO USE CREDIT CARD PAYMENTS. WESTAR'S REQUEST IS ILLOGICAL AND IS UPSIDE DOWN.

NO OTHER INDUSTRY I KNOW OF CHARGES THE FEES OF THE MINORITY TO THE MAJORITY OF NON-FEE USERS. WESTAR'S REQUEST IS SIMPLY A "SCAM" TO MAKE NON-FEE USERS PAY THE COSTS OF THE FEE USERS. WESTAR'S REQUEST IS INHERENTLY WRONG AND SHOULD BE REJECTED".

WESTAR CUSTOMER THOMAS B. SMITH
11010 W. 11TH CT N
WICHITA, KANSAS 67212

09/16/2014 MR. SMITH,

WE DO NOT HAVE AN OPEN COMMENT PERIOD ON THIS ISSUE, HOWEVER I DID FORWARD YOUR EMAIL TO KCC STAFF MEMBERS WHO ARE WORKING ON THIS TARIFF FILING, AND I ENTERED A COMPLAINT INTO OUR TRACKING SYSTEM. THANK YOU FOR EXPRESSING YOUR VIEWS ON THIS ISSUE TO THE KCC STAFF.

KANSAS CORPORATION COMMISSION



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Complaint ID **99219**
 Date Filed **08/22/2014**
 Investigator **SBOYD**

Account Information

Account No	Notified KCC by	E	Consumer Class	R
Name	CAROLYN SCHMITT	Home Phone	Cell Phone	
Business		Work Phone	Ext	Fax #
Street Address	4239 N RUSHWOOD CT	Email Address		
Mailing Address		Special Instructions		
City	BEL AIRE			
State	KS	Zip Code	6	7226

Contacts

No Contacts Exist

Complaint Coding

Not Applicable Company	Complaint	Complaint	Company	Complaint	Violation/	Dispute	Disputed	Dollars KCC
ID	Code	Type	Resolution	Closed	Concern	Issue Explanation	Dollars	Saved Consumer

Docket Opinion

Compan y	Docket Number	Consumer Opinion	Number of Petitions/
WSEE	14-WSEE-589-TAR	0	

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Complaint ID **99219**

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Investigator **SBOYD**

Narrative

08/22/2014 I AM COMPLETELY OPPOSED TO WESTAR'S REQUEST TO SPREAD USER FEES FOR CREDIT CARD PAYMENT OF BILLS ACROSS ALL USERS. USING A CREDIT CARD TO PAY A UTILITY IS A CHOICE. ACCORDING TO THE NEWS STORY, WESTAR'S EXPECTATION IS THAT CARD USAGE WILL RISE IF THIS IS ALLOWED. ONE MORE WAY TO RAISE CORPORATE PROFITS BY CHARGING EACH OF US JUST A LITTLE. BY THE WAY, I PAY MY BILL ELECTRONICALLY FROM MY BANK ACCOUNT WITH NO FEES PAID TO ANYONE.

CAROLYN SCHMITT
4239 N RUSHWOOD CT
BEL AIRE. 67226

KANSAS CORPORATION COMMISSION



Division of Public Affairs
 1500 SW Arrowhead Road
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Complaint ID **99220**
 Date Filed **08/25/2014**
 Investigator **SBOYD**

Account Information

Account No	Notified KCC by	E	Consumer Class	R
Name	SUSAN PHILLIPS	Home Phone	Cell Phone	
Business		Work Phone	Ext	Fax #
Street Address	1914 S WHITE OAK DR.	Email Address	SUSANPHILLIPS13@GMAIL.COM	
Mailing Address		Special Instructions		
City	WICHITA			
State	KS	Zip Code	6 7207	

Contacts

No Contacts Exist

Complaint Coding

Company ID	Complaint Code	Complaint Type	Company Resolution	Complaint Closed	Violation/Concern	Dispute Issue	Disputed Explanation	Disputed Dollars	Dollars KCC Saved Consumer
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Docket Opinion

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WSEE	14-WSEE-589-TAR	0	

KANSAS CORPORATION COMMISSION



Division of Public Affairs
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Complaint ID **99220**
Date Filed **08/25/2014**
Investigator **SBOYD**

Narrative

08/25/2014 I AM FORWARDING MY CONCERN TO YOU PER THE SUGGESTION CURB'S RESPONSE TO MY EMAIL TO THEM (ATTACHMENT ONE).

I FEEL IT WOULD BE A TRAVESTY FOR WESTAR TO BE ALLOWED TO CEASE COLLECTING FEES FOR CREDIT CARD CUSTOMERS IN LIEU OF INCREASING RATES ON ALL RESIDENTIAL CUSTOMERS. THE MONETARY GAIN FOR WESTAR WOULD SURELY OUTPACE \$2.95 PAID CURRENTLY BY CREDIT CARD USERS. THIS SMACKS OF A PLOY FOR WESTAR TO INCREASE RATES OR CONCOCT ADDITIONAL CHARGES TO MAKE UP FOR COMPLIANCE TO YOUR REQUEST THEY LOWER TRANSMISSION RATES TO THE ACCEPTED STANDARD.

I HOPE THAT YOUR WILL AT LEAST CONSIDER MY CONCERNS AND FIND THEM LEGITIMATE.

08/25/2014 TO: ECURB@KCC.STATE.KS.US
SUBJECT: WESTAR ENERGY

ACCORDING TO THE FRIDAY EAGLE, WESTAR WANTS TO INCREASE CHARGES TO ALL OF THEIR CUSTOMERS INSTEAD OF COLLECTING \$2.95 FROM 5% OF THEIR RESIDENTIAL USERS USING CREDIT CARDS TO PAY THEIR UTILITY BILLS. HOW CAN YOU SUPPORT AN INCREASE OF REVENUE OF ABOUT \$2 MILLION FOR WESTAR IN LIEU OF CONTINUING TO CHARGE JUST THE CUSTOMERS USING THIS CONVENIENCE? PLEASE LOOK VERY CLOSELY AT THIS ISSUE BEFORE DECIDING WHETHER IT IS WELL FOUNDED OR JUST ANOTHER MONEY GRAB BY WESTAR.

THANK YOU.
SUSAN PHILLIPS
(RESIDENTIAL WESTAR CUSTOMER)
1914 S WHITE OAK DR
WICHITA, KS 67207

08/25/2014 FROM: NIKI CHRISTOPHER
DATE: 08/22/14 11:23:50
TO: SUSANPHILLIPS13@GMAIL.COM
SUBJECT: WESTAR AND CREDIT CARD CHARGES

DEAR MS. PHILLIPS,

THANK YOU FOR YOUR EMAIL EXPRESSING YOUR CONCERNS ABOUT WESTAR'S PROPOSAL TO CEASE CHARGING A FEE TO CUSTOMERS FOR PAYING WITH A CREDIT CARD.

CURB HAS YET TO DETERMINE ITS POSITION ON THIS ISSUE. THE COSTS OF PROCESSING ALL OTHER KINDS OF PAYMENT METHODS ARE INCLUDED IN RATES, INCLUDING METHODS THAT ALSO INCUR FEES OR HIGHER PROCESSING COSTS TO WESTAR. WESTAR HAS ARGUED THAT IT IS TIME TO RECOGNIZE THAT CREDIT CARD PAYMENTS ARE NO LONGER UNUSUAL. THEY HAVE SOME ADVANTAGES, NOT ONLY BECAUSE PAYMENT IS ASSURED (OR IMMEDIATELY DENIED AT THE TIME OF THE TRANSACTION), BUT BECAUSE THEY INCUR FEWER OVERALL COSTS THAN THE COSTS OF COLLECTION ACTIVITIES RELATED TO BAD CHECKS, FOR EXAMPLE-WHICH ARE PAID FOR BY ALL CUSTOMERS, NOT JUST THE CUSTOMERS WHO WRITE BAD CHECKS. THE COMPANY ALSO CLAIMS THAT THEY HAVE NEGOTIATED WITH SOME OF THE CREDIT CARD COMPANIES TO REDUCE THE FEES CHARGED IN AN EFFORT TO CUT THE COSTS.

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Complaint ID **99220**

Date Filed **08/25/2014**

Investigator **SBOYD**

08/25/2014 CURB AGREES WITH THE PRINCIPLE THAT ONE SET OF CUSTOMERS SHOULD NOT BE SADDLED WITH PAYING THE COSTS INCURRED BY ANOTHER SET OF CUSTOMERS, BUT ALSO RECOGNIZES THAT THERE ARE MANY MORE PAYMENTS OPTIONS AVAILABLE TO CUSTOMERS NOW THAN THERE WERE WHEN THE COMMISSION ORIGINALLY DECIDED THAT CUSTOMERS WHO PAY WITH CREDIT CARDS SHOULD COVER THE COSTS OF THEIR OWN PAYMENT TRANSACTIONS. WE WILL BE INVESTIGATING THE CLAIMS MADE BY WESTAR OVER THE COMING WEEKS AND WILL MAKE A DECISION ON CURB'S POSITION ON THIS ISSUE LATER THIS FALL.

BY THE WAY, SINCE THE KANSAS CORPORATION COMMISSION WILL BE MAKING THE ULTIMATE DECISION WHETHER TO APPROVE WESTAR'S PROPOSAL, MAKING YOUR COMMENTS DIRECTLY TO THE COMMISSION IS THE MOST EFFECTIVE WAY TO ENSURE THAT YOUR VIEWS ARE TAKEN INTO ACCOUNT IN THIS PROCEEDING. YOU CAN EMAIL THE KCC'S PUBLIC AFFAIRS OFFICE AT: PUBLIC.AFFAIRS@KCC.KS.GOV . INCLUDE THE DOCKET NUMBER IN THE SUBJECT LINE:
DOCKET NO. 14-WSEE-589-TAR.

AS A PART OF THE PROCESS OF DETERMINING CURB'S POSITION, WE WILL BE TAKING INTO ACCOUNT THE COMMENTS OF CUSTOMERS LIKE YOU. WE APPRECIATE YOU TAKING THE TIME TO WRITE.

KINDEST REGARDS,

NIKI CHRISTOPHER

NIKI CHRISTOPHER
STAFF ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD (CURB)
1500 SW ARROWHEAD RD

KANSAS CORPORATION COMMISSION



Division of Public Affairs
 1500 SW Arrowhead Road
 Topeka, KS 66604-4027
 (785) 271-3100

Complaint ID **99222**
 Date Filed **08/21/2014**
 Investigator **SBOYD**

Account Information

Account No	Notified KCC by	P	Consumer Class	R
Name	SUE HUCKE	Home Phone	Cell Phone	
Business		Work Phone	Ext	Fax #
Street Address		Email Address	SHUCKE@TERRAWORLD.NET	
Mailing Address		Special Instructions		
City	CHERRYVALE			
State	KS	Zip Code		

Contacts

No Contacts Exist

Complaint Coding

Not Applicable										Dollars KCC
Company ID	Complaint Code	Complaint Type	Company Resolution	Complaint Closed	Violation/ Concern	Issue	Dispute Explanation	Disputed Dollars	Saved	Consumer

Docket Opinion

Compan y	Docket Number	Consumer Opinion	Number of Petitions/
WSEE	14-WSEE-589-TAR	0	

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Complaint ID **99222**
Date Filed **08/21/2014**
Investigator **SBOYD**

Narrative

08/21/2014 O.K., HERE WESTAR GOES AGAIN. WANTING TO SPREAD THE \$2.95 PROCESSING FEE FOR CUSTOMERS WHO USE THEIR CREDIT CARDS TO PAY THEIR UTILITY AMONG ALL THE CUSTOMERS. NOW THAT IS A BUNCH OF BALONEY. IF THOSE CUSTOMERS WHO USE A CREDIT CARD DON'T WANT TO PAY THE FEE, THEN LET THEM SET IT UP TO AUTOMATICALLY COME OUT OF THEIR CHECKING ACCOUNT. I HAVE BEEN DOING THAT FOR YEARS. OR, THEY CAN GO GET A MONEY ORDER AND PAY IT THAT WAY. HOW IN ANY WAY, SHOULD THE REST OF US BE FORCED TO PAY THIS FEE? TOTALLY NOT RIGHT. COULD THE KCC JUST QUITE POSSIBLE SOMETIME RULE IN THE FAVOR INSTEAD OF THE BIG CORPORATION?

SUE HUCKE
CHERRYVALE, KS