

FORMAL COMPLAINT FORM  
PUBLIC SERVICE COMMISSION  
Heber M. Wells State Office Building  
160 East 300 South, Fourth Floor  
P.O. Box 45585  
Salt Lake City, Utah 84114

Complaints are public documents and are maintained on the Public Service Commission website.  
Further information on formal complaints is available at: <https://psc.utah.gov/complaint-process/>

1. Name of Complainant: Nicole Rae McLaughlan Lovato

Address: 2724 S. Lake Street, SLC, UT 64106

Telephone No.: 801-253-2539

Email Address: nicolemjohnson13@yahoo.com

Preferred method of contact:  Email or  U.S. Mail

If represented by counsel, list:

Name: N/A

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Email Address: \_\_\_\_\_

2. The utility being complained against is: Dominion Energy

3. What did the utility do which you (the Complainant) think is illegal, unjust, or improper? Include exact dates, times, locations and persons involved, as closely as you can.

a. Overcharging in Budget Billing: See attached EXCEL spreadsheet at the end of this response – it reflects all the actual use/bills direct from Dominion Energy

i. They claim I have an underpayment of \$646.50, when using excel it is actually \$529.50

1. They DID NOT include my \$117 payment for July in their calculation and are including that extra \$117 in the underpayment

a. Meaning I will be billed twice

- ii. Taking all charges direct from my bills at this point, means my new average should actually be \$182.19, which is still incorrect as it only reflects eight months of bills/use, not 12 months as program details described
  - 1. Elia Lopez stated the IT system determines the average based on projected rate increases, which is why it is up to \$211
  - 2. She also said when she calculated manually, my bill average should be \$186
    - a. I requested I be billed the manual amount of \$186 beginning in September, 2023, not the projected amount of \$211 at this time until I can get this formal complaint reviewed
    - b. See response to 5a regarding how I'd actually prefer this be managed
- b. Not informing complainant of increases to bill at the six month mark
  - i. <https://www.dominionenergy.com/utah/billing/billing-options-and-assistance/budget-billing>
    - 1. "At least twice a year, we compare your actual usage to the estimated amount used to calculate your monthly Budge Plan payment. If your usage is higher or lower than expected, or if there has been a significant rate change, we adjust your payment to keep your account in balance."
      - a. I was never informed of any concerns until August, 2023, which would be the eighth month mark in the program, but I was told this was an annual 12 month review
- c. Re-evaluating the bill at the 12 month mark from when I started of Budget Bill program should actually start after October, 2023 bill

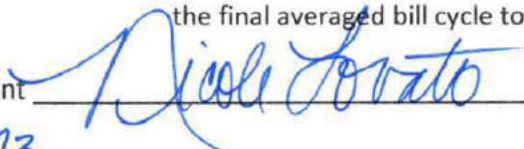
- i. If they are using 08/2022 through 10/2022, those were being PAID IN FULL at that time, and should not be used in an average annual calculation at this point, otherwise they are overcharging in comparison to actual use/bills for 12 months in the Budget Billing program
  1. Not including the BUDGET BILLING for the 08/2023 through 10/2023 means that I will reflect owing more than what is actually owed, given they are typically lower natural gas use months
    - a. You can see if the underpayment actually reflected 12 months, the underpayment they are claiming is actually in excess of \$400+ in the EXCEL spreadsheet below, and that includes only paying the original agreed payment of \$117
      - i. I'm being billed an amount that would be much less with the full 12 month averages used
      - ii. This is not something that you can fix going forward, it must be addressed now otherwise I'm being billed in excess \$400 above my actual use
  2. "After each year of participation in the Budget Plan, we evaluate your account."

| Account ID | End Date   | Actual/Dt | Dominion avg/sale                                                         | Dominion charge | Difference                            | Running budget deficit - underpayment | Service Address                                                 |
|------------|------------|-----------|---------------------------------------------------------------------------|-----------------|---------------------------------------|---------------------------------------|-----------------------------------------------------------------|
|            |            |           |                                                                           | 26.26           | Using Oct bill 2021                   | -239.59                               |                                                                 |
|            |            |           |                                                                           | 19.47           | Using Sept bill 2022                  | -329.33                               |                                                                 |
|            |            |           |                                                                           | 14.36           | If Aug bill 2023                      | -425.86                               | 2724 Lake St                                                    |
|            | 8/17/2023  | 0.52154   | 211.8 mo to change - not 12?<br>Dominion is missing lower charging months |                 |                                       |                                       |                                                                 |
|            | 7/19/2023  | 0.52481   | 117                                                                       | 14.4            | Disin't include \$117 paid in deficit | -529.5                                | 2724 Lake St                                                    |
|            | 6/16/2023  | 1.15373   | 117                                                                       | 22.64           |                                       | -632.1                                | 2724 Lake St                                                    |
|            | 5/16/2023  | 4.74278   | 117 6 mo review never done                                                | 74.13           |                                       | -726.46                               | 2724 Lake St                                                    |
|            | 4/18/2023  | 17.2462   | 117                                                                       | 234.18          |                                       | -769.33                               | 2724 Lake St                                                    |
|            | 3/16/2023  | 18.2041   | 117                                                                       | 250.2           |                                       | -652.15                               | 2724 Lake St                                                    |
|            | 2/16/2023  | 22.758    | 117                                                                       | 291.52          |                                       | -518.95                               | 2724 Lake St                                                    |
|            | 1/19/2023  | 24.3629   | 117                                                                       | 302.0           |                                       | -344.43                               | 2724 Lake St                                                    |
|            | 12/15/2022 | 19.4334   | 117                                                                       | 245.51          |                                       | -128.53                               | 2724 Lake St                                                    |
|            | 11/16/2022 | 11.0796   | 127.44                                                                    | 127.44          |                                       | 0                                     | 2724 Lake St                                                    |
|            | 10/19/2022 | 1.62056   | 26.26                                                                     | 26.26           |                                       | 0                                     | 2724 Lake St                                                    |
|            | 9/20/2022  | 1.23302   | 19.47                                                                     | 19.47           |                                       | 0                                     | 2724 Lake St                                                    |
|            | 8/17/2022  | 1.13162   | 18.07                                                                     | 18.07           |                                       | 0                                     | 2724 Lake St                                                    |
|            |            |           | 1127.24                                                                   | 1656.74         |                                       | 529.50                                | Actual budget deficit/underpayment                              |
|            |            |           |                                                                           | 138.06          |                                       | 182.19                                | Actual new avg (with \$117 July payment) and underpayment added |

\*Full excel spreadsheet attached as page 7 for improved viewing

4. Why do you (the Complainant) think these activities are illegal, unjust or improper?
  - a. The Budget Billing dept is including months that were paid in full for the initial programs running averages, which meaning billing me for underpayment based on an incomplete picture without low use months being taken into account
    - i. The Budget Billing dept is charging "deficit balances/underpayments" that cannot yet be determined without the full 12 months included in the averages in the program, as is stated in their own program details
  - b. The Budget Billing dept DID NOT include my payment made in July, 2023
    - i. Which means they are double billing me that amount, when reflecting it as underpayment and charging it again in the next year
5. What relief does the Complainant request?
  - a. Return me to the original average of \$117 monthly
    - i. Run the new deficit balance/underpayment after October, 2023 as this will actually reflect my first full 12 months being averaged in the program
      1. Per Dominion Energy program details: "After each year of participation in the Budget Plan, we evaluate your account."

- a. When a new Budget Bill account is initiated, Dominion should have to reflect a full 12 month picture in the first evaluation if they allow you to enter mid-cycle
- b. Or...Dominion Energy should not allow entry mid-cycle unless willing to go past the 12 months in the initial review
  - i. This will ensure proper full use/bill review and not allow illegal charging on accounts in the program
  - ii. Per Dominion Energy program details: "At least twice a year, we compare your actual usage to the estimated amount used to calculate your monthly Budget Plan payment. If your usage is higher or lower than expected, or if there has been a significant rate change, we adjust your payment to keep your account in balance."
    - 1. In January, 2024 as is expected for the program as a whole (timeline 6 month mid-cycle review) Dominion may discuss/adjust the payment according to their own plan description, including August, 2023 through January, 2024 in my mid-cycle review as the program described above
      - a. This will allow both parties to now be on the same timeline and average use for the mid-cycle and program description above
        - i. This will reflect legally adhering to their program details and not allow illegal billing activities to occur
    - 2. They must also ensure the last payment is included for July in the final averaged bill cycle to prevent double billing

6. Signature of Complainant   
Date: 8/30/2023

NOTE: Submit complaint by email or U.S. mail. (<https://psc.utah.gov/psc-filing-requirements/>)

| Account ID | End Date   | Actual | Dom     | Domination avg cal:                                                     | Domination charge | Difference                           | Running budget deficit - underpayment | Service Address                                                         | Service City   | Service St | Service Postal |
|------------|------------|--------|---------|-------------------------------------------------------------------------|-------------------|--------------------------------------|---------------------------------------|-------------------------------------------------------------------------|----------------|------------|----------------|
|            |            |        |         |                                                                         | 26.26             | Using Oct bill 2022                  | -238.59                               |                                                                         |                |            |                |
|            |            |        |         |                                                                         | 19.47             | Using Sept bill 2022                 | -329.83                               |                                                                         |                |            |                |
|            | 8/17/2023  | 0.5216 | 2.11    | 8 mo to change - not 12?<br>Domination is missing lower charging months | 14.36             | if Aug bill 2023                     | -426.86                               | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            |            |        |         |                                                                         |                   |                                      | AND only paying \$117 monthly         |                                                                         |                |            |                |
|            | 7/19/2023  | 0.5248 | 1.17    |                                                                         | 14.4              | Didn't include \$117 paid in deficit | -529.5                                | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 6/16/2023  | 1.1537 | 1.17    |                                                                         | 22.64             |                                      | -632.1                                | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 5/16/2023  | 4.7428 | 1.17    | 6 mo review never done                                                  | 74.13             |                                      | -726.46                               | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 4/18/2023  | 17.246 | 1.17    |                                                                         | 234.18            |                                      | -769.33                               | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 3/16/2023  | 18.204 | 1.17    |                                                                         | 250.2             |                                      | -652.15                               | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 2/16/2023  | 22.758 | 1.17    |                                                                         | 291.52            |                                      | -518.95                               | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 1/19/2023  | 24.363 | 1.17    |                                                                         | 332.9             |                                      | -344.43                               | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 12/15/2022 | 19.433 | 1.17    |                                                                         | 245.53            |                                      | -128.53                               | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 11/16/2022 | 11.08  | 117.44  |                                                                         | 127.44            |                                      | 0                                     | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 10/19/2022 | 1.6206 | 26.26   |                                                                         | 26.26             |                                      | 0                                     | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 9/20/2022  | 1.233  | 19.47   |                                                                         | 19.47             |                                      | 0                                     | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 8/17/2022  | 1.1316 | 18.07   |                                                                         | 18.07             |                                      | 0                                     | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            |            |        | 1127.24 |                                                                         | 1656.74           |                                      | 529.50                                | Actual budget deficit/underpayment                                      |                |            |                |
|            |            |        |         |                                                                         | 138.06            |                                      | 182.19                                | Actual new avg (with \$117 July payment) and underpayment added         |                |            |                |
|            | 7/19/2022  | 1.122  | 17.41   |                                                                         | 17.41             |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 6/20/2022  | 1.5216 | 20.18   |                                                                         | 20.18             |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 5/18/2022  | 6.8449 | 69.9    |                                                                         | 69.9              |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 4/19/2022  | 13.778 | 141.07  |                                                                         | 141.07            |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 3/17/2022  | 17.082 | 176.65  |                                                                         | 176.65            |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 2/16/2022  | 18.737 | 199.53  |                                                                         | 199.53            |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 1/19/2022  | 24.325 | 255.31  |                                                                         | 255.31            |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 12/16/2021 | 14.718 | 153.89  |                                                                         | 153.89            |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 11/17/2021 | 6.8141 | 75.65   |                                                                         | 75.65             |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 10/21/2021 | 3.9411 | 36.25   |                                                                         | 36.25             |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 9/21/2021  | 0      | 7.49    |                                                                         | 7.49              |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 8/18/2021  | 0      | 7.49    |                                                                         | 7.49              |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            |            |        | 1160.82 |                                                                         | 1160.82           |                                      |                                       |                                                                         |                |            |                |
|            |            |        |         |                                                                         | 96.74             | Why charge \$117                     |                                       | Claims the IT system able to take into account rate increases projected |                |            |                |
|            | 7/20/2021  | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 6/17/2021  | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 5/19/2021  | 2.1973 |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 4/21/2021  | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 3/17/2021  | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 2/16/2021  | 1.6197 |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 1/19/2021  | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 12/21/2020 | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 11/18/2020 | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |
|            | 10/20/2020 | 0      |         |                                                                         |                   |                                      |                                       | 2724 Lake St                                                            | Salt Lake City | UT         | 84106-1745     |