

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

WILLIAM L. GEHRS, JR.,)	
)	
Complainant,)	
)	Case No. EC-2018-0033
vs.)	
)	
THE EMPIRE DISTRICT ELECTRIC)	
COMPANY,)	
Respondent.)	

AMENDED COMPLAINT

COMES NOW Complainant, William L. Gehrs, Jr., by and through counsel, and for his Amended Complaint, states as follows:

1. Complainant resides at 201 North Wall, #17, Joplin, MO 64801.
2. The utility service complained of was received at Complainant's address listed in paragraph 1.¹
3. Respondent's address is 602 S. Joplin Ave., Joplin, MO 64801.
4. Respondent is a public utility under the jurisdiction of the Missouri Public Service Commission.
5. The amount at issue is in excess of \$40,000.
6. Complainant now requests the following relief:
 - a. A credit to any property owner who paid customer access charges in excess of a single fee per meter, specifically, the customer access charges assessed against 1802 S. Wall, Joplin Missouri, from the period of service initiation, approximately 1978 to date; and

¹ Utility service was received in the name of W.L. Gehrs (complainant's deceased father).

- b. A revision to the Tariff (effective September 14, 2016), Residential Service, Schedule RG, deleting paragraph 4 of the “Conditions of Service”; or
- c. Alternatively, an addition to the Tariff (effective September 14, 2016), Residential Service, Schedule RG, adding paragraph 9 to the “Conditions of Service” as follows: “9. If the Company has reason to believe there are multiple-family dwellings within a single building through a single meter, but only one Customer charge is being billed, then Customer shall allow Company to inspect such property or shall swear under penalty of perjury as to the number of dwelling units in such building.”

7. The relief requested is appropriate because Respondent has violated a statute, tariff, or Commission regulation or order as follows:

- a. Respondent failed to uniformly assess multiple customer charge fees to multiunit apartment buildings in the Joplin, Missouri area which are billed a residential rate.
- b. On June 29, 2009, Respondent prepared an exhibit for the customer based on 1902 S. Wall’s 2008 actual electric usage to compare residential rate charges versus commercial rate charges. See attached Exhibit A, showing a single customer charge of \$11.04 per month.
- c. Complainant received bills in 2006 with a customer charge of \$144.90 and in 2017, a customer charge of \$182. See attached Exhibit B.
- d. The tariff effective September 14, 2016 shows an authorized customer charge of \$13 per month.

- e. A utility is required to render a bill to residential customers in accordance with its approved tariff. See 4 CSR 240-13.020(1). The company has admitted at least one customer was not being billed in accordance with its approved tariff.
- f. In charging different residential customers different rates, Respondent has not only violated its tariff but also its rates are unjust and unreasonable.

8. The Complainant has taken the following steps to present this matter to the Respondent:

- a. Complainant attempted informal complaint resolution on June 10, 2017. Said effort was unsuccessful as of June 27, 2017.

WHEREFORE, Complainant requests the credit and tariff revisions outlined in Paragraph 6 and for such other and further relief as the Commission deems just and proper.

Respectfully submitted,

BLITZ, BARDGETT & DEUTSCH, L.C.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing pleading has been served by electronic means on all parties of record as reflected in the records maintained by the Secretary of the Commission through the EFIS system.

/s/ Stephanie S. Bell
Stephanie S. Bell