

Complaint Report

Complaint Number: 2089686588

Customer Information

Customer Name: Haffar, Nadra

Account Number: [REDACTED]

Phone Number: 4352450259

Email Address: nadrahp@yahoo.com

Service: 7245 South 650 West

Address: Hyrum, UT 84319

Complaint Information

Company Name: Dominion Energy

Date Received: 9/25/2018

Type of Call: Complaint

Complaint Received By: Cynthia Dumas

Gone Formal: NO

Date Resolved: 10/3/2018

Complaint Type: Billing Problems

Utility Company Analyst: Elia Lopez

Complaint Description:

The following complaint was received via e-mail and has been copied and sent exactly as received.

From: DPU Web Server
Date: Tue, Sep 25, 2018 at 9:24 AM
Subject: Online Complaint Submission
To:

DPU ONLINE COMPLAINT

UTILITY CUSTOMER

FROM: Nadra Haffar
PHONE: (435) 245-0259
EMAIL: nadrahp@yahoo.com
SERVICE ADDRESS:
7245 South 650 West Hyrum, UT 84319
MAILING ADDRESS:
7245 South 650 West Hyrum, UT 84319

INCIDENT DETAILS

UTILITY: Dominion Energy
ACCOUNT NUMBER: [REDACTED]
COMPLAINT TYPE: Billing Problems

COMPLAINT:

When Ms. Haffar's home was constructed, Dominion Energy employees negligently connected Ms. Haffar's meter to pipes serving Mr. Richard Wybrow, Ms. Haffar's neighbor. This resulted in Ms. Haffar being charged, without her knowledge, for her neighbor's use of gas. In 2010, Ms. Haffar's neighbor constructed a shop, which increased the neighbor's use of gas. Ms. Haffar was concerned that the amount being billed to her might be more than it should be. Ms. Haffar contacted Dominion Energy and requested an inspection of her gas lines for any problems or leaks. Dominion Energy employees performed an inspection, but negligently failed to uncover the crossed lines. Dominion Energy informed Ms. Haffar that there were no problems or leaks in her gas lines. Ms. Haffar relied on the Dominion Energy employees' assessment and continued to pay her bills. In May, 2018, the crossed lines were discovered during unrelated construction work. So far, Dominion Energy has admitted its mistake and credited Ms. Haffar \$1,552.43. However, Dominion Energy has not compensated Ms. Haffar for the amounts that she was previously overbilled, which are estimated to exceed \$8,000. On July 11, Ms. Haffar complained to Dominion Energy. Leora Price, a paralegal, rejected the complaint, citing Utah's Public Service Commission Rule 746-320-9, limiting the remedy for overbilling to 2 years. On September 10, 2018, Ms. Haffar responded to Leora Price, citing the exception to that rule in R746-320-9(4), which states that where a crossed meter condition is caused by the utility and the date can be fixed, an exception to the 24 month limitation period applies, and the overcharge "shall be computed back to that date and the entire overcharge shall be refunded." Ms. Haffar stated that the date of the crossed meter condition would be known

to Dominion, because Dominion employees crossed the meters the same day they opened her account. Dominion Energy has chosen not to respond to this second letter.

SUGGESTED RESOLUTION: Dominion Energy has already conceded that there was a crossed meter situation and that Dominion had been overcharging Ms. Haffar's account for years. Under R746-320-9(4), Dominion Energy should investigate Ms. Haffar's claim to ascertain the date that the meters were crossed, make a full computation and a full refund as required by R746-320-9(4). Dominion Energy should also pay interest as required by R746-320-9(B)(1).

Complaint Response:

From: CAPSC
Date: Tue, Oct 2, 2018 at 3:14 PM
Subject: UT - Haffar, Nadra Complaint
To: Cynthia Dumas

Cynthia,

Attached is the response and information mailed to this customer. Let me know if you have any questions.

Sincerely,
Elia Lopez
Customer Relations Specialist
Consumer Affairs
Western Gas Distribution
1140 W 200 S, Salt Lake City, UT 84104
Mailing Address: PO Box 45360, DNR146, Salt Lake City, UT 84145
O:801-324-3557

ATTACHED LETTER:

Dominion Energy Utah Dominion Energy Wyoming Dominion Energy Idaho
Consumer Affairs
1140 West 200 South, Salt Lake City, UT 84104
Mailing Address:
P.O Box 45260, Salt Lake City, UT 84145
DominionEnergy.com

October 2, 2018

Nadra E. Haffar
7245 S 650 W
Hyrum, UT 84319

Re: Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018

Dear Ms. Haffar,

This letter is in response to the informal complaint filed with the Utah Division of Public Utilities. Thank you for the opportunity to respond to your concerns.

On May 21, 2018, you contacted Questar Gas Company dba Dominion Energy Utah ("DEU" or the "Company") indicating that a third party contractor identified crossed fuel lines located from a DEU remote meter set with one line running a considerable distance to your residence at 7245 S. 650 W., Hyrum, Utah ("Property") and a second line running to an adjacent property that was formerly under common ownership with the Property.

On May 22, 2018, DEU technicians verified the contractor's findings of a crossed meter at the Property. In compliance with the DEU Utah Natural Gas Tariff ("Tariff) Section 8.02 at page 8-6, DEU made a 24-month credit adjustment to your account. On or around June 8, 2018, DEU provided a letter advising of the adjustment, including an itemization of the credit to your account.

At the time of construction and installation of a new customer meter, DEU relies upon the owners, or its designated agents, to identify the fuel lines installed and maintained by the customer. See DEU Tariff Section 7.04, The Company then installs the DEU customer meter based upon such identification of the customer or its designated agents or contractors.

Prior to May 21, 2018, DEU had no knowledge of a crossed meter condition and relied upon the customer and/or its designated agent to properly mark and identify the location of each buried fuel line. Moreover, the cause of the crossed meter condition likely originates from the construction of the fuel lines, occurring up to twenty years prior to the service call performed on or around April 13, 2010. Moreover, the services requested during the 2010 service call were performed in entirety at the remote meter set located a considerable distance away from the Property and did not include the opportunity for the Company to inspect the buried fuel lines or access the Property.

Following a thorough review, DEU has not identified any evidence in support of the claim that the crossed meter condition was caused by the utility.

Therefore, as identified in the informal complaint, crossed meter conditions are governed by the DEU Tariff Section 8.02 and the rules and regulations of the Utah Public Service Commission Rule, Utah Admin. Code. R746-320-9 (2017). Under such rules and regulations, in the event of a crossed meter condition not caused by the utility, the customer is entitled to a billing adjustment of 24 months. Such billing adjustment has been applied to your account, and the Company has satisfied its obligations under its Tariff and the Utah regulations promulgated by the Public Service Commission.

We appreciate for the opportunity to provide you with safe, reliable natural gas service.

Sincerely,

Elia Lopez

Customer Relations Specialist Western Gas Distribution

Enclosures

cc: Utah Division of Public Utilities

Loren Peck, Esq. Attorney for Nadra Haffar

E-mail: Ipeck@peckhadfield.com

ATTACHED TARIFF:

Dominion Energy Utah Natural Gas Tariff PSCU 500

Page 8-6

are more than two approved rates in effect during the customer's billing period. The

above procedure also applies to proration between winter and summer rates, where applicable.

Fixed charges will be assessed each billing period and will be based on the fee in effect at the time of billing.

BILLING ADJUSTMENTS

The Company will make every effort to ensure accuracy at the time new meter sets are completed.

When incorrect billings occur. The Company will have the right to make billing corrections regardless of the cause of error. Collections will be limited to the periods described in the following table. The periods relate to the time immediately preceding the date of discovery of the error. The limitations described in this section do not apply to instances of customer fraud, theft of gas (see 7.02). Where access to meter has been denied (see 8.01). Or to sales taxes which are separately itemized when billed. A customer will be allowed to pay the amount due on a billing adjustment in equal payments without interest over a period equal to the time period over which the account has been adjusted.

Cause of Error	Adjustment Limitation
Non-registering meters	3 months
Slow registering meters	One-half the period since the last meter test, or 6months. Whichever is less
Fast registering meters	Same as slow registering meters
or back to the date of the cause of the error. If date	can be determined.
Crossed Meters	24 months
All other errors (e.g.. Incorrect billing factors, incorrect service or rate class classification. Incorrect meter reading or recording)	
24 months	
Transponder-related billing errors	6 months Back-billed amount may be paid
over twelve months without interest	

LOCAL CHARGES

Many municipalities have imposed a Municipal Energy Sales and Use Tax (MET), or a contractual franchise fee. Or a combination of both on natural gas service. These local charges cannot exceed 6%. Either separately or combined. Monthly bills for customers within the corporate limits of a municipality imposing any local charges will show a separately itemized line for each applicable local charge. The franchise fee is calculated by applying the franchise fee percentage to the total customer charges for gas service. The MET is calculated by applying the MET percentage to the total customer charges for gas service, including any franchise fee. In municipalities with both a franchise fee and an MET, the franchise fee percentage is allowed as a credit against the MET percentage. To reflect the credit of the franchise fee against the MET, the customer's bill will show a net MET"

Dominion Energy Utah Utah Natural Gas Tariff page 7-5

7.04 CUSTOMER OBLIGATIONS

CUSTOMER INSTALLATION AND MAINTENANCE OF EQUIPMENT

All pipes and appliances necessary to utilize service that are located beyond the Company's point of delivery, must be installed and maintained by and at the expense of the customer. The customer's pipes should be installed in a manner satisfactory to the Company for connection with the Company's pipes or apparatus and in compliance with approved gas installation codes and regulations for piping and any applicable local ordinances.


MAINTENANCE

All pipes, apparatus, instruments, meters and materials supplied by the Company will remain its property and will be returned by the customer in the same condition as when received by the customer, except for ordinary wear and depreciation. The Company may at any time examine, change, or repair its property on the premises of the customer and may remove all such property upon or termination of service or at any time thereafter. The Company will clear any stoppage in a service line at its own expense. Stoppage in the customer's fuel line will be cleared at the expense of the customer.

UNAUTHORIZED MAINTENANCE

The customer will not permit anyone other than those authorized by the Company to adjust, repair, disconnect, or in any way change the meter or other equipment of the Company, nor will any service line be connected, disconnected or removed, except by the Company's agent. In case of loss or damage to the property of the Company caused by unauthorized maintenance by the customer, the customer will pay to the Company the cost of repairing or replacing such property.

REPAIRS

The customer shall be liable to the Company for all damages or injuries to pipes, meters, apparatus or materials of the Company on the customer's premises caused by means other than normal wear and depreciation. In addition, where there is evidence that the customer has willfully or intentionally interfered with or caused injury to the Company's meter, service line, or any connection made to the customer's fuel line, the Company may, at its option, cut the service line in the street and/or remove the meter. The Company may deny future service to the customer until restitution is made by the customer to the Company. See also,  7.02.

Issued by

Advice No.

Section Revision No.

Effective Date

C. L. Bell, VP &General Manager

17-04

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June 1, 2017

Additional Info:

10/3/2018 - Thanked Elia for her response and marked the complaint as resolved. - Cynthia D.

From: Cynthia Dumas
Date: Wed, Oct 3, 2018 at 12:00 PM
Subject: Division of Public Utilities - Informal Complaint
To: ,

Good afternoon Nadra,

I hope you're having a good day so far. I just wanted to let you know I have received the response from Dominion Energy and marked your complaint as resolved. If you're unsatisfied with the response received we can ask Dominion Energy if they're willing to entertain mediation, however, they have the right to reject. The final step is file a Formal complaint with the Public Service Commission (Commission) which they'll determined if the complaint gets dismissed or goes to a hearing. Attached are those instructions.

Thank you,
Cynthia Dumas
Office Specialist II
Division of Public Utilities
Office (801) 530-7622

****Response from Customer regarding mediation*****

From: nadra haffar
Date: Wed, Oct 17, 2018 at 5:28 PM
Subject: Response to Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018.
To: Cynthia Dumas,

To all concerned,

We will certainly entertain mediation if that is the next step.

Sincerely,
Nadra Haffar

***** Loren Peck Customer's Lawyer regarding mediation*****

From: Loren Peck
Date: Wed, Oct 17, 2018 at 5:31 PM
Subject: Response to Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018.
To: Cynthia Dumas , nadra haffar

Cynthia,

Thank you for your email and the instructions. We will reach out and attempt to mediate.

Best,
Loren Peck

From: Cynthia Dumas

Date: Thu, Oct 18, 2018 at 7:51 AM

Subject: Re: [External] RE: Response to Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018.

To: , nadra haffar

Cc: , CAPSC

Good Morning All,

Mr. Peck the Division of Public Utilities is the one who will arrange mediation between all parties involved. Mediation will take place in the Department of Commerce if the company accepts mediation.

Elia, would Dominion Energy like to entertain mediation regarding this matter?

Either way please let us know.

Thank you,
Cynthia Dumas
Office Specialist II
Division of Public Utilities
Office (801) 530-7622

Mr. Peck's follow up email regarding mediation

From: Loren Peck

Date: Thu, Nov 15, 2018 at 3:14 PM

Subject: RE: [External] RE: Response to Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018.

To: Cynthia Dumas , nadra haffar

Cc: , CAPSC

Cynthia,

Have you heard back from Dominion regarding their willingness to mediate this claim?

Thanks,
Loren Peck

*** DEU's Response to Mediation ***

From: Leora Price

Date: Thu, Nov 15, 2018 at 4:01 PM

Subject: RE: [External] RE: Response to Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018.

To: Loren Peck , Cynthia Dumas , nadra haffar

Cc: CAPSC , Arminda I Spencer

Good afternoon,

I am informed and believe that Mr. Peck and Attorney Arminda Spencer have discussed this matter and decline mediation.

Should you have any questions or concerns, do not hesitate to contact me.

Leora Price, ACP

Paralegal II

Dominion Energy

333 S. State Street, Salt Lake City, Utah 84111

Mailing Address: P.O. Box 45433, Salt Lake City, Utah 84145

O: 801-324-5820 F: 801-324-5935

*** DPU's email to Loren Peck & Mrs. Haffar ***

From: Cynthia Dumas

Date: Thu, Nov 15, 2018 at 4:09 PM

Subject: Re: [External] RE: Response to Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018.

To: , nadra haffar

Dear Mr. Peck and Mrs. Haffar,

I hope all is well with you. Since Dominion Energy has declined mediation, the next step is to file a Formal complaint with the Public Service Commission (Commission), see attached. If you have any questions regarding the Formal complaint please don't hesitate to contact the Commission at 801-530-6716.

Thank you,

Cynthia Dumas

Office Specialist II

Division of Public Utilities

Office (801) 530-7622

*** Loren Peck reply to DPU ***

From: Loren Peck

Date: Thu, Nov 15, 2018 at 4:36 PM

Subject: RE: [External] RE: Response to Informal Complaint by Nadra Haffar against Dominion Energy Utah dated Sep. 25, 2018.

To: Cynthia Dumas

Cynthia,

Thank you for your help with this.

Best,

Loren

