

DECISION MEMORANDUM

TO: COMMISSIONER KEMPTON
COMMISSIONER SMITH
COMMISSIONER REDFORD
COMMISSION SECRETARY
LEGAL
WORKING FILE

FROM: CHRIS HECHT

DATE: AUGUST 3, 2009

RE: FORMAL COMPLAINT OF EVERETT JAMESON

IPC-E-09-23

On June 24, 2009, the Commission received a "formal" complaint (attached) from Everett Jameson against Idaho Power Company. Mr. Jameson's formal complaint is against Idaho Power Company and concerns the events leading to disconnection of his electric service at his residence on March 6, 2009. Mr. Jameson was unsatisfied with the outcome of the informal procedures to resolve his complaint and has filed this formal complaint.

BACKGROUND

Mr. Jameson called Idaho Power Company on January 5, 2009 to make a payment arrangement that would allow him to pay \$30 a month for January, February and March 2009 so he could use the uncommitted funds to replace a failed water heater. The customer's offer of \$30.00 was not sufficient to enroll the customer in the Winter Payment Plan which would have offered protection from disconnection through March.¹ Mr. Jameson's level pay would have been about \$113.00, so the monthly payment required to enroll in the winter payment plan would have been \$56.00.

¹ The Winter Payment Plan allows customer to pay half of their monthly level pay amount for the months of November through March. The level pay amount is one-twelfth of the customer's previous twelve months total bill plus any arrearages.

Company records indicate that he was notified he was being placed on the cold weather rule (winter moratorium) due to his age and poor health and he would need to make arrangements prior to March 2009 for the remaining past due balance.²

Mr. Jameson made \$30.00 payments on January 7, 2009, January 30, 2009, and March 1, 2009. The Company sent out a payment reminder notice on January 29, 2009, an initial disconnection notice on February 24, 2009 and a final disconnection notice on February 29, 2009. The initial notice and the final notice had an action date of March 9, 2009 for the disconnection. Idaho Power alleges that when an automated system call was placed to his home on February 27, 2009 at 1:43 pm, the system detected a message device system and a message was left. Mr. Jameson states he did not receive a call.

The Company maintains Mr. Jameson did not respond to the disconnection notices and service was disconnected on March 10, 2009 for the past due amount of \$482.26. The customer made a partial payment over the telephone following disconnection and the Company restored power the same day.

Mr. Jameson asserts that the meter specialist did not knock on his door prior to disconnection and a notice was not left at his residence after disconnection, both of which are required by Commission Rules. Therefore, he maintains that he was not given a final opportunity to pay prior to disconnections. He also says that the stress and added worry of the disconnection and the possibility of cold weather damage to his house following disconnection have aggravated existing medical conditions. He states that he wants "to make sure it doesn't happen again".

STAFF RECOMMENDATION

Mr. Jameson was not satisfied with the outcome of the informal complaint. Consequently, he filed a formal complaint. *See* Rules 23, 25 and 54, IDAPA 31.01.01.023, .024 and .054. Staff recommends that the Commission issue a summons to Idaho Power Company and direct the Company to file a response to the complaint.

² The winter moratorium rule protects customers from disconnection from December through February regardless of payment amount or whether any payment is made. Customers must contact the Company prior to March to make further arrangements to pay the accumulated balance on the account. The moratorium protects residential customers that have children, elderly, and infirm in the household.

COMMISSION DECISION

Does the Commission wish to accept Everett Jameson's formal complaint? Does the Commission wish to issue a Summons?

Chris Hecht

Chris Hecht

udmemos/jameson formal complaint

Jun 24 09 10:47a

Everett Jameson

p.1 Chris
(Bev also rec'd
a copy)

RECEIVED

State of Idaho Department of Public Utilities
Request for Opening Formal Complaint
Attn: Ms. Jean Jewell, Commission Secretary

June 24 2009 10:24 AM 11:00

IDAHO PUBLIC
UTILITIES COMMISSION

Dear Ms. Jewell,

I am requesting opening a formal complaint against Idaho Power. I have been working with Chris Hechs on this and Mr. Lobb, this morning, was great help to me about putting it into writing.

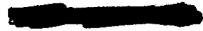
I was forced into early retirement due to disabilities. I live on fixed income. The first week of this January 2009, my water heater ruptured and had to be replaced. The job was @ \$850, all of which had to be adjusted from future bill payments because I had no other cash. I called Idaho Power in Seattle and made arrangements to pay \$30/month for three months, and in March, make new payment arrangements for the balance. I made the agreed upon payments every month; Jan., Feb. and on Feb. 28, I made the March payment.

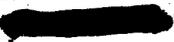
Idaho Power disconnected my service on March 6, 2009 without a phone call or any written notice of their intent to do so. Their service man was within 50 feet of my front door to access my meter box. He could have easily and safely come to my door and advised me that my electricity would be disconnected. No dogs are allowed in the front yard. I awoke to find the power off and assumed it was one of the frequent outages we have here. I later called and was informed of my disconnection. [At no time during that day did the temperature rise above freezing, having been 8 degrees that morning.]

I'm not a healthy person. I've had heart and other surgeries and am in constant, permanent and unrelenting pain from other injuries.

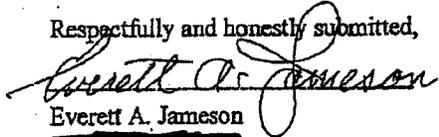
To have someone take my heat away [as in heat for my plumbing pipes under the house as well as my living quarters] was a tremendous psychological shock to me. This arrogant and insensitive act by Idaho Power caused physical reactions such as my heart going way out of time, nearly fainting at times and my blood sugar out of the normal range as well as other symptoms; all of which put me in the hospital in Mc Call.

I was able to get my power restored by giving Lizette from Idaho Power my checkbook numbers and allowing her to take \$241.60 from my account. I made payment arrangements to pay \$150/month until all the balance was paid. I make the payments the first of each month. Please note: A couple years ago they improperly connected a transformer in my neighborhood and destroyed every appliance that was on line for me and my neighbors. People lost refrigerators, computers, TVs and etc. I lost my TV. It took Idaho Power over six months to pay me back for their error! They took six months to pay me so I could buy another TV; but they rushed real fast to disconnect my power, even though I had until the rest of the month to make the future payment agreement with them as per my verbal agreement in January.



I'm filing this complaint in anger demanding justice from them. How many old people every year in this country [as in the United States] get their power turned off in winter and end up freezing to death? I was afraid I'd be one of those fatalities [statistics, if you will]. When one gets my age; it doesn't take much adversity or trauma to cause terrible results in our bodies, I'm finding. I have been severely affected and can back up my claims with documentation from the hospital, my doctor,  and my friends and family. I just want to make sure it doesn't happen again.

Respectfully and honestly submitted,



Everett A. Jameson


New Meadows, ID 83654

