

Formal Complaint

Public Service Commission

160 East 300 South, Fourth Floor

P.O. Box 45585

Salt Lake City, Utah 84114

1. Name of the Complainant: Shane Houskeeper
Address: 10770 South Escalante Drive, UMR-262
Telephone number: 801-856-1334
2. The utility being complained against is: South Duchesne Culinary Water
3. What did the utility do which you think is illegal, unjust, or improper?

I sent the following informal complaint to Marialie Wright on 8/10/2017 and wanted to escalate this to a formal complaint.

I am writing you about a issue I am having with South Duchesne Culinary Water My water was shut off per my request on 11/8/15 and I had talked to one on the employees JEFF about "standby service"he said that wouldn't be a problem and that he would let the office know that I wanted it in stanby and they would contact me if they had any questions. I never received a water bill consistently and when I received one it was not adjusted to the standby billing amount of \$15 per month and I called and spoke to Jeff again and he said he was in the field and wouldn't be in the office for a couple days but would let them know to correct it. I kept getting off/on bills for \$40 and I went ahead and paid \$200 on April 11th 2016 to catch my account up. After months of not receiving a water bills I received one in October 2016 and it stated that I was once behind in the payments and they were billing me at the rate of \$40 per month instead of the standby \$15 per month rate. I then started calling and texting Jeff on October 11th-November 4th (I have phone and text records)with no success, I also emailed the company email on file November 21st 2016 and December 5 2016 with no response from them (I have email records).

I finally got a hold of Jeff and he said he would have someone from the office contact me as he is not in the office. Months went by without a bill or a call from South Duchesne Water until around the last part of May 2017 I received a call and during the phone call I explained that Jeff acknowledge that I requested to go on standby with my water and she replied that Jeff has no authority and that only cabin lots with no cabins can be on standby and that I would have to pay the rate of \$40 per month even though my water has been turned off since November 8th 2015 and I have used 0 gallons of water. She then said that I was lucky that they had a bookkeeper not doing her job because my water should have been shut off months ago and should have been charged a late fees. I replied my water is already off as of November 2015. I asked to talk to a supervisor and she said that there's nobody else to talk to except her mom and she is sick and won't let her talk to me. She then went on a rant that her mom owns the company and spent millions of dollars and that she was the only person that I could talk to and then said NOW you owe an additional \$120 in late fees and we need payment NOW!!!! I received a bill early June 2017 The bill was for \$480 in past due at a rate of \$40 per month and hand written on the bill stated that I owe \$120 in late fees and stating that if payment wasn't made by 6/20 that there's a cut-off/new contract. I will scan and add this to my complaint. Although I requested to have my account put in standby I sent a letter to them stating that I will sending a payment of \$480 but please take off the late fees of \$120 and I sent them a payment of \$480 on June 15th 2017 to get my account current. I will scan and include a copy of this letter. Early October I received a bill saying I owed \$80 on my account and hand written it says that I owe \$130 in late fees and says shut off 8/20/17. Again I am saying to myself that this water has been shut off since November 2015. I have these concerns about the policy that have been written online verse what they say by phone and by mail. Below I copied and past from the Rate schedules and rate and regulations that was submitted and approved by the state of Utah. "Standby Service Charge Standby Service Charge* \$15.00 per month *Applies to lots where service mains are in place and where water service is available, but no water service has been connected and no water service is used; or where water service has been disconnected by the Company at the request of the customer; or involuntarily by the Company after proper notice to the customer. August 14, 2003 Effective: August 15, 2003" Another concern I have is the late fee, although they would never contact me to resolve the issue of having my water put on standby they are handwriting late fees on my bill. Why wouldn't they just have the computer print it out with in statement unless they were trying to keep it off their books. I went online and this is what I found in their rate and regulations "RULES AND REGULATIONS (cont'd.) 3. Billings and Payments: Bills covering the charges will be rendered monthly and shall be due twenty (20) days after being rendered. After thirty (30) days a late charge of 1.5% of the past due balance will be assessed. Late charges will be assessed at 18% per annum on all past due amounts until the account is brought current." For a \$40 bill a late fee should only be \$.60 cents (1.5% of \$40)per their regulations. Are they charging everyone this over billing amount of \$10? I want it to be known and on record that this employee or owners daughter also threatened me that my fence needed painting and that my property needed other maintenance and she could case other issues and problems for me and that "I am messing with the wrong person". She also said that she thought my house wasn't

finished and that should and could have it condemned. I am writing this complaint knowing that she will try and keep her promise of making things hard for me. This type of person shouldn't hold this type of position. Does this person have to have a background check to hold this position of have customers social security numbers and account information? I feel that I am due a credit to my account from November 8th 2015 through August 2017 at a rate of \$25 per month (the difference from \$40-\$15= \$25) and also have my account reflect the standby rate of \$15 per month until notified that I want to turn my water on. Also have any and all late fees wave, its been 2 years to come to this and before 2 months ago nothing had been billed for late fees and no company representative would respond back to me for almost 2 years.

Shane Houskeeper

UMR-262 10770 Escalante Drive

801-856-1334

4. Why do you think these activities are illegal, unjust, improper?

What I think is illegal, unjust or improper is that per the posted tariff on the Utah website that I am permitted to go on "standby" per my request. It states" where water service has been disconnected by the company at the request of the customer" I made a request on with Employee Jeff and he said it wouldn't be a problem and would inform the office. My account was never put on standby and nobody from the company contacted my after many attempts by email, phone calls and texts. In the response from Duchesne Water they never specifically addressed this issue or concern. Tosha Steed admits that she has no signed operational agreement by me and does not have one in her company file. I was told by the representative Jeff that it is possible for me to go on standby. My water has been turned off at the street since November 8th 2015

Standby Service Charge

Standby Service Charge* \$ 15.00 per month

*Applies to lots where service mains are in place and where water service is available, but no water service has been connected and no water service is used; or where water service has been disconnected by the Company at the request of the customer; or involuntarily by the Company after proper notice to the customer.

The other issue I think is illegal, unjust or improper is that per the posted tariff on the Utah website is about the late fee. Tosha also failed to acknowledge this complaint and issue in her response.

The tariff reads that the late fee would be 18% per annum; Tosha however is charging me a fee of \$10 per month. With a monthly water fee of \$40 or \$15 this fee would be 300 % or 800% per annum. The \$10 fee is 25% of the monthly charge of \$40 and 25% times 12 months is 300%. This is a big difference

from the 18% annum, a late fee on a \$40 monthly charge would be .60 cents. My other concern about these late charges in the past year I have been trying to contact them and have them put me on standby billing is they never charged a late fee. The only time I was billed a late fee was on a current bill that was hand written. If these charges were legit and legal why wouldn't they print them on the official notice and not hand write it? To me this points to shady bookkeeping and leads me to think that she may be over charging every customer and not following the tariff.

13. Billings and Payments: Bills covering the charges will be rendered monthly and shall be due twenty (20) days after being rendered. After thirty (30) days a late charge of 1.5% of the past due balance will be assessed. Late charges will be assessed at 18% per annum on all past due amounts until the account is brought current. If any customer neglects or refuses to pay a water service bill or any other obligation due to the Company within thirty (30) days from the date of said bill, the Company's employees shall have the right to go upon the premises and do such work as may be necessary to disconnect the water service. Before the service is renewed the delinquent bill or bills shall be paid in full, or payment arrangements satisfactory to the Company shall be made, and the established tariff charge for reconnection shall be paid.

5. What relief does the Complainant request?

I feel that I am due a credit to my account from November 8th 2015 since my water has been shut off at the street through August 2017 at a rate of \$25 per month (the difference from \$40-\$15= \$25) and also have my account reflect the standby rate of \$15 per month until notified that I want to turn my water on. Also have any and all late fees waved, its been 2 years to come to this and before 2 months ago nothing had been billed for late fees and no company representative would respond back to. The reason payments were not made is they had the billing wrong and was not billing me the correct amount. I have sent in payments including one for \$480 June 14th 2017 and one on August 23rd for \$290 with memo stating paid under protest.

6. Signature of Complainant: Shane Houskeeper August 28, 2017