

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER REDFORD
COMMISSION SECRETARY
LEGAL
WORKING FILE**

Int-007-01

FROM: TAMMIE ESTBERG

DATE: May 8, 2007

RE: TESSA, RALPH AND WANDA LESEBERG'S FORMAL COMPLAINT

On April 16, 2007, the Commission received a "formal" complaint (attached) from Tessa Leseberg on behalf of her elderly parents, Ralph and Wanda Leseberg, against Intermountain Gas Company. The Lesebergs object to Intermountain Gas Company billing them for estimated usage over a one-year period during which their meter was malfunctioning. They object to the failure of Intermountain Gas Company to discover and repair malfunctioning equipment in a timely manner and question the Company's method of estimating consumption. The Lesebergs were unsatisfied with the outcome of the informal procedures to resolve their complaint and have filed this formal complaint.

BACKGROUND

In February 2007, the Lesebergs received a bill from Intermountain Gas Company that was much higher than the previous month's billing. During a phone conversation with the Company, Wanda was informed that her gas meter had been replaced in mid-January due to an equipment malfunction and that the Company was preparing to re-bill the Lesebergs for an additional \$496.76, for estimated usage over the previous twelve months. The Lesebergs received a letter from the Company dated February 2, 2007, stating that an audit found their meter was not registering accurately and the customer was being re-billed based on "historical usage in combination with weather data".

After receiving a copy of the Lesebergs' letter of April 16, the Company subsequently reviewed its calculation of estimated usage. The Lesebergs have declined the Company's offer to adjust the estimated billing to \$415.46 based on a calculation prepared previously by Staff. Staff notes that some information provided in its correspondence with the customers (copies of which were attached to the complaint), was incorrect.

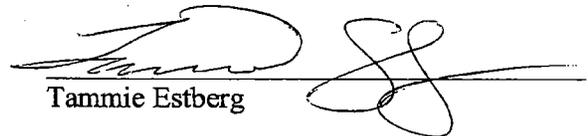
Staff's letter to the customer dated April 3, 2007, erroneously referred to a "CT meter". CT meters are used to measure electric usage for large residential customers and are not used by gas utilities. The broken wiggler caused the failure to register usage correctly. Staff incorrectly described this as not being a "malfunctioning meter", but in fact, a broken wiggler is considered to meet the definition of a malfunctioning meter.

STAFF RECOMMENDATION

The Lesebergs are not satisfied with the outcome of the informal complaint. See Rules 23, 25 and 54, IDAPA 31.01.01.023, .024, and .054. Staff recommends that the Commission issue a summons to Intermountain Gas and direct the Company to file a response to the complaint.

COMMISSION DECISION

Does the Commission wish to accept the Leseberg's formal complaint? Does the commission wish to issue a Summons or proceed under Modified Procedure?


Tammie Estberg

memos/Complaint Decision Memo