

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE
STATE OF MISSOURI

FILED²

MAR 23 2007

Missouri Public
Service Commission

Name: Dr. Michael and Sharon Maples
Complainant

vs.

Company Name: Ameren UE
Respondent

Case No.

COMPLAINT

Complainant resides at 10600 Bennish Lane, Rolla, MO 65401
(address of complainant)

1. Respondent, Ameren UE
(company name)
of 1901 Chouteau Ave., St. Louis, MO 63166-6149
(location of company), is a public utility under the
jurisdiction of the Public Service Commission of the State of Missouri.

2. As the basis of this complaint, Complainant states the following facts:

Ameren UE has been our Natural Gas service provider at our residence, 403 E. 10th St., Rolla, MO 65401, since the summer of 2001. Our account number is 12231-24008. Our bills always seemed exceptionally high when compared with those of others, but when we called Ameren UE as to why this could be, we were offered no explanation except that our house was big and old. We came to accept that the bills were normal for our location. However, during the winter of 2005-2006, we spoke with someone who had a very similar house to ours and her gas bills were less than half of what we were used to paying. Again, we inquired with Ameren UE about these bills and suggested to them that, perhaps, there has been a problem with the meter all this time. After lengthy discussion and persuasion, they agreed to send a service technician to check the meter. The technician arrived on Feb 9, 2006 and chose to replace the meter rather than check and service it on location. The bill we received for the next service period was nearly a third of the last bill we had received. Before jumping to conclusions, we waited for another billing cycle and, again, a considerable drop in gas usage was seen. We called Ameren UE to express our concerns about the drastic drop in our heating bill since the meter replacement and were told that the old meter would have to be tested before they could help us. In the meantime, we stopped paying our natural gas bill. Over the course of the next few months we called to check on the status of our old meter but were told it hadn't been tested yet.....they did, however, remind us that we had an outstanding bill. We told them that we were waiting for the outcome of the testing of our old meter. The Ameren representative informed us that we need to pay our bill regardless of the outcome. We disagreed and asked that our gas service be turned off since we had moved to a new residence in April 2006 anyway. On or about May 3, 2006, we received a letter from Ameren UE stating that a meter tester was sent to "our premises" on April 26, 2006 and tested our electric meter. The letter detailed the conditions of the test and that the meter showed to be 99% accurate. We then

contacted Ameren and told them that, not only were "our premises" (10600 Bennish Lane) the wrong address, but that we have never had problems with our electric meter. We were told that this letter was in error and that it was actually the gas meter at our old address that was tested. On or about May 19, 2006 we received another letter stating that a meter tester was sent to "our premises" (10600 Bennish Lane again?) on April 26, 2006 and tested our GAS meter and that it tested 99% accurate. In the same letter they expressed that they hoped the letter would answer any question we might have regarding the accuracy of our ELECTRIC meter. Once again, we contacted them to explain that we had NO PROBLEMS with the gas meter AT "our premises". It was the one that they had already removed from "our premises" that was in question. We were then told that it was actually the old meter that had been tested and they would send a new letter to us. At this point we must point out the lack of quality control being maintained by Ameren UE. They have sent us several letters indicating the results of meter testing on the wrong meters. We find it very hard to believe that the correct meter was actually tested. It also seems possible that if the correct meter WAS actually tested, corrective service may have been performed on it prior to testing it. That is one of the problems with internal testing. It is a conflict of interest for the company to perform this type of testing. If, in fact, the correct meter was actually tested properly and performed within specifications, there is still the possibility that there was some sort of failure or leaking problem at the site of installation. This would not reflect in performance testing of the meter. What is KNOWN is that, after the installation of our new meter, there was a significant decrease in gas usage. We have calculated this drop to the best of our ability. We then added the usage from the last two billing cycles together and compared it to the same billing cycles from the previous 4 years. The average usage from those cycles during the previous 4 years was 590 CCFs. The usage for the same billing cycles AFTER the meter was replaced is 309 CCFs. This is a decrease of 47.6%.....almost half. The billing cycles in question were not unseasonably warm (in fact, perhaps the opposite). After the meter change we did no new insulation. We turned off no appliances. We did not vacate the home until April 2006. In short, our living conditions were exactly the same before and after the meter was changed, until we actually moved in April. In several emails, Ameren seems to indicate that they recognized the significant drop, but could offer no other reasonable sources for such a drop.

Additionally Ameren has now begun contacting me through an Attorney that is threatening legal action and has also put negative information on our credit report. We also want to point out that, on top of all of the prior Quality Control flaws in their notifications to us, even their attorney is threatening legal action against us for not paying our ELECTRIC bill (we have NEVER had Ameren UE as our electric provider).

3. The Complainant has taken the following steps to present this complaint to the Respondent:

Please see section 2 for many of the details of our actions. We have also included many of the email correspondences with this complaint. Additionally, we would like to point out that, in November of 2006, we suggested to Ameren that we come to an agreement whereby we would not pursue this action any further if they would drop our current bill to a \$0.00 balance. In late December we received the reply indicating that our solution was unacceptable to them.

WHEREFORE, Complainant now requests the following relief:

I, Dr. Michael F. Maples, have reviewed my account with Ameren since 2001 and find that I have paid them \$13,031.29. My contention is that my actual billing should have totaled only \$6828.40, a difference of \$6202.89. If I adjust our current bill of \$1970.73 to accurately show \$1032.66 and deduct this from the \$6202.89 that I feel we have overpaid, it leaves a balance of \$5170.23 that I believe Ameren owes to me. I also wish to have ANY reference to this bill removed from my credit reports and have any damage that has resulted repaired.

Date



Signature of Complainant

Attach additional pages, as necessary.

Attach copies of any supporting documentation.

May 3, 2006

MICHAEL F MAPLES
10600 BENNISH LN
ROLLA, MO 65401

RE: Meter Test Results
Acct. #12231-24008



Dear Customer:

At your request, we tested the electric meter at your location. A meter tester was sent to your premises on 4/26/06.

The tests were made under both light and heavy load conditions. Under a light load, your meter tested 99% accurate. The heavy load test showed your meter to be 99% accurate. Both test results are within the required accuracy range provided by the Commission.

We want to provide quality service and hope this letter answers any question you may have regarding the accuracy of your electric meter. Should you have additional questions about your account, please contact us from 7:00 a.m.-7:00 p.m., Monday through Friday at the telephone number listed below.

Sincerely,


Customer Contact Center
1-800-552-7583

May 18, 2006

MICHAEL F MAPLES
10600 BENNISH LN
ROLLA, MO 65401

RE: Meter Test Results
Acct. #12231-24008



Dear Customer:

At your request, we tested the gas at your location. A meter tester was sent to your premises on 4/26/06.

The tests were made under both light and heavy load conditions. Under a light load, your meter tested 99% accurate. The heavy load test showed your meter to be 99% accurate. Both test results are within the required accuracy range provided by the Commission.

We want to provide quality service and hope this letter answers any question you may have regarding the accuracy of your electric meter. Should you have additional questions about your account, please contact us from 7:00 a.m.-7:00 p.m., Monday through Friday at the telephone number listed below.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Davis".

Customer Contact Center
1-800-552-7583

JACK R. ITZKOWITZ
ATTORNEY AT LAW
1001 CRAIG ROAD, SUITE 455
ST. LOUIS, MO 63146
(314) 995-9095

February 9, 2007

Mr. Michael F. Maples
10600 Bennish Lane
Rolla MO 65401

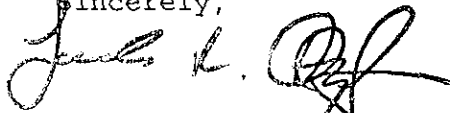
RE: My Client: AmerenUE
Service Address: 403 E. 10th St., Rolla, MO 65401

Dear Mr. Maples:

The undersigned represents AmerenUE. I am advised by my client that you have an unpaid principal balance in the sum of \$2077.63 for electric service dating back to 04/25/2006. This bill would also carry interest at the rate of 9 percent per annum pursuant to Missouri law and interest currently totals \$148.56 in addition to the principal amount stated above. However, if you pay the principal amount in full within thirty (30) days, the past-due interest shall be waived. I enclose a payment envelope so that you can forward to my office the sum of \$2077.63 in the enclosed envelope made payable to AmerenUE to conclude this matter. If you are unable to pay the full amount at this time and want to discuss a monthly payment plan, please contact my office upon receipt of this letter. Should I not receive full payment nor adequate payment arrangements within thirty (30) days, I will advise my client of its right to file a lawsuit against you in Circuit Court. If a lawsuit is filed, you would then be responsible for all interest that has built up since the services were rendered and further interest at the rate of 9 percent per annum until the account is paid in full. You would also be responsible for court costs. I trust that it will not be necessary to resort to litigation to resolve this matter.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will obtain verification of the debt and mail you a copy of such verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor. This letter is a communication from a debt collector in an attempt to collect a debt and any information obtained will be used for that purpose.

Sincerely,



Jack R. Itzkowitz

JRI/bjf
Enclosure

Maples, Michael DR

From: Buhr, Debra R [DBuhr@ameren.com]
Sent: Monday, December 18, 2006 7:52 AM
To: Maples, Michael DR
Subject: Account 12231-24008

Dear Mick,

I am very sorry for the delay in responding to your last email but I wanted to run the situation by superiors and meter experts first. Then the ice storm and its aftermath caused further delays.

After reviewing the prior years of gas use and the meter test results, we believe the bill to accurately reflect the amount of gas that was used. Since the Final Bill of \$1,970.73 reflects metered service, there is no estimated use to justify an adjustment. Unfortunately, as you state, legal action is time consuming; however, if you chose to seek legal representation, Ameren's Legal Department's address is Mail Code 1310, P.O. Box 66149, St. Louis, MO 63166-6149.

I regret we couldn't reach a satisfactory resolution.

Debbie @ AmerenUE

From: Maples, Michael DR [mailto:mick.maples@us.army.mil]
Sent: Thursday, November 09, 2006 7:18 AM
To: Buhr, Debra R
Subject: RE: Account 12231-24008

Debbie,

Wow, it seems like a lifetime since we chatted. I guess someone called my wife, Sharon, regarding this situation the other day and it brought it back to the forefront of our priorities again. Here is the thing. We are trying to set up an appointment with our attorney regarding this matter for several reasons. First off, as you have even agreed during our conversations, the drastic drop in usage seems to have no explanation (other than replacement of a faulty meter), and although Ameron claims that the meter was subsequently tested to meet standards, we did receive two or three letters of results that were totally wrong, before someone finally got it "right". That certainly points to a flaw in some quality control issues, if nothing else. Our belief is still that that meter had to have been out of calibration or had some other internal error for virtually the entire period that it was installed on our gas line and that we may be owed some form of compensation for the excess fees that we paid over the years, due to this error.

However, I have precious little time to devote to this process and I am sure your company feels the same. At this point, I am not even sure what the total bill that Ameron believes we owe actually is. Having said that, how do I pose a proposition to your company? I think, if Ameron is willing to tear up our "bill", I can convince Sharon that we would be best to simply drop the issue and neither of us will need to worry about it anymore.

Please let me know whether Ameron would be receptive to my proposition.

Thanks so much. You have been very informative, gracious, and are a real benefit to your company.

Mick

Dr. Michael F. Maples

*Supervisory Chemist
Chemical Defense Training Facility
Fort Leonard Wood, MO 65473
573-596-1660*

2/23/2007

From: Buhr, Debra R [mailto:DBuhr@ameren.com]
Sent: Thursday, May 25, 2006 10:24 AM
To: Maples, Michael DR
Subject: RE: Account 12231-24008

Mick,

I checked on the letter for you and found that a clerk fills in the meter test results on a form letter that is sent from the Customer Contact Center. The form letter does state "At your request, we tested the <gas/electric> meter(s) at your location. A meter tester was sent to your premises on <date>." I was told the "at your location" is meant to refer to the location of the meter(s), not the location of the test. Some tests are performed on-site by the meter tester but the meter tester or troubleman most often change out the meter and tests are performed in the meter shop. The form letter "covers all situations" and isn't edited.

Our gas meter supervisor confirmed the gas meter was changed out on 2/9/06 and later tested at the meter shop. He also confirmed that the meter test results were 99.30 (Open Run) and 99.50 (Check Run).

I can certainly understand the confusion this form letter generated. I'll refer it to the supervisor in the Customer Contact Center to see if the form letter can be edited to reflect more accurately what was actually done.

Debbie @ Ameren

From: Maples, Michael DR [mailto:mick.maples@us.army.mil]
Sent: Thursday, May 25, 2006 8:03 AM
To: Buhr, Debra R
Subject: RE: Account 12231-24008

Debbie,

Thanks for getting with me. I agree that it is consistent with past winters. My contention is that that particular meter was causing this problem ever since it was installed. I received the corrected letter from Ameren concerning the testing that was performed on the meter. Once again, this signed document from Customer Contact Center is very clear about testing the meter **AT** my house on 4/26/06.

Debbie you have been GREAT and are a true asset to your company. You have been patient, understanding and helpful.

Mick (Dr. Maples is WAAYYYY too formal)

Dr. Michael F. Maples

*Supervisory Chemist
Chemical Defense Training Facility
Fort Leonard Wood, MO 65473
573-596-1660*

From: Buhr, Debra R [mailto:DBuhr@ameren.com]
Sent: Thursday, May 25, 2006 7:46 AM
To: Maples, Michael DR
Subject: Account 12231-24008

Dr. Maples,

I'm not sure what else to say, either. The suggestion that the property may not have been occupied all of February and March was offered because a neighbor told our serviceman the tenant had moved out "in February" which could have explained the drop in service use for February and March. Unfortunately, we really have no way of knowing why the gas use dropped. All we do know is how much gas the removed meter registered as of 2/9/06; that the removed meter tested accurately; and the gas use in December (400 ccfs) and January (389 ccfs) was not unreasonably high when compared to gas used in previous winter months:

2/23/2007

417 ccfs in December 2002
393 ccfs in December 2003
383 ccfs in December 2004

And

440 ccfs in January 2003
347 ccfs in January 2004
303 ccfs in January 2005

In prior emails I explained that the bill for service up to 1/30/06 was estimated because we could not access the meter; therefore, some of the 389 ccfs on the bill for service from 12/28/05 to 1/30/06 could have actually been used up to 2/9/06 when the meter was removed. This is supported by the number of heating degree days between 1/31 and 2/9.

Since the bill is for metered service and the meter tested accurately, there is no estimated use to allow for an adjustment.

As to what steps you can take to resolve this, the Missouri Public Service Commission reviews complaints on MO utilities, including Ameren.

I am sorry, Dr. Maples, that I cannot resolve this to your satisfaction. If there is anything else I can do, please let me know.

Debbie @ Ameren

From: Maples, Michael DR [mailto:mick.maples@us.army.mil]
Sent: Monday, May 22, 2006 12:45 PM
To: Buhr, Debra R
Subject: RE: Account 12231-24008

Thanks Debbie,
I am still completely lost then. Even your Gas Meter Supervisor seems to recognize something strange with the drop in usage after the meter exchange. However, all the appliances were on and the property was fully occupied with my wife, myself, and our 5 kids. The weather was very cold during those first couple of billing cycles. It just seems too coincidental that it would drop so significantly after the exchange. What steps do I have left and how do I go about resolving them?

Mick

Dr. Michael F. Maples

*Supervisory Chemist
Chemical Defense Training Facility
Fort Leonard Wood, MO 65473
573-596-1660*

From: Buhr, Debra R [mailto:DBuhr@ameren.com]
Sent: Monday, May 22, 2006 12:20 PM
To: Maples, Michael DR
Subject: Account 12231-24008

Dr. Maples,

Here is the response I received from our Gas Meter Supervisor regarding the field investigation and testing of your meter.

If there is anything else I can do for you, please let me know.

2/23/2007

Debbie @ Ameren

From: Phipps, Bernard L
Sent: Monday, May 22, 2006 11:42 AM
To: Buhr, Debra R
Cc: Burnett, William A
Subject: FW: Account 12231-24008

Deb:

We verified with the service worker that there were no reported leaks.

I do not know why the usage dropped after the meter was exchanged. Perhaps not all of the appliances were turned on after the meter exchange or the property was not occupied all of the time.

The removed meter tested within tolerances so the gas that passed through the meter was accurately measured.

Attached is a graph of the customer's usage.

Thanks,
Bernie

From: Maples, Michael DR [mailto:mick.maples@us.army.mil]
Sent: Tuesday, May 16, 2006 7:56 AM
To: Buhr, Debra R
Subject: RE: Account 12231-24008

Thanks for getting back to me. The only other thoughts that I have would be some sort of a leak between the meter and my house that was tightened during the replacement. Debbie, I don't mean to be a jerk at all, and I really appreciate all the help, but when my bills drop from over \$600 per month to just over \$200 per month (for the coldest month we have had in years) by simply replacing the meter, it tells me that there was a problem. I am trying everything to explain this. What is the procedure that is followed in the test shop to make sure that the meter tested was, indeed, the meter removed from my house and that service was not already performed? I guess I am asking about the procedure for "Chain of Custody" for that equipment.

Thanks again,
Mick

Dr. Michael F. Maples

*Supervisory Chemist
Chemical Defense Training Facility
Fort Leonard Wood, MO 65473
573-596-1660*

From: Buhr, Debra R [mailto:DBuhr@ameren.com]
Sent: Tuesday, May 16, 2006 7:42 AM
To: Maples, Michael DR
Subject: RE: Account 12231-24008

Mr. Maples,

Our gas meter supervisor confirmed the meter was removed on 02/09/06. The test was performed at the meter shop. Test results were 99.30 (Open Run) and 99.50 (Check Run).

Please let me know if you have any other questions.

2/23/2007

Debbie Buhr

From: Maples, Michael DR [mailto:mick.maples@us.army.mil]
Sent: Monday, May 15, 2006 2:57 PM
To: Buhr, Debra R
Subject: RE: Account 12231-24008

Ms. Buhr,

Quite alright. We are all busy and I certainly do NOT expect anyone to simply sit around and wait for my calls.
Thanks for getting back to me.

Here is my question. I understand that some testing was performed on my gas meter. Can you give me the details of the results? Was this testing performed at my house as was stated in the first letter (although the letter stated that it was my electric meter that was tested)?

Thanks so much,
Mick Maples

Dr. Michael F. Maples

*Supervisory Chemist
Chemical Defense Training Facility
Fort Leonard Wood, MO 65473
573-596-1660*

From: Buhr, Debra R [mailto:DBuhr@ameren.com]
Sent: Monday, May 15, 2006 2:39 PM
To: Maples, Michael DR
Subject: Account 12231-24008

Mr. Maples, I can be reached at the email address of dbuhr@ameren.com. Sorry I missed your phone call.

Debra Buhr

Supervisor

Customer Contact Center

From: Ramey, Nikki D
Sent: Monday, May 15, 2006 1:37 PM
To: Buhr, Debra R
Subject:

Michael Maples (acct # 12231-24008) called back for you, said he can be reached easier by e-mail...his e-mail address follows....

maplesm@wood.army.mil

2/23/2007

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Maples, Michael DR

From: Buhr, Debra R [DBuhr@ameren.com]
Sent: Monday, November 27, 2006 11:41 AM
To: Maples, Michael DR
Subject: RE: Account 12231-24008

Dear Dr. Maples,

Yes, I did receive your email and I have forwarded your offer to my Manager for consideration. I will forward you his response as soon as I receive it. I am sorry for not responding sooner, but I was on vacation from 11/17 until today.

I hope you and your family had pleasant Thanksgiving holiday.

Debbie @ AmerenUE

From: Maples, Michael DR [mailto:mick.maples@us.army.mil]
Sent: Friday, November 17, 2006 7:28 AM
To: Buhr, Debra R
Subject: RE: Account 12231-24008

Ms. Buhr,
Did you receive the email that I sent earlier this week?

Thanks,
Mick

Dr. Michael F. Maples

*Supervisory Chemist
Chemical Defense Training Facility
Fort Leonard Wood, MO 65473
573-596-1660*

From: Buhr, Debra R [mailto:DBuhr@ameren.com]
Sent: Monday, May 22, 2006 12:20 PM
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Dr. Maples,

Here is the response I received from our Gas Meter Supervisor regarding the field investigation and testing of your meter.

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Debbie @ Ameren

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Sent: Monday, May 22, 2006 11:42 AM
To: Buhr, Debra R
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2/23/2007