

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 13th  
day of July, 1994.

Mertha Y. Reynolds,	)	
	)	
Complainant,	)	
	)	
vs.	)	<u>CASE NO. EC-94-243</u>
	)	
Missouri Public Service,	)	
	)	
Respondent.	)	

ORDER DISMISSING COMPLAINT AND CLOSING CASE FILE

On February 14, 1994, Mertha Y. Reynolds (Complainant) filed a complaint against Missouri Public Service (MoPub) alleging that her bills for electric service for the months of July, August, and September of 1993 were disproportionately high. On March 1, 1994, the Commission issued a Notice of Complaint. MoPub filed its answer on March 28, 1994, denying Complainant's allegations. MoPub stated that its metering of electric usage during the period in question was accurate and that Complainant was billed the proper, tariffed rate for her usage. On April 12, 1994, the Commission issued its order directing the Commission Staff to investigate the complaint and submit a Staff memorandum setting out the results of their investigation.

Staff's memorandum was filed on May 12, 1994. After a thorough review, Staff concluded that Respondent used its Commission approved rates in billing Complainant during the summer months of 1993. Staff noted that an increase in MoPub's rates was approved by the Commission and went into effect on June 29, 1993, which would increase Complainant's bill by approximately 15 percent during July, August, and September of 1993. Staff also concluded that Complainant's

meter was tested and found to be accurate within the guidelines set by the Commission. Staff's evaluation was that factors on Complainant's side of the meter were responsible for her increased billing during the period in question.

Respondent MoPub filed its response to Staff's memorandum on June 13, 1994. Complainant filed no response to the report.

Having reviewed the pleadings, Staff memorandum, and MoPub's response in this case, the Commission is of the opinion that, since Complainant failed to contest the results of Staff's investigation, there is no basis for conducting a hearing. Complainant has made no allegation that MoPub has violated any specific statute or agency rule other than to suggest that MoPub billed her unfairly. Complainant failed to respond to Staff's conclusions that Respondent used its Commission approved, tariffed rates in billing her during the summer months of 1993, and that factors on Complainant's side of the meter were responsible for her increased billing. The Commission finds, therefore, that Complainant's allegations are insufficient to state a claim upon which relief may be granted and the complaint should be dismissed pursuant to 4 CSR 240-2.070(6).

**IT IS THEREFORE ORDERED:**

1. That the complaint filed by Mertha Y. Reynolds against Missouri Public Service, a division of Utilicorp United, Inc., be dismissed.
2. That this order shall become effective on July 26, 1994.

BY THE COMMISSION



(S E A L)

David L. Rauch  
Executive Secretary

Mueller, Chm., McClure, Perkins,  
Kincheloe and Crumpton, CC., Concur.