

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE
COMMISSION

In the Matter of:

HEATHER RAE McATEE)

COMPLAINANT)

V.)

CASE NO. 2009-00173

COLUMBIA GAS OF KENTUCKY, INC.)

DEFENDANT)

I, Heather Rae McAtee, do humbly submit a response to Columbia Gas of Kentucky, Inc.'s ("Columbia Gas") Motion to Dismiss. Columbia Gas failed to address all concerns issues in my original complaint. The issues not addressed and my responses to Columbia Gas' Motion to Dismiss are listed below:

The main reason that this issue has arisen is because Columbia Gas neglected me as a customer. Their lack of attention to detail has created this issue before the Public Service Commission. To show this point further, Columbia Gas misspelled my name in their Motion to Dismiss. I would think that spelling their customer's name correctly in their answer to the Public Service Commission would be on the top of their list of things to do correctly. It continues to demonstrate the attention to detail Columbia Gas is providing me as a customer.

Columbia Gas is denying that it violated 807 KAR 5:006, Section 6(5) because they were prevented from obtaining meter reads for 16 months for reasons beyond their control. I absolutely disagree with this statement. This situation was entirely in Columbia Gas' control. First off, Columbia Gas was able to obtain actual readings for the first five months I lived in my residence. The fence was not an issue in obtaining these readings. For some reason, in November 2007, this fence became an issue. At no time during the 16 month time period when my gas meter was not read was I ever notified that the fence was preventing Columbia Gas from reading my meter. I was never left a note by the meter reader, never received a phone call, never received any notification by mail or never received one single email notifying me that my meter could not be read.

In addition, I spoke with a Columbia Gas representative on the phone twice in June 2008. I called Columbia Gas in June 2008 to set up a budget payment plan. I received a quote of

\$102.00 a month. Three days later, a representative from Columbia Gas called me at work to let me know that my budget had been readjusted to \$142.00 a month. It was never mentioned during either of these calls that there was an issue reading my gas meter or the fact that my meter had not been read in 8 months. Had I been notified, I would have made arrangements to have the meter read immediately.

I was also not informed that my budget was not based on my gas usage during the winter months. I purposely did not enroll in the budget plan when I moved into my house. I waited until I lived in my house for one year so that I could have an accurate monthly budget and prevent getting a large bill, like I have recently received. I am sure that Columbia Gas will say that they have the right to estimate my monthly budget but they should have to notify the customer that the budget is based off an estimate. Had I been notified that my budget was based off an estimate, I would have had my meter read immediately so that I could have an accurate budget. This would have also solved the problem of the meter not being read.

Columbia Gas also had a chance to obtain a reading from my meter in December 2008. My neighbors were outside and smelled gas in the area of my gas meter. They called Columbia Gas and reported a possible gas leak. Columbia Gas came out to investigate and was unable to find a gas leak. Columbia Gas was in front of my meter and did not read it. If there ever was an opportunity to read my meter, I would think standing right in front of it would be ideal.

Columbia Gas should have an internal audit system to identify meters that have not been read in a while. From what I can gather, Columbia Gas uses a computer report to identify meters that haven't been read in a while. This computer report was not run for several months during the 16 month period when my meter was not read. If anything was in Columbia Gas' control, it would be running their own computer report. I have been told that the lack of running the report should not be a concern of mine because it affected a lot of customers. I think that makes it a stronger point because Columbia Gas negligence has affected more than just my account.

Additionally, Columbia Gas should have discontinued my service in November 2008 due to the fact that they were not able to obtain an actual reading in the past calendar year. This is another action that was within the control of Columbia Gas. Columbia Gas did not discontinue my service and allowed my gas meter to go unread for four more months beyond the one-year period.

All of the above actions prove that the reading of my meter for the 16 month period in question were within the control of Columbia Gas. Had they followed through on even one of the items discussed, and still could not read my meter, Columbia Gas could contend that they were prevented

from reading my meter because of reasons beyond their control. Because everything discussed was within Columbia Gas' control, they are in violation of 807 KAR 5:006, Section 6(5).

I would like to address the report from the high bill investigation that was cited in Columbia Gas' Motion to Dismiss. It is cited that my thermostat was off more than two degrees. My thermostat is not a digital thermostat. It would take someone with great talent to be able to look at the dial of my thermostat and determine that the temperature is off by at least two degrees. In addition, as stated in my original complaint, my heat was turned off for over an hour before the thermostat was examined for calibration. The serviceman turned off my heat to remove and replace my gas meter. He then proceeded to stand outside and speak to my neighbor for over 40 minutes. It appears that they went to the same high school. I know that the heat was off for over an hour because I watched two episodes of "Will and Grace" and watched the beginning of "Frasier." There was a definite chill in my house and I had to cover up with a blanket. After catching up with my neighbor, the serviceman proceeded to come back into my house, turn the heat back on and immediately call me over to show me that my thermostat appeared not to be calibrated correctly. Common sense will tell you that if you have the heat off for over an hour, the room temperature is going to fall below the temperature that the heat is set. It does not prove that my thermostat is not calibrated correctly. Had Columbia Gas wanted to check the calibration of my thermostat, it should have been done in the very beginning before the heat was turned off or they should have come back at a later time. The timing of this was completely in Columbia Gas' favor. I have also submitted in my original complaint a bill from Cecil's Heating and Air Conditioning showing that I had the thermostat calibrated in July 2007 when I moved into my house. If needed, I will get a sworn statement from my neighbor that she spoke to the serviceman for 40 minutes after he removed my meter.

It was also noted in the high bill inquiry report that the furnace filter had been changed only once in 30 months. Ironically, I have not even lived in my house for 24 months. I don't know how the serviceman would have knowledge about the status of my filters dating back to the previous owners. Ms. Woodford told me that it was noted that my filters had not been changed in 30 months when she called me on the afternoon of April 3, 2009. I told her that information was not correct. She asked if I had told that to the serviceman. I told her that I had not even lived in my house for 22 months so why would I make a statement like that. There is no mention of that conversation in Columbia Gas' Notice to Dismiss. Columbia Gas is using a report that is flawed.

I would also like to address Columbia Gas' action to assist me in resolving my complaint. Prior to my original complaint being filed, the only solution I was given by Columbia Gas was that I need to read

my meter each month and submit those reading to Columbia Gas. The other actions listed (updating its customer information system to advise field personnel of appropriate steps to gain meter access and updated the meter access information within its customer information systems) were not actions Columbia Gas provided me initially. It was not until after my original complaint was filed that Columbia Gas took a serious interest in ensuring my meter was read. This can clearly be seen my viewing the meter reading in April. After becoming aware of this situation, Columbia Gas failed to read my meter on April 15, 2009. If you look at my Meter Reading History, the read recorded on April 15, 2009 is a "Customer Read." Had Columbia Gas enacted all the listed actions, my meter should have been read by them in April. The fact that they did not take this issue seriously enough to gain an actual reading in April verifies the negligence of the company.

To this date, I have yet to receive any type of bill for the \$2425.12 that is contended that I owe. I have been told that is the amount that I owe for the time period that Columbia Gas failed to read my meter. There is no other business that I know of that can just throw out a figure and state that a customer has to pay it. Everything has been added to my account retroactively.

Columbia Gas needs to respond to the following questions:

- 1) My gas meter was read every month for the five months immediately preceding the 16 month time period in which the meter was not read. What changed that prevented my meter from being read?
- 2) Please list the dates that the meter reader left a note stating that my meter could not be read.
- 3) Please list the dates that Columbia Gas contacted me via telephone to inform me that my meter could not be read.
- 4) Please list the dates that Columbia Gas mailed me notification that my meter could not be read.
- 5) Please list the dates that Columbia Gas emailed me notification that my meter could not be read.
- 6) Why did Columbia Gas not notify me that my meter was not accessible when I called to set up my budget in June 2008?
- 7) Why did Columbia Gas not notify me that my meter was not accessible when they called me back three days later to inform me that my budget was being adjusted an additional \$40 a month?
- 8) Why was my gas not shut off after one year of not obtaining actual reads?

- 9) Why was my meter not read when Columbia Gas investigated a potential gas leak at my residence and were standing directly in front of my meter in December 2008?
- 10) After this issue was brought to light, why was my meter not read on April 15, 2009?
- 11) I still have not been provided with a bill for the \$2,425.12. All that I have received is the past-due amount. Why is this?

Just because Columbia Gas is a monopoly, they should not be able to ignore legitimate customer complaints. They are culpable in this situation and need to rectify this situation. Columbia Gas needs to stop hiding behind KRS 278.225 and accept responsibility for this issue they have caused.


Heather Rae McAtee