

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

Rhonda Wesley,	)	
	)	
Complainant,	)	
	)	
v.	)	<b>Case No. EC-2005-0245</b>
	)	
Kansas City Power & Light,	)	
	)	
Respondent.	)	

**STAFF REPORT**

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its report, respectfully states:

1. On April 18, 2005, the Commission issued its Order Directing Staff To Investigate And Scheduling A Second Prehearing Conference (Order) in the above-captioned complaint case. The Commission's Order directed Staff to conduct a formal investigation of Ms. Wesley's complaint against Kansas City Power & Light (KCPL) and to file its report concerning the results of that investigation. Staff has completed its investigation of the allegations contained in Ms. Wesley's complaint and submits its findings in its Report attached hereto as Exhibit A with attached Schedule 1. Because Staff's Report involves specific personal information about the Complainant, the attached Report not including attached Schedule 1, is filed as highly confidential (HC) in accordance with Commission rule 4 CSR 240-2.070 (10) .<sup>1</sup>

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<sup>1</sup> 4 CSR 240-2.070 (10) states in pertinent part "The investigative report shall not be made public unless released in accordance with sections 386.480, 392.210(2) or 393.140(3), RSMo, or during the course of the hearing involving the complaint."

2. Ms. Wesley filed her formal complaint, styled as a *Petition For Relief And Redress*, on January 27, 2005. As a result of Staff's investigation of the claims made by Ms. Wesley against KCPL and the Staff, the Staff concludes that KCPL failed to supply certain written information to Ms. Wesley and that Staff failed to provide Ms. Wesley with a written notice regarding her informal complaint. Staff's conclusions are discussed in detail in its attached Report.

3. Ms. Wesley states in her complaint that "...complainant seeks all damages, costs, court costs, attorney fees, and punitive damages as normally entitled to under the law and in equity". While the Commission exercises "quasi judicial powers" that are "incidental and necessary to the proper discharge" of its administrative functions, its adjudicative authority is not plenary. *State Tax Commission v. Administrative Hearing Commission*, 641 S.W.2d 69, 75 (Mo. 1982), quoting *Liechty v. Kansas City Bridge Co.*, 162 S.W.2d 275, 279 (Mo. 1942). "Agency adjudicative power extends only to the ascertainment of facts and the application of existing law thereto in order to resolve issues within the given area of agency expertise." *State Tax Commission, supra*. The Public Service Commission is without authority to award money damages. *American Petroleum Exchange v. Public Service Commission*, 172 S.W.2d 952, 955 (Mo. 1943).

WHEREFORE, the Staff respectfully submits its Report to the Commission.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

**/s/ Robert S. Berlin**

Robert S. Berlin  
Associate General Counsel  
Missouri Bar No. 51709

Attorney for the Staff of the  
Missouri Public Service Commission  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 10<sup>th</sup> day of June 2005.

**/s/ Robert S. Berlin**

**Ms. Rhonda Wesley  
P.O. Box 7796  
Kansas City, MO 64128**

**Office of Public Counsel  
P.O. Box 7800  
200 Madison St., Suite 640  
Jefferson City, MO 65102  
opcservice@ded.mo.gov**

**Mr. Paul M. Ling  
Counsel for Kansas City Power & Light  
1201 Walnut, 20<sup>th</sup> Floor  
Kansas City, MO 64106-2124  
Paul.ling@kcpl.com**

**Exhibit A**

**is deemed**

**Highly Confidential**

**In its Entirety**

## AND WHEN TO REACH US

report emergencies or lights out, call toll free: KCP&L (816) 471-5275.

all other services or billing related needs, call:  
Metropolitan Kansas City .....(816) 471-5275  
Topeka, Kansas .....(913) 294-6200  
Missouri .....1-877-288-5309  
or 1-660-851-1176

Outside these metropolitan areas, use these toll-free numbers:

Nebraska: Rural Johnson County ...1-877-260-7785  
Lincoln, Nebraska, Douglas, Franklin, Linn, Miami  
Osage Counties .....1-800-223-0755  
Missouri: Buckner and Cleveland .....1-877-260-7785  
Rolla, Charleston, Howard, Lafayette, Pettis, Saline  
Randolph Counties .....1-877-288-5309  
meter-based surge protection information .....  
(816) 472-0432

Complete customer care, service information, electrical  
meters, financial updates and even account access  
are available on our Web site at [kcp.com](http://kcp.com).

## BEFORE YOU DIG

For your safety, locate underground utility services  
before you begin any project that involves digging or  
excavation. A fence, deck or even a flower bed could get  
damaged and interrupt your service if you come into  
contact with a line. Location services are absolutely free,  
and take up to two working days. Call these statewide  
services: Kansas 1-800-DIG-SAFE or Missouri  
1-800-DIG-RITE.

## PAYMENT OPTIONS

**Rate Pay.** Simplify your budget. Let KCP&L  
calculate your average usage and billing amount. You'll pay  
the same amount for 12 months regardless of seasonal usage ups  
and downs. Your account is reviewed after each year and  
adjusted as needed. To enroll, call (816) 471-5275 or pay  
your average Pay amount when it's offered on your bill.

**Auto Pay.** Save time and money by automating electric  
payments through your financial institution. You'll  
avoid a late monthly bill in plenty of time for review before  
it's automatically deducted from your bank account. For  
enrollment, call (816) 471-5275 or visit [kcp.com](http://kcp.com).

**Pay by mail.** Return envelopes are included with  
monthly bills. When paying by mail, allow at least three  
days for delivery and posting to avoid late charges of up to  
two percent. If you're paying within three days of your due  
date, we recommend you pay in person, online or by phone.  
Or call (816) 471-5275 to make payment arrangements.

**Pay by phone.** If you prefer, you can phone in your  
payment using BillMatrix. This independent, bilingual service  
lets you pay using credit or debit card, ATM or electronic  
check. Allow about two days for payments to post to your  
account. Operators are on duty from 7:30 a.m. through  
8 p.m., but automated service is always available. Call  
800-527-7643. BillMatrix will add a fee for service.

**Pay in person.** You may pay in person at more than  
40 convenient pay stations. All you need is your monthly  
statement or your account number. There may be an added  
charge of no more than one dollar. For a list of locations  
nearest you, call (816) 471-5275 or visit [kcp.com](http://kcp.com).

**Pay online.** AccountLink® lets you access account  
information, check daily and historical usage, even pay your  
bill online, anytime, from the comfort of your home. It can  
even help you manage your energy usage and your budget.  
Registration is free and there is no charge for the service.  
You'll find it at [kcp.com](http://kcp.com).

**About estimated bills.** While we read most meters  
electronically, some are read in person. Whenever we're  
unable to read meters due to weather, locked gates or pets,  
we estimate usage based on account history. The amount  
is automatically corrected or adjusted on the next regular  
reading or billing.

KCP&L must read meters at least once every three  
months to ensure billing accuracy. Automated readings are  
taken daily at midnight.

## RIDING THE STORMS OUT

Electrical storms are common in the Midwest, and they  
can be damaging to sensitive electronics like PCs, TVs,  
entertainment centers and programmable appliances. In  
an instant, the electrical surge from a lightning strike can  
damage or destroy equipment leaving you with costly repair  
or replacement.

Protect your sensitive equipment with quality surge  
protection from KCP&L. Our meter-based service can  
block surges from entering at your service entrance. For  
information, call (816) 472-0432.

## SPECIAL PROGRAMS

KCP&L offers a wide variety of services designed to help  
you get the most value from the electricity you buy, to help  
you use energy efficiently and safely, to make bill payment  
easier, and to help you with any special service needs. For  
details, logon to [kcp.com](http://kcp.com).

**Cold Weather Program.** This provides customers a  
way to avoid termination of service during the cold weather  
months – November through March. If you're unable to pay  
your total bill, you may qualify for a Cold Weather payment  
plan. For information, call (816) 471-5275.

**Dollar-Aide.** You can help provide energy assistance to  
residents in need by making direct donations or by pledging  
regular amounts added to your monthly KCP&L bill. Funds  
are administered by the Mid-America Assistance Coalition.  
KCP&L matches every dollar donated with a 50-cent energy  
credit. To learn more or to pledge your support, call  
(816) 471-5275.

**Special medical conditions.** If any member of your  
household depends on electrically operated life-support  
equipment, call (816) 471-5275 to request a "Medical  
Customer" application form.

**Third party notification.** Customers 60 years or older  
who are disabled or expect to be away for long periods may  
give KCP&L the name of a relative, friend or agency to  
contact if their payments become overdue. This "special  
friend" would not be responsible for payment, but could help  
avoid credit problems or service cutoffs.

## YOUR CONSUMER ADVOCATE

In Missouri, the Office of the Public Counsel represents  
the interests of utility customers in proceedings before  
and appeals from the Missouri Public Service Commission.  
The Citizens' Utility Ratepayer Board serves the same  
function in Kansas.

Citizens' Utility Ratepayer Board  
1500 SW Arrowhead Road  
Topeka, KS 66604  
Telephone: (785) 271-3200

Office of the Public Counsel  
Governor Office Building, Suite 650  
P.O. Box 7800  
Jefferson City, MO 65102  
Telephone: (573) 751-4857



**KANSAS CITY POWER & LIGHT (KCP&L)**  
provides electricity to more than 470,000 retail  
customers, cities and electric utilities in portions  
of 24 counties across the Kansas City metropolitan area,  
in northeastern Kansas and northwestern Missouri.

Since you're new to our service territory we  
welcome you. We've provided "Enlightening Facts" to  
give you information about important aspects of your  
electrical service – from bill paying to how to contact  
us. **SAVE IT FOR REFERENCE.** And remember you  
may also contact us anytime, online, at [kcp.com](http://kcp.com) – your  
one-stop destination for everything energy-related.

Our prices and practices are regulated by the Public  
Service Commission in Missouri and the Corporation  
Commission in Kansas. Federal and local agencies also  
oversee our operations. Copies of price schedules and  
general rules and regulations are available at [kcp.com](http://kcp.com).  
This booklet is being provided in accordance with  
commission rules.

## OUR PROMISE TO YOU

The most important thing you need to know is that  
KCP&L *guarantees* your complete satisfaction with every  
service and every employee. We back our guarantee with  
our **Promise to pay** if we fail to meet your expectations.

We Promise to:

- Connect your service on the agreed-upon date
- Bill and apply your payments accurately
- Respect your property
- Keep our appointments

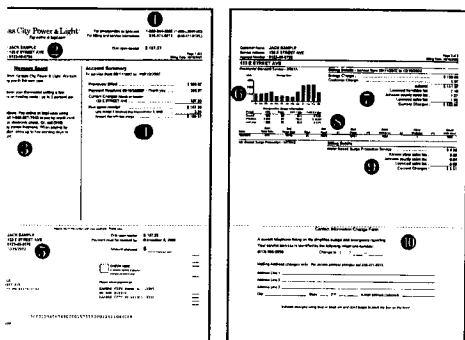
For Promise details for home or business, visit [kcp.com](http://kcp.com).

**Kansas City Power & Light\***  
ENERGIZING LIFE

**Schedule 1**

## YOUR MONTHLY BILL

Your monthly bill features complete information about your account, the energy you use and the services you buy. Let's show you how to read and understand it.



### THE FRONT . . .

**How to Reach Us.** The numbers you'll need for billing service information or to report an outage or emergency.

**Account Information.** Your account name, service address, account number, along with the total amount due upon receipt of your statement.

**Message Board.** Helpful information about your electric service, programs to help you save energy, as well as payment options to make your life simpler. You'll even find seasonal energy-saving tips.

**Account Summary.** Recent account activity including previously billed amounts, payments credited to your account, amounts due for other services and your total amount due upon receipt.

**Bill Stub.** Return this portion with your payment for rate posting. A return envelope is enclosed.

### THE BACK . . .

**Historical Energy Use.** A graphic and numeric history of your energy use for the last 13 months along with comparisons of average daily energy costs. It's data you can use to understand and budget your consumption.

**Billing Details.** An itemized accounting of your energy charges for the period shown, your customer charge along with all taxes and municipal fees. Businesses will also demand and other charges unique to their service classification. Rate code and service address are in the upper right-hand corner.

⑧ **Usage Information.** Your meter number(s), the service dates and the total kilowatthours used during the period.

⑨ **Other Services.** This section summarizes charges for services other than energy, such as meter-based surge protection or leased security lighting.

⑩ **Bill Stub.** Use the back of the bill stub to update your mailing and other contact information. Supplying us with the current phone number for your service address is important because it makes outage reporting easier.

## UNDERSTANDING YOUR BILLING CHARGES

**Energy Charge.** The portion billed for the kilowatthours of electricity you use.

**Customer Charge.** A minimum monthly charge that covers KCP&L's costs to meter and bill your account and provide customer service.

**Franchise Fee.** A municipal business license fee charged KCP&L by your city. We are required to list this fee separately on your bill.

**State Sales Tax.** A tax applicable to taxable sales made within your state.

**City Sales Tax.** A tax applicable to taxable sales made within your city's limits.

**County Sales Tax.** A tax applicable to taxable sales made within your county's limits.

## RESOLVING DISPUTES

In the unlikely event you have a problem with a bill, here are the steps to take to resolve the problem as soon as possible.

- Contact KCP&L immediately at (816) 471-5275. We'll record the date and time you called.
- Be willing to cooperate with any investigation.
- If your problem is with the billing amount, we'll ask you to pay the undisputed portion.
- If we can't resolve the dispute, you may contact the public service commission in your state to file an informal complaint. The following information is provided in accordance with the rules of the Missouri Public Service Commission and the Kansas Corporation Commission.

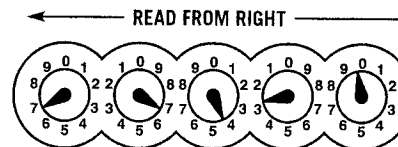
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102  
1-800-392-4211

State Corporation Commission of Kansas  
Consumer Affairs Division  
1500 S.W. Arrowhead Road  
Topeka, KS 66604-4027  
1-800-662-0027

Your commission will investigate the dispute and try to resolve it. Once both of us receive the results, either may file a formal complaint. The commission then holds a hearing and sends copies of the results to both of us.

## HOW TO READ YOUR METER

You can monitor your electric usage by reading your own meter. Your meter is located at the side or back of your home. The electric meter has five dial faces. When a dial hand is between numbers, always use the smaller number. For example, between nine and zero (zero = 10), use nine.



To measure the kilowatthours used during a given period, take one reading at the beginning and another at the end. Subtract the first reading from the last.

## SERVICE ARRANGEMENTS

**Avoiding service disruption.** Your KCP&L bill is due upon receipt. Call (816) 471-5275 immediately if you can't pay your bill on time, if you receive an important service stop notice, or if there's any problem with your bill. With your cooperation, we can continue service while the problem is being resolved. Most problems can be taken care of quickly and conveniently by phone.

**Deposits.** Cash deposits may be required from customers who are disconnected for non-payment, with questionable or insufficient credit, or from those with a history of past-due payments. In Missouri, the deposit earns simple interest, which is returned along with the original deposit, once a satisfactory one-year payment record (two years in Kansas) is established, or if you move from KCP&L's service territory. Annual interest on deposits held, if accrued, is credited to accounts in January.

**Payment arrangements.** With prior notice, KCP&L can make payment arrangements for customers on extended vacation. When there's a medical emergency, we can postpone a cutoff for up to 21 days. During cold weather periods, special considerations are made for seniors and disabled.

Sometimes there are other circumstances that may delay payment. To avoid disconnection, contact us as soon as possible to make arrangements.

**Service disconnection.** In Missouri, a disconnect notice on the monthly bill will tell you what you can do to continue service. In Kansas, it's printed on a separately mailed notice. You'll need to make arrangements at least 24 hours before a service stop date stated on your notice. If we don't hear from you, we'll try to contact you prior to disconnecting service. Service disconnections are generally done between 8 a.m. and 4 p.m., at least 11 days after we've mailed the notice. If we must disconnect you, a representative will explain why and tell you how to have your service restored. We will charge reconnection and service deposit fees.

Although we don't routinely disconnect service without advance notice, there are times when we must for health, safety, emergency or maintenance reasons, or when someone tampers with our equipment.

Once a delinquent payment is received, KCP&L will restore service within 24-hours of notification that payment has been made. There will be a reconnection charge.

**Settlement agreement.** This is an agreement between customers and KCP&L to pay installments on an overdue bill, or to meet the conditions for resolving a dispute. If terms extend longer than 60 days, the agreement is in writing and we mail or deliver a copy to you. If the agreement isn't kept, we can request the total amount due or discontinue service.

**Transferring or closing an account.** If you're planning a move, call (816) 471-5275. We connect and disconnect service every weekday except holidays. Be prepared to give us: 1) the name on your account, 2) your current address or account number, 3) the moving date, 4) your new address and date you want service, OR the address for mailing your final bill, 5) a phone number for your new home and work, 6) your employer and length of employment, 7) your spouse or roommate's employer, work phone and social security number, and 8) your social security number.