

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

Cheryl L. Fabulae,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. EC-2007-0146</u></b>
	)	
Kansas City Power & Light Co.,	)	
	)	
Respondent.	)	

**STAFF’S MOTION THE COMMISSION CONSIDER IN THIS FORMAL COMPLAINT  
CASE ISSUES COMPLAINANT RAISES IN A LATER INFORMAL COMPLAINT**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and for its motion the Commission consider in this case issues Complainant Cheryl L. Fabulae raises in a later filed informal complaint states:

1. According to the Commission’s Electronic Filing Information System (EFIS) Complainant’s original formal complaint was filed in the Commission’s Electronic Filing Information System at 10:52:52 AM on October 6, 2006, raising billing issues with Kansas City Power & Light Company.

2. At 12:43:22 PM on October 12, 2006 Complainant’s amended formal complaint was filed in EFIS requesting, among other things, reconnection of service from KCPL.

3. As indicated in Appendix A, Complainant filed on or before 2:42 PM on October 12, 2006, an informal complaint also requesting reconnection of service from KCPL and raising other issues.

4. Although the Staff has found no rule that addresses how the Staff is to handle a situation where a complainant seeks the same relief in an informal complaint proceeding that the

complainant requests in an already pending formal complaint proceeding and makes allegations in that informal proceeding arising out of the same nexus of facts alleged in the formal proceeding, the Staff brings the informal matter before the Commission in this formal case because the Staff believes economy of resources and uniformity of result will best be served if the Commission considers in this formal case the matters the Complainant raises in the later filed informal complaint case, rather than having the Staff considering the same or similar issues in the informal complaint that the Commission is considering in this formal complaint case.

**WHEREFORE** the Staff moves the Commission to consider in this case the issues Complainant Cheryl L. Fabulae raises in the later filed informal complaint attached to this motion as Appendix A and direct the Staff not to address those issues further under the Commission's informal complaint rule.

Respectfully submitted,

/s/ Nathan Williams

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Deputy General Counsel  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 13<sup>th</sup> day of October 2006.

**/s/ Nathan Williams**\_\_\_\_\_

-----Original Message-----

From: Public Service Commission [<mailto:consumerservices@psc.mo.gov>]

Sent: Thursday, October 12, 2006 2:42 PM

To: Consumer Services

Subject: Public Service Commission - Complaint Form

Date Received: 10/12/2006 2:42:05 PM

First Name: Cheryl

Last Name: Fabulae

Business Name:

Address: 5241 N Bristol Ave

City: Kansas City

State: MO

Zip Code: 64119

County: Clay

Telephone Number Where You Can Be Reached During the Day:

Business (Work) Area Code (816) Number 303-7791

Home Area Code (816) Number 453-0726

Other Area Code ( ) Number

Email Address: cfabulae@kc.coloradotech.edu The Name of the Utility Company involved with your complaint: KCP&L Account Number: 545523885

Description: Numerous attempts were made to KCP&L to resolve a 3 year dispute over charges accrued through a billing error by KCP&L with no success. A informal complaint was filed on July 24 with the commission and resubmitted on Oct. 3 2006. Oct. 5 recieved a fax from the commisison stating they found no error in charges by KCP&L although I was never given detailed report of what exactly my charges were, I was denied the opportunity to explain my calculations and the commisison did not even adress the complaint that charges were accrued due to KCP&L failure to accept reasonable dollar amounts and giving no other recourse for me to object. A formal complaint was mailed to the commissions adress over night on Oct.11 and verified delivery by return notification Oct. 12 2006. I currently have no heat as my home is all electric and my power was disconnected on Oct 6 . I was told with 2 witnesses present at my employment as I spoke to KCP&L Vicki Brecklige and Gaye Fred from the commission on speaker phone that as soon as the formal complaint was filed the power would be reconnected due to the rules of the dept. of economical development states service can not be disconnected because of the disputed charges yet I still have no power. It is my intent to prove I was unfairly billed and denied my rights under the commission laws and rules KCP&L & the commission rep Gaye Fred did jointly and intentionally attempt to intimidate, harrass and punish even violate my right of confidentiality under the Federal Trade Commission Section 1287 by faxing sensitive information to my employer in retaliation for filing this complaint