

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI


David L. Biersmith d/b/a Industrial)	
Medical Centers,)	
)	
Complainant,)	
)	<u>Case No. EC-99-77</u>
vs.)	
)	
Kansas City Power & Light Company,)	
)	
Respondent.)	

NOTICE OF COMPLAINT

Pat Shannon
Kansas City Power & Light Company
1201 Walnut
P.O. Box 418679
Kansas City, Missouri 64141-9679
CERTIFIED MAIL

Be advised that on August 21, 1998, David L. Biersmith d/b/a Industrial Medical Centers filed a complaint with the Missouri Public Service Commission against Kansas City Power & Light Company, a copy of which is enclosed. Pursuant to 4 CSR 240-2.070, the Respondent shall either file an answer or satisfy the complaint within 30 days of the date of this notice. The Respondent shall file an answer or an explanation of the satisfaction of the complaint on or before October 8, 1998, with the Secretary of the Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102, and send a copy to the Complainant. A copy of this Notice was mailed to the Complainant.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Mills, Deputy Chief Regulatory Law Judge

Dated at Jefferson City, Missouri,
on this 8th day of September, 1998.

Copy to: David L. Biersmith, President
Industrial Medical Centers
5811 Truman Road
Kansas City, Missouri 64126

BEFORE THE PUBLIC SERVICE COMMISSION OF THE
STATE OF MISSOURI

FILED
MAY 21 1993

MISSOURI PUBLIC
SERVICE COMMISSION

DAVID L. Biersmith d/b/a
Industrial Medical Centers, Inc.
(your name)
Complainant

vs.

Case No. EC-99-77

K.C. Power & Light Co
(company name)
Respondent.

COMPLAINT

Complainant resides at 5811 TRUMAN RD K.C. MO

1. Respondent, K.C. Power & Light Co.
(company name)

of KANSAS CITY, MO, 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:

See Attached.

3. The complainant has taken the following steps to present this complaint to the respondent:

See Attached.

WHEREFORE, Complainant now requests the following relief:

\$15,000.00 IN DAMAGES

8.4.98

Date

David L. Bannell
Signature of Complainant

MR. PAT SHANNON
KCPL
P.O. BOX 418679
KANSAS CITY, MO. 64141

JUNE 22, 1998

DEAR MR./MS, SHANNON,

this is written in responce to your June 19, 1998 letter concerning the power surge at 5811 Truman Rd, in Kansas City. If you would refer back to Ronan Communications letter to us concerning this event they say that it is their opinion it that the system took some sort of ELECTRICAL SURGE such as lightning or A SURGE IN THE EXISTING POWER GRID.

In reviewing the weather for that evening there was absolutely no storm activity whatsoever.

MMS is contracted by KCPL to investigate these matters, but their view is somewhat colored since you are the ones who pay them.

I hope you get another chance to look into this matter soon. If your answer is still the same could you please inform us the party to contact at the Mo. Public Utilities Board in Jefferson City.

Also, your last parting remark concerning our account was uncalled for. It insinuates that you arrived at your decision because we have been late.

Sincerely,

David L. Biersmith
President



Surge = grid
= No surge that
Nile

June 19, 1998

Mr. David L. Biersmith
Industrial Medical Centers, Inc.
5811 Truman Road
Kansas City, Missouri 64126

RE: Damage Claim 5/1/98

Dear Mr. Biersmith:

In response to your earlier request I have independently reviewed the account information, electrical operations as well as the investigation of your damage claim by Morrow Management Services. We have found no evidence of any interruption of power or voltage irregularity for the date you have indicated you experienced difficulty with your telephone system.

After obtaining this information I did speak with Mr. Pack. He does confirm that he previously denied your claim due to lack of any objective evidence that you experienced an irregularity which can be attributed to the KCPL distribution system. I also examined other customers' accounts who are served on the same circuit that supplies power to Industrial Medical Centers, Inc. and have concluded there was no evidence to support a "surge on the electrical power grid", as you suggested. KCPL can only pay claims based on negligence with an assessment of legal liabilities and for that reason I must, respectfully, deny your property damage claim.

In looking at your usage records I found that both of your electric accounts are seriously in arrears and subject to termination of electric service for non-payment.

Very truly yours,

A handwritten signature in cursive script that reads "Pat Shannon".

Pat Shannon

cc: Darren Pack, MMS

Ronan Communications Inc.

Ronan Communications Inc.
9020 Rosehill Rd.
Lenexa, KS. 66215
Voice: (913) 599 - 6900
Fax: (913) 599 - 6902

Industrial Medical
5811 Truman Rd.
Kansas City, MO. 64126
Voice: (816) 241 - 4477
Fax: (816) 241 - 5652

To Whom it may concern,

The AT&T Merlin Telephone switch evaluated by Ronan Communications 05/01/98 appears to have been damaged and is completely non-functional. The cards, power supply and the cabinet need to go to the manufacturer for repair or replacing. Our best guess is that the system took some sort of electrical surge such as lightning or a surge in the existing power grid of that area of town.

Thank you,

Ronan Communications

Technician

*KEPT - NEVER EVEN SENT AHEAD OVER
MIGHT NOT HAVE ANY TRANSFORMER*

RECEIVED
JUN 8 1998
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION