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State of Utah
Department of Commerce
Division of Public Utilities

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Executive Director

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Deputy Director

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Director, Division of Public Utilities

MEMORANDUM

DATE: October 24, 2013

TO: Public Service Commission

FROM: Division of Public Utilities
Chris Parker, Division Director
Marialie Martinez, Customer Service Manager
Connie Hendricks, Office Specialist
Erika Tedder, Office Specialist

RE: Rosalie P. Mills vs. Questar Gas
Docket No. 13-057-12

Recommendation: Schedule a Hearing

Informal Complaint:

The Division of Public Utilities (Division) received an informal complaint on July 9, 2013 from Rosalie Mills concerning disconnection of her service by Questar Gas Company (Company). The issues were:

- Ms. Mills' service was disconnected when a medical extension had been requested.
- Ms. Mills did not receive notification from the Company that the medical extension request was denied.
- Ms. Mills' disconnection of service later than 48 hours of her receiving notice.
- Ms. Mills is disputing being charged a reconnection fee by the Company based on the discrepancy of when the medical letter was received.

On the 13th of September, 2013; Ms. Toni Chris, who is an authorized party on Ms. Mills' account with the Company, called the Division on behalf of her mother, Rosalie P. Mills, to complain. Ms. Chris claimed:

- The informal complaint filed on July 9, 2013 was unresolved.

- A discrepancy between the dates that the assistance agency, Community Action Program (CAPS), pledged to the Company and what the Company is claiming which resulted in the termination of service on September 10, 2013.
- The Company technician who visited her home to terminate service was disrespectful and directed profanity towards her situation.

Company Response on Informal Complaint:

The Company responded to the initial informal complaint filed on July 9, 2013 by stating:

- An urgent 48 hour notice was left at Ms. Mills' residence on June 19, 2013.
- On June 24, 2013 a medical request form was faxed to Ms. Mills' doctor as instructed by Ms. Mills. The Company does not have any record of receiving the medical request form back from the doctor.
- Ms. Mills' gas service was disconnected on July 9, 2013. Ms. Mills also contacted the Company to see if the medical request had been received on the same day.
- The Company received a medical request form from Ms. Mills' doctor on July 9, 2013 but denied a medical extension based on the information provided by the doctor. The medical request form was dated June 25, 2013 by the doctor.
- The Company received a medical request form from Ms. Mills' doctor on July 10, 2013 which was approved based on the information provided by the doctor. Her service was restored on July 11, 2013.

The Company responded to the questions raised by Ms. Toni Chris, Rosalee's daughter, on September 13, 2013 by stating:

- Red Cross made a commitment to Ms. Mills' account on August 7, 2013. The commitment expired on September 7, 2013. The payment from Red Cross was made on September 12, 2013.
- Charlotte from CAPS made a commitment to Ms. Mills' account on September 12, 2013. The Company stated that if CAPS had made a commitment on September 9, 2013, the amount would not have been enough to stop the termination of service as the payment would not cover half of the bill owed by Ms. Mills.
- Ms. Mills' account had 3 payments credited to the account in the past year; January 22, 2013, February 12, 2013 and March 6, 2013. The account was 8 months past due.

DPU Comments:

Ms. Mills thought she had a medical extension request in place with the Company. The position of the Company is that they did not have the request from Ms. Mills' physician at the time of service termination. Neither party contacted the other party concerning the issue until the service was terminated at which time Ms. Mills contacted the Company.

The Commission Rule R746-200-7.C.1 allows individuals an extension of service when a person at the residence has a serious illness or infirmity. This is based upon receipt of a statement from the individual's physician as defined in R746-200-7.C.2.

The Division cannot determine from the informal complaint when the Company received the medical extension request. Because of this, the Division also can't make a recommendation whether the Company was justified in charging Ms. Mills a reconnection fee.

The Commission rule R746-200-7.G.2 states in part: "If termination of service is not accomplished within 15 business days following the 48- hour notice, the utility company will follow the same procedures for another 48-hour notice." The Division determined that the Company was in compliance as the dates provided fall within the 15 business day time frame.

In regards to the September 13, 2013 issues; The Company received commitments from Red Cross and CAPS, but not actual payment to the account in order to prevent termination of service. Commission Rule R746-200-7.E states: "Payments for HEAT, Home Energy Assistance Target, Program – The Commission approves the provision of the Department of Humans Service's standard contract with public utility suppliers in Utah that suppliers will not discontinue utility service to a low-income household for at least 30 days after receipt of utility payment from the state program on behalf of the low-income household."

Ms. Mills' formal complaint doesn't provide specific dates concerning her issues. As a result, the Division cannot determine which time frame is being referred to in reference to the informal complaint. The Division recommends the Commission schedule a hearing to resolve and clarify the issues Ms. Mills has with the Company.