

Informal Complaint Report

Index Number: 5105 **Company Name:** Questar Gas

CUSTOMER INFORMATION

Customer Name: Raver, Chris **Account Number:**
Other Contact Info: **Phone Number:**
Customer Address: **Other Phone:**
Customer Address: 92 Riverbend Road **Email Address:** chris@alphabay.com
City: Saratoga Springs **State:** UT **Zip Code:** 84045

COMPLAINT INFORMATION

Type of Call: Complaint **Complaint Type:** Shut Off or Notice
Date Received: 10/7 /2013 **Date Resolved:** 10/9 /2013
Complaint Received By: Maria Martinez **DPU Analyst Assigned:** 0
Utility Company Analyst: Elia Lopez
Company at Fault: **Actual Slamming Case:** **Actual Cramming Case:**

Complaint Description:

Mr. Raver states that he has been without gas since August 28th. He contacted Questar Gas and spoke with Elia Lopez and Kendra Keddington whom he has now been forbidden to contact. He was shut off for non-payment. Mr. Raver states that the last notice he received was dated June 13th. He was told by Questar that a 48 hour notice was put on his door August 13th. Mr. Raver claims that he has a surveillance video of his neighborhood to prove that Questar did not put a 48 hour notice on his door. Mr. Raver's gas was disconnected August 28th. Questar is requiring him to pay the full balance amount plus a security deposit in the total amount of \$113.82. Mr. Raver adds that his average monthly bill is around \$14.00. Mr. Raver adds that in the last 3 weeks of trying to resolve his issues with Questar, he was denied a payment arrangement. Mr. Raver states that he intends to move forward with a Formal Complaint as well as file a civil case against Elia Lopez and Kendra Keddington.

Complaint Response:

* Company had until October 14th to respond. Customer requested this complaint be closed. See email thread conversations below between me, the complainant, and the Division Director, Chris Parker.

Additional Information:

Emails from Chris Raver 10-8-2013
Chris Raver
9:29 AM (3 hours ago)

to me

As per R746-200-8. Informal Review. I am making a mediation request.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618

Informal Complaint Report

On 10/07/2013 12:29 PM, Marialie Martinez wrote:
Informal Review Process
Chris Raver
9:33 AM (3 hours ago)

to me

i have completed the formal complaint form, can the form be faxed or does it have to be mailed or dropped off in person? send me the fax number if i can fax the completed form.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618

On 10/07/2013 12:51 PM, Marialie Martinez wrote:
As requested, see the attached Formal Complaint Form document for your review.

On Mon, Oct 7, 2013 at 12:29 PM, Marialie Martinez<marmartinez@utah.gov> wrote:
Informal Review Process
Marialie Martinez <marmartinez@utah.gov>
10:04 AM (2 hours ago)

to Chris

You certainly can request a mediation. Both parties would have to agree to mediate. The Division's paralegal will arrange the meeting; however, your Informal Complaint is still open. I have not received a response from the company yet. Once I receive the response and close the informal, I will have the Division's paralegal arrange the mediation.

Marialie Martinez <marmartinez@utah.gov>
10:09 AM (2 hours ago)

to Chris

The instruction on how to file your Formal Complaint with the Commission is in the form highlighted in yellow as well as the contact number should you have any questions regarding the Formal Complaint process.

Please review the process. Again, your Informal Complaint with the Division is still open. As per PSC Rule R746-200-8, the utility has 5 business days to respond to a complaint.

Chris Raver
10:31 AM (2 hours ago)

to me

According to R746-200-8. INFORMAL REVIEW Section B. Mediation. I have a legal right to make a mediation request under the Informal Review process. You sent me the rules and I read them. You have five business days to notify the other party of my mediation request. I will accept nothing short of reinstatement of the deferred payment agreement, removal of the security deposit, and termination of both Elia Lopez and Kendra Keddington.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121

Informal Complaint Report

801-838-7618
Chris Raver
11:00 AM (1 hour ago)

to me

send me a copy of the informal complaint you sent to questar gas. i need to make sure you got it right.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618
Marialie Martinez <marmartinez@utah.gov>
11:04 AM (1 hour ago)

to Chris

I am not denying your right. As I stated, you most certainly can request a mediation. We are still however in the letter A section of the Informal Review process:

R746-200-8. Informal Review.

A. A person who is unable to resolve a dispute with the utility concerning a matter subject to Public Service Commission jurisdiction may obtain informal review of the dispute by a designated employee within the Division of Public Utilities. This employee shall investigate the dispute, try to resolve it, and inform both the utility and the consumer of his findings within five business days from receipt of the informal review request. Upon receipt of a request for informal review, the Division employee shall, within one business day, notify the utility that an informal complaint has been filed. Absent unusual circumstances, the utility shall attempt to resolve the complaint within five business days. In no circumstances shall the utility fail to respond to the informal complaint within five business days. The response shall advise the complainant and the Division employee regarding the results of the utility's investigation and a proposed solution to the dispute or provide a timetable to complete any investigation and propose a solution. The utility shall make reasonable efforts to complete any investigation and resolve the dispute within 30 calendar days. A proposed solution may be that the utility request that the informal complaint be dismissed if, in good faith, it believes the complaint is without merit. The utility shall inform the Division employee of the utility's response to the complaint, the proposed solution and the complainant's acceptance or rejection of the proposed solution and shall keep the Division employee informed as to the progress made with respect to the resolution and final disposition of the informal complaint. If, after 30 calendar days from the receipt of a request for informal review, the Division employee has received no information that the complainant has accepted a proposed solution or otherwise completely resolved the complaint with the utility, the complaint shall be presumed to be unresolved.

Once I receive the company's response and closed the informal complaint, I will ask the Division's paralegal to set up the mediation.

B. Mediation - If the utility or the complainant determines that they cannot resolve the dispute by themselves, either of them may request that the Division attempt to mediate the dispute. When a mediation request is made, the Division employee shall inform the other party within five business days of the mediation request. The other party shall either accept or reject the mediation request within ten business days after the date of the mediation request, and so advise the mediation-requesting party and the Division employee. If mediation is accepted by both parties or the complaint continues to be unresolved 30 calendar days after receipt, the Division employee shall further investigate and evaluate the dispute, considering both the customer's complaint and the utility's response, their past efforts to resolve the dispute, and try to mediate a resolution between the complainant and the utility. Mediation efforts may continue for 30 days or until the Division employee informs the parties that the Division has determined that mediation is not likely to result in a mutually acceptable resolution, whichever is shorter.

C. Division Access to Information during Informal Review or Mediation - The utility and the complainant shall provide documents, data or other information requested by the Division, to evaluate the complaint, within five business days of the Division's request, if reasonably possible or as expeditiously as possible, if they cannot be provided within five business days.

Both party would have to agree to mediate. If not, you can then submit your Formal Complaint to the Commission. The information on how to do that is in the Formal Complaint form I sent you yesterday.

Chris Raver
11:23 AM (1 hour ago)

to me

I the complainant have already decided that this will not be resolved without mediation. they are the ones who decided to make this difficult. they

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denied me the option of reinstating the deferred payment agreement, something they have offered to other customers who are more than willing to testify on my behalf. they are the ones who demanded that all communication be in writing. they are the ones who have forced my family from our home because we have no heat and no appliances. this is a war against questar gas that will never end. every single questar gas employee will be reported to the proper authorities for any an all infractions (traffic, zoning, etc.).

Chris Raver

11:47 AM (1 hour ago)

to me

send me a copy of the informal complaint you sent to questar gas. i need to make sure you got it right.

Chris Raver

Alpha Bay

6415 South 3000 East

Suite 210

Salt Lake City, UT 84121

801-838-7618

Marialie Martinez <marmartinez@utah.gov>

11:54 AM (1 hour ago)

to Chris

As requested, attached is the Informal Complaint report I sent to Questar Gas yesterday. I also attached the company's Tariff pages regarding Security Deposits for your review.

Chris Raver

12:01 PM (59 minutes ago)

to me

as i assumed you completely missed the point of my complaint. questar gas violated multiple state laws in regards to how my account has been handled and service terminated, specifically the rules below. refile the complaint with this information. again, nothing short of reinstatement of the deferred payment agreement without a security deposit, and the immediate termination of elia lopez and kendra keddington will satisfy my dispute.

1. At least 10 calendar days before a proposed termination of residential utility service, a public utility shall give written notice of disconnection for nonpayment to the account holder. The 10-day time period is computed from the date the bill is postmarked. The notice shall be given by first class mail or delivery to the premises and shall contain a summary of the following information:

- a. a Statement of Customer Rights and Responsibilities under existing state law and Commission rules;
- b. the Commission-approved policy on termination of service for that utility;
- c. the availability of deferred payment agreements and sources of possible financial assistance including but not limited to state and federal energy assistance programs;
- d. informal and formal procedures to dispute bills and to appeal adverse decisions, including the Commission's address and telephone number;
- e. specific steps, printed in a conspicuous fashion, that may be taken by the consumer to avoid termination of service;
- f. the date on which payment arrangements must be made to avoid termination of service; and
- g. subject to the provision of Subsection R746-200-1(E), Customer Information, a conspicuous statement, in Spanish, that the notice is a termination of service notice and that the utility has a Spanish edition of its customer information pamphlet and whether it has personnel available during regular business hours to communicate with Spanish-speaking customers.

2. At least 48 hours before termination of service is scheduled, the utility shall make good faith efforts to notify the account holder or an adult member of the household, by mail, by telephone or by a personal visit to the residence. If personal notification has not been made either directly by the utility or by the customer in response to a mailed notice, the utility shall leave a written termination of service notice at the residence. Personal notification, such as a visit to the residence or telephone conversation with the customer, is required only during the winter months, October 1 through March 31. Other months of the year, the mailed 48-hour notice can be the final notice before the termination of service.

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.

Chris Raver

Alpha Bay

6415 South 3000 East

Suite 210

Salt Lake City, UT 84121

Informal Complaint Report

801-838-7618
Chris Raver
12:42 PM (20 minutes ago)

to me

Pursuant to R746-200-5. I am requesting that the Public Service Commission review the alleged breach in the deferred payment agreement.

B. Breach -- If an applicant or account holder breaches a condition or term of a deferred payment agreement, the public utility may treat that breach as a delinquent account and shall have the right to disconnect service pursuant to these rules, subject to the right of the customer to seek review of the alleged breach by the Commission, and the account holder shall not have the right to a renewal of the deferred payment agreement. Renewal of deferred payment agreements after the breach shall be at the utility's discretion.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618
Marialie Martinez <marmartinez@utah.gov>
12:49 PM (12 minutes ago)

to Chris

You may address that when you file your Formal Complaint with the Commission.
Chris Raver
1:06 PM (2 hours ago)

to me

this is a separate and unrelated complaint and as per your statements must follow the informal complaint process before a formal complaint can be filed.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618
Chris Raver
2:28 PM (1 hour ago)

to me

i would also like to point out that because i have been threatened with legal action if i ever call questar gas again, if there's an emergency i am not allowed to call questar gas to report it. i have asked several times for a release from their legal department allowing me to contact questar gas in case of an emergency but my request has been denied. with a significant amount of construction going on in my area i worry about the safety of my family if there's an emergency and i can't not report it to the appropriate agency.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618
Chris Raver
3:08 PM (26 minutes ago)

Informal Complaint Report

to me

If you don't have the authority to enforce the rules then who does? it's no wonder questar gas can get away with whatever the hell they want. as i've stated before, regardless of the response to the informal complaint, that you screwed up anyway, i fully intend to file a formal complaint. or we can settle it right now and I'll pay the full amount owing on my account today if they will fire both elia lopez and kenra keddington immediately without severance.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618

Chris Raver
3:22 PM (17 hours ago)

to me

in fact, i could care less about the results of the formal complaint, it doesn't matter, it's not even about the money. i'm simply making a point that the company is willing to force a family out on the street in freezing temperatures over a \$60 payment while at the same time spending thousands of dollars in time and labor fighting me over it. this could have easily been resolved over a month ago if brian or linda would have pulled their heads out of their asses and re-instated the deferred payment agreement when i first called.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618

Chris Raver
8:05 AM (22 minutes ago)

to me

temperatures are supposed to drop into the 30's again this weekend. why is it taking so damn long to get this resolved?

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618

el diablo <satan4hire@gmail.com>
10:04 AM (2 hours ago)

to Elia, Kenra, Linda.Kizerian, CAPSC, mike.favero, craig.wagstaff, me

this is ridiculous, i have been without service for a month and a half and temperatures will be dropping into the 30's again later this week. it is in the best interest of everyone to accept the payment arrangements i've proposed and move on.

Chris Raver
11:51 AM (1 hour ago)

Informal Complaint Report

to me, chrisparker

you have had no interest in resolving my complaint since day one so if it is not resolved today i want the complaint canceled immediately. i have been without service for a month and a half and temperatures will be in the 30's this weekend. this is ridiculous. i am not going to sit around and wait while you do nothing. if i do not receive a phone call from your office today i will no longer respond to your email or phone calls.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618

Chris Parker
12:09 PM (46 minutes ago)

to Chris, me

Mr. Raver,

Our Division's role in the complaint process is to facilitate the informal complaint between a utility and its customer. The Public Service Commission is the one vested with authority to resolve a complaint when the company and customer are unable to work it out. Our interest is in making sure the customer's complaint is taken, the company responds, and the customer is apprised of the right to file a formal complaint with the Commission in the event the informal process does not resolve the issue. I assure you that we have no interest in being a barrier to your complaint.

I understand why you would be frustrated at waiting for the process to play out while without gas service, particularly as autumn leads to colder nights. Nevertheless, we have no authority to compel the company to respond more quickly. I will request that it do so, however. My understanding is that there was an earlier complaint based on the same facts. If that is the case, you could immediately file a formal complaint with the Public Service Commission rather than waiting for the company's response to this most recent complaint. That will start the process by which the Commission could grant you relief if it finds in your favor. The Commission's process will take some additional time. Unfortunately, if you wish your service to be reinstated immediately, the only way to do that is by satisfying Questar's terms for restoring service, which I understand are currently to repay half of the amount in arrears and a security deposit. They told me they will waive the reconnection fee in light of your statements that you did not receive their 48 hour shut-off notice. If the Commission later finds in your favor, it may be able to resolve issues about the amount owing, security deposits, and the like at that time.

Unfortunately, the Division doesn't have the power to speed this along any further than I've explained in this email. I will have Marialie Martinez forward the formal complaint form in the event you wish to proceed immediately to that step based on the earlier complaint.

Sincerely,

Chris Parker
Director
Utah Division of Public Utilities
On Wed, Oct 9, 2013 at 12:27 PM, Chris Raver <chris@alphabay.com> wrote:

my initial complaint was filed on Monday. there was not an earlier complaint. I simply asked if the commission could contact questar gas on my behalf and ask if they would consider accepting other payment arrangements to resolve the issue and restore service today. i do not understand why that is not possible. i offered a payment plan that was more than fair considering questar gas did not follow the proper procedures when disconnecting my gas. i am being forced to wait out a process that could take 30+ days to complete with no apparent resolution meanwhile temperatures are dropping into the 30's putting my family and home in jeopardy.

Chris Raver
Alpha Bay
6415 South 3000 East
Suite 210
Salt Lake City, UT 84121
801-838-7618

Chris Parker
12:38 PM (17 minutes ago)

Informal Complaint Report

to Chris, me

For your reference, I'm attaching our record of your earlier complaint in case you wish to make a formal complaint based on it.

As for the immediate issue of reinstating gas service, as I understand it, the company has offered to waive the reconnection fee and require payment of half of the arrears now, plus a security deposit, with the rest being put on a payment plan. In our experience, utility companies don't often offer repayment plans this generous in these circumstances. I don't think pressure from us would be proper or bear any fruit for you.

Marialie will send along the formal complaint form and instructions for filing with the Commission this afternoon in case you wish to proceed with that.

Chris Parker
Chris Raver
12:47 PM (10 minutes ago)

to Chris, me

They are asking that I pay a total of \$113.82 today to restore service. the total balance on my account is \$157.64. I can not pay that amount today and will not be able to for some time meaning i will be without service until at least next year. i have spoken to other customer who were allowed to reinstate a differed payment agreement allowing the amount due to be divided into 12 equal payments. that is what i am asking for. if you are not willing to contact questar gas and ask then i might as well cancel the complaint because even though they clearly violated the rules there are no penalties for their violations.

On Wed, Oct 9, 2013 at 12:53 PM, Marialie Martinez <marmartinez@utah.gov> wrote:

As per Chris Parker, attached is the Formal Complaint Form and the filing instructions.

Should you wish to submit your Formal Complaint via email, you may do so by sending it to psc@utah.gov.
Chris Raver
1:07 PM (23 minutes ago)

to me, Chris

marialie, i asked you several times about filing a formal complaint this week and you explained to me very clearly that i can not file a formal complaint until the formal complaint was closed, is that correct? if there's no penalty for their violations and you are not willing to speak to them regarding payment arrangements why would i move forward with any complaint?

Marialie Martinez <marmartinez@utah.gov>
1:30 PM (1 minute ago)

to Chris, Chris

As a matter of fact, I did contact Questar Gas. The company stands by what it already offered you. They're offer in order to reinstate your service is that you pay half the amount of your gas balance, plus the \$25 Security Deposit, plus \$25 Return Check fee on a bounced check payment you made, and the rest on a deferred payment plan.

The Division cannot pressure the company to reinstate your service based on what you're willing to pay in the amount of \$37.47.

As my Director, Chris Parker stated earlier, utility companies don't often offer repayment plans this generous, considering the number of times you have already defaulted on a deferred payment arrangement with the company.

Chris Raver
1:38 PM (21 hours ago)

to me, Chris

then cancel my complaint immediately. i will try to make the payment by January but it is not likely. I will budget an additional \$15 every month and force questar gas to deliver a 48 hour notice every single month and disconnect/reconnect my service every month from this point forward. thanks for wasting my time.

On Wed, Oct 9, 2013 at 1:51 PM, Marialie Martinez <marmartinez@utah.gov> wrote:

Informal Complaint Report

I would gladly cancel your Informal Complaint.

Based on your claims that Questar violated the Commission Rule by not placing a 48 hour notice to your door and having a surveillance camera footage to prove it, why then would you not move forward with a Formal Complaint? Why would you not submit that footage to the company to prove your claims was true?

If you are so certain that you can prove the company was in fact in violation, then it may be worth taking your case to the Commission and defend your case.

Again, as my director stated previously, the Public Service Commission is the one vested with the authority to resolve a complaint when the company and the customer are unable to work it out.

Chris Parker

1:53 PM (21 hours ago)

to me

Let's leave it here Maria. Unless you hear back from him otherwise, let's cancel the complaint at the end of the day and let Questar know. I want to avoid any more back-and-forth with him.

Chris Raver

1:58 PM (21 hours ago)

to me, Chris

because regardless of whether they violated the rule or not i'm stuck in the same situation with no resolution. as you stated many times there's absolutely NOTHING you can do and no penalties against the company for violating the rules. i will begin making arrangements for my family to move into a shelter or sleep in the car until i can get service restored. it makes me sick to think that a company can be so greedy and willing to destroy a family over such a small amount of money.

Chris Raver

3:06 PM (19 hours ago)

to me, Chris

do you have any contacts at questar that would be willing to speak to me over the phone and work things out?

Chris Parker

3:07 PM (19 hours ago)

to me

Let me respond to him about this. I am going to give him to someone.

Chris Parker

3:13 PM (19 hours ago)

to Chris, me

Let me make a few phone calls over there and get back with you.

Chris Parker

4:20 PM (18 hours ago)

to Chris, bcc: me

I have spoken with folks over there and they're willing to chat about how to get your service back on. They told me they are willing to have you call if you will be respectful and limit the conversation to getting service turned back on. If you wish to discuss the lack of 48-hour notice or other things, they would prefer that be handled through the complaint process. I have someone from the legal office lined up who can talk with you and negotiate with you if you agree to those conditions. Also, because of attorneys' ethical rules, if you are represented by counsel, they'll need to speak with counsel. If not, they'll speak to you directly. Let me know if you would like to proceed that way and I will let them know. Their preference would be to set up a time frame for you to call just to ensure that person is available when you call. The attorney is in today until about 4:45 but available most of tomorrow

Informal Complaint Report

morning.

Chris Parker

On Oct 9, 2013, at 4:46 PM, Chris Raver <chris@alphabay.com> wrote:

I will only talk to them if they are willing to agree to a payment plan other than what they have already offered. otherwise it is just another waste of time.

On 10/09/2013 05:35 PM, Chris Parker wrote:

My sense is they're willing to move but I don't think they'll make another offer until you call and chat. Let me know if you want to proceed and I'll pass the word along.

On 10/18/2013 11:14 AM, Chris Raver wrote:

i was advised that i should not speak to their attorney without being represented myself so i can either hire an attorney or they can find someone else to talk to me.

-chris

Chris Raver

Oct 18 (3 days ago)

to Chris, me, kenra.keddingt.

all i can pay this week is \$50.00 so i have made the payment online. i can pay more in two weeks. if this isn't enough to get service restored today i'll just have to sleep in the car for another two weeks because it's to cold in the house for my family.

Questar Gas Account Number:4595963894

Confirmation Number:291113121

Payment Date:Friday, October 18, 2013

Payment Amount:\$50.00

Fee Amount:\$0.00

Total Payment Amount:\$50.00

-chris

10-21-2013

Mr. Raver called the Division again and spoke with me and my Director Chris Parker. He insisted on filing another informal complaint based on Questar's non response to his emails. I explained that he requested the informal complaint be closed before the company could respond. I advised him that in order to move forward with his complaint, is to submit his Formal Complaint with the Commission.

-Maria-

Chris Raver

10:25 AM (2 hours ago)

to Chris, psc, me

Here's the attached formal complaint form. I would also like to open a new complaint in regards to their lack of communication. They've told me that all communication must be in writing and have not responded to any of the numerous emails I have sent. The last communication from them was on the 7th of October.

-chris

Chris Parker

10:36 AM (1 hour ago)

to Chris, me

Mr. Raver,

I chatted with the Company and you are welcome to call Elia Lopez at (801) 324-3557. She said she'd like to chat with you to see if something can be worked out to get your gas back on. She's around today. Good luck.

Chris Parker

Chris Raver

10:38 AM (1 hour ago)

to Chris, me

Informal Complaint Report

please forward me their response to the informal complaint as soon as you receive it.

-chris

Marialie Martinez <marmartinez@utah.gov>
11:06 AM (1 hour ago)

to Chris, Chris

You filed your informal complaint the 7th of this month. The company had until October 14th to respond, but you requested that I cancel the complaint. I notified the company to do the same. Your informal complaint with the Division was closed October 9th.

The Division can no longer assist you. You may contact the Commission going forward in terms of the status of your Formal Complaint.

Maria

Chris Raver
11:10 AM (1 hour ago)

to me, Chris

Chris Parker explained to me that that company was preparing a response to the informal complaint.

-chris

Chris Parker
11:10 AM (1 hour ago)

to Chris, me

That's correct. We'll forward it along when we get it back.