

FILED²

MAY 10 2004

Missouri Public
Service Commission

Case No.

COMPLAINT

PLEASE SEE ATTACHED NOTE.

3. The Complainant has taken the following steps to present this complaint to the Respondent:

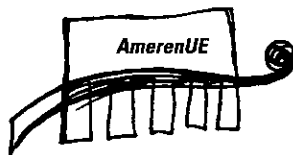
WHEREFORE, Complainant now requests the following relief:

PLEASE SEE ATTACHED NOTE

5 - 4 - 2004
Date


Signature of Complainant

Attach additional pages, as necessary.
Attach copies of any supporting documentation.



One Ameren Plaza
1901 Chouteau Avenue
PO Box 66149
St. Louis, MO 63166-6149
314.621.3222

SHERCY
05AA

February 25, 2004

PHOENIX A DANCER
4324 HARTFORD UNIT 1F
SAINT LOUIS MO 63116

RE: Account Number 63341-16133

Dear Customer:

Enclosed is your corrected bill covering service from 01/23/03 to 01/25/04.

This bill is unusual because from 01/23/03 to 12/22/03, you received bills for electricity supplied to one of your neighbors, and meanwhile your neighbor received your bills. Consequently, both your bills and your neighbor's bills have been wrong.

The enclosed statement indicates your electric usage during this time amounted to \$315.75, and a defer balance of \$139.42.

You paid \$231.90 towards incorrect bills, leaving a balance of \$223.27. An adjustment of \$2.29 was credited after this bill printed.

The enclosed bill includes current charges as well as the adjustment for your previous incorrect billing.

We are sorry this error occurred. Our intention is to provide you with dependable service. Should you have any additional questions, please contact us 7:00 a.m.-6:00 p.m., Monday-Friday, at the telephone number listed below.

Sincerely,

Johns

Solutions Center
1-877-726-3736

Enclosures

SPOKE TO DMW WALTER
ON WED 3-10-2004
992-6699

PO BOX 66529
ST. LOUIS, MO 63166-6529

Statement of Account

For Service At: **4324 HARTFORD, UNIT 1F**
SAINT LOUIS MO 63116

Mail To: **PHOENIX A DANCER**
4324 HARTFORD, UNIT 1F
SAINT LOUIS MO 63116

Date: **April 14, 2004**
Account Number: **63341-16133**
Type of Account: **SINGLE SERV ELECT**
Prepared by: **C20794**

This is the information requested. Please cut on the dotted line and submit upper portion if remitting a payment.

[illegible]

Total Charges	\$617.07
---------------	----------

Total Credits	\$339.45
---------------	----------

TOTAL	\$277.62
-------	----------

5-4-2004

To whom it may concern,

I moved into the apartment where I'm now living, one of a four-family flat, in August of 2002. At that time, there was a woman and 2 school aged children living above me. Their name is Foster, and they moved out in July of 2003. The mail delivery people frequently mix up the mail between my apartment and the apartment upstairs. During the end of July and the month of August, I received a couple of post cards from Amerin UE, instructing me to let them know if I still required electrical service to my apartment. At first I was very puzzled by this, but then I realized the postal clerk had just got the wrong mail box again. In August of 2003, I received a bill from Amerin UE. for about \$7.00. That was when I first began to suspect that I was being build for the wrong apartment. Shortly after that, Amerin UE. came to turn off the electricity for the apartment upstairs. At that time I was working 3rd shift and sleeping through the day. I always run a fan while I'm sleeping, for white noise, to help me sleep. I don't remember the exact date, but on a hot, sticky afternoon in August of 2003, I awoke to find that the electric clock next to my bed wasn't lit. I got up and went into the bathroom where I attempted to turn on the overhead light. It also failed. However the fan near my bed was still going. It was beginning to penetrate my not-quite-awake brain that part of my electricity was off. I knew that my bill was more or less caught up at that time, so I knew Amerin UE wouldn't have shut me off. I then started walking around my apartment, trying other switches and outlets. Everything but the outlet running the fan was non-working.

At that point, I called my landlord and told him that I had almost no electricity and I didn't know why. He sent a repair person over to my apartment. The first thing the repair person did was to check the meter on the outside of my building. The meter was off. Other than the one outlet, I had no electricity because Amerin UE had indeed shut my power off.

I then called Amerin UE. and asked them why they had shut me off, and would they please come and turn my electricity back on immediately. That's when we all discovered that my apartment is cross-wired with the apartment above me. And the bill that I had been receiving since moving in was for a single outlet in my apartment and the apartment upstairs, which had three people living in it.

I called Amerin UE several times during the fall and winter of 2003 and 2004. They kept telling me that the problem had been solved. I kept telling them, over and over and over, that I was being billed for the wrong apartment. This past winter, the winter of 2003/2004, I ran an electrical space heater in order to cut down on my gas bill. I had the heater plugged into the same outlet from which I ran the sleep-fan. My electrical bill just about doubled during the winter months. Does it require a rocket scientist to figure out that when my bill went up, it was because of the power being consumed by my electric heater, which was wired to the meter for the apartment above me?

Apparently it does, because it took me seven months to get Amerin UE to even come out and look at the problem. Over and over, I would call them and tell them that I was paying the wrong bill, and every time I called, they said, "Somebody will look into it" and then I would never hear anything about it until I called again. Finally I received a letter dated February 25th, acknowledging that I was being billed for the wrong apartment. I'm still not clear if this means that I was being billed incorrectly for an internal wiring problem or for an external switched meter problem. The letter is ambiguous. (I have enclosed a copy.) In any case, when Amerin UE switched my billing, my bill went *up* quite a bit. This doesn't make any sense.

In mid-October of 2003, the apartment above me became re-tenanted. Shortly after I received the letter of February 25th, the woman now living upstairs blew her breakers and didn't know what to do about it. She knocked on my door and asked me about it, and sure enough, my space heater was now off. I took her down into the basement and showed her where the breaker boxes are located. Before coming down and requesting my help, she had called Amerin UE. A service man arrived shortly after she and I had dealt with the problem. I asked him, since he was already here, if he would please just look at the wiring situation so that I could stop being billed for the wrong apartment. He declined, saying that he didn't have time. I replied that it would only take him two minutes to go down stairs, turn her power off and then come back up to my apartment and check the outlet powering my heater and fan. He then proceeded to spend about twenty minutes generally refusing to listen to anything I had to say and yelling at me about how he didn't have two minutes to go downstairs. He also kept insisting that Amerin UE's responsibility stopped at the meter on the outside of the building. I tried to get it through his head that I was being billed for the wrong apartment. I was standing right next to my space heater, pointing to it, and I kept telling him, over and over that the one single outlet being used by my space heater plus the entire apartment upstairs was what I was being billed for. After he yelled at me for twenty minutes, he went to spend another ten minutes explaining to the woman upstairs why he didn't have two minutes to spend proving, either yea or nay, my assertion that both she and I were being billed incorrectly. I waited on our mutual front porch, and when he came down from her apartment, I confronted him about taking half an hour to make a case for not having two minutes. I also suggested that he was too lazy to make a trip down the stairs. (I have bad arthritis, thus, negotiating stairs is difficult and painful for me, and I'd already been up and down them once that evening.) He became very hostile at that point, and I told him to leave the property. He then screamed that he was going to call the police on me. (I have no idea why he felt the police were needed, as this guy is quite a bit bigger than I am.) So I went back inside and called Amerin UE and told them that if the police showed up at my door, Amerin UE would have to deal with the legal repercussions. Fortunately, the police didn't come.

The next day, the crazy repair guy's supervisor called me to apologize for the crazy repair guy's behavior. I attempted to tell the supervisor about the heater, the fan, the single outlet, the rising electric bill and being shut off by mistake last August, in yet another attempt to get somebody, anybody, at Amerin UE to deal with the problem of my

being billed for the wrong apartment. That particular supervisor did nothing. I called him back and left messages several times but was ignored.

However, the issue of a repairman threatening a customer apparently got somebody's attention at Amerin UE, because shortly after all the sturm and drang, a man named Mark Braun, the 'Special Inspector For The Revenue Protection Department, Theft Of Service And Fraud' contacted me.

You must understand that I have not made a payment on my bill since August of 2003, because the issue of my being billed for the wrong apartment is still unresolved. I had received a couple of shut off notices while all this was going on. I called the State Utilities Commission in response to the shut off notices and spoke extensively with Gay Fred, one of the managers. Because Amerin UE refused to address my complaint, Ms. Gay stopped the shut off notices.

At some point in March, Mark Braun came to my apartment. I explained the heater-fan-accidental-shut-off story to him. After carefully checking the outside meters, the breaker boxes and all the inside switches and outlets in my apartment, Mr. Braun concluded two things: first, that I have two outlets (I'd only known about the one because I never used the other) in my apartment that are coming from either the meter or the breaker box for the second floor. And second, I was in fact being billed for the wrong apartment. Finally, somebody at Amerin UE actually listened to what I was saying. I don't mean to be sarcastic here, but when Mr. Braun acknowledged the fact that I really was being billed for the wrong apartment, it was as if the clouds parted, a shaft of light illuminated my apartment and a choir of angels sang. At last, someone had heard my voice crying in the wilderness. And to think that it only took seven months.

Mr. Braun then told me that he wanted to do the same check on the apartment upstairs, to determine which of her outlets, if any, were connected to either my breaker box or meter. Unfortunately, the woman upstairs wasn't home when Mr. Braun was here. So he left one of his business card for me and put another in her mailbox, with a note asking her to contact him about the matter. I had spoken with her about it a few times, so she knew about the cross wiring. Mr. Braun then explained to me that the inside wiring was not Amerin UE's responsibility, but was a problem for the landlord.

So my electrical problems turned out to be partly Amerin UE's responsibility and partly the landlord's liability. I was ok with that because at least I now had answers, and Amerin UE was (at long last) taking responsibility for the incorrect billing. I showed Mr. Braun about the letter I'd received in late February, and I asked him how in the world one person could use more electricity then three. He replied that the answer had to lie in which upstairs outlets were coming from my breaker box. He then told me that he would wait until he heard from the woman upstairs, and then he would check her apartment the same way he had checked mine. He instructed me to wait until I heard from him, and to disregard any future shut off notices until the confusion over who was paying what was resolved. So when I received the next shut off notice, I ignored it. I was waiting to hear from Mr. Braun.

This is where it gets weird.

Shortly after Mr. Braun's visit, I again spoke with Gay Fred at the Utilities Commission. She relayed an offer to me from Amerin UE to reduce my bill by 25%, offered because it had taken them so long to respond to my complaint. I replied that I wanted to wait to make a decision about that until I heard from Mr. Braun, because I wanted to find out exactly who was using which outlets. She said that would be ok. She did not at any time caution me that the offer from Amerin UE had a time limit on it.

On April 8th, the last day of the most recent shut off notice, I started to get a little nervous, because I hadn't yet heard from Mr. Braun. I called Amerin UE and asked a customer service rep if I was about to be shut off. The CS rep verified that I was, indeed, slated for shut off. I then called Mr. Braun and asked him about it. He told me that he had not yet been able to contact the woman upstairs, but he assured me that I was not about to be shut off. In complete confusion at this point, I called Gay Fred at the Utilities commission. She called Mr. Braun, who told her that he'd told me that I wasn't going to be shut off *that day*. But that's not what he told me at all. And interestingly, Mr. Braun now refuses to return my calls.

So Ms. Fred called me back and said that not only was I indeed about to be shut off, Amerin UE had rescinded their offer of the 25%. Their reason for doing this was that I was now about to be shut off. I fail to comprehend the logic, which strikes me as being of the "we don't care, we don't have to, we're the Electric Company and if you don't like it try using candles" variety.

I believe that I am now being dunned for electricity that the Foster family used. How else can you explain how a single woman can use more electricity then a family of three? I have many talents. Cooking is not one of them. I am emphatically not a domestic goddess. There are no blenders, food processors, electric fryers, etc., being used in my kitchen. I occasionally use my microwave oven for thirty seconds to make instant coffee. I tend to live on sandwiches, because they require no cooking. I frequently eat at restaurants. I have hard wood floors that don't require a vacuum cleaner. I don't use a blow dryer to dry my hair. I don't own a television, an air conditioner, a makeup mirror, a popcorn popper, an electric blanket, or a washer or dryer. I'm not a weekend hobbyist, so there are no jig saws, power sanders or drill presses running in my apartment. I wear nothing but cotton sweats and tee shirts, which don't require ironing. I have exactly one electrical clock in my apartment. When I want to know what time it is, I usually just take my cell phone out of my pocket and look at it. I don't own a land line phone. Or an answering machine. About the only things I do use electricity for are a small compact disc player which I use for two or three hours per week, the frig, the lights, and my computer, which runs on an energy saver program and uses very little power. When I'm at home, the two things I spend the most time doing is reading, which requires one one-hundred watt light bulb, and sleeping, which requires the use of a small fan set on low. I don't use a night light, and I only listen to the radio when I'm in my car. When the Foster family lived above me, they had carpeted floors,

televisions, stereos, air conditioners and various children's electric game-type things, and they used vacuum cleaners, hair dryers, hot rollers, a washing machine, an iron, many kitchen appliances and a lot more lights than I used.

Amerin UE is refusing to address the fact that they are demanding, on pain of shut off, that I pay for a great deal of electricity that logic tells me that I didn't use. As far as I'm concerned, this is extortion. Yes, I realize that the wiring problems inside the building are not Amerin UE's problem. But if Amerin UE had dealt with the fact that I was being billed for the wrong apartment in a timely manner, I would not now be having the problem of trying to figure out who used what electricity. If they would have gotten off their collective posteriors during the four months that the apartment above me stood empty, between August 2003, when I first alerted them to the problem, and October, 2003, when the apartment upstairs became re-tenanted, this would all have been a lot easier to figure out.

And still, even now, Amerin UE is proving themselves to be unforgivably obdurate. Whenever I attempt to speak with anyone employed by Amerin UE, they tell me what ever it is they think I want to hear, and then they do the complete opposite. Right after I was "shut off", I called somebody at some place called the 'Solutions Center' and requested three things. First, I wanted a copy of all billings for the first meter I was charged for. Secondly, I wanted a copy of all billings for the second meter I was charged for. I wanted to compare the two different billings so that I could try to figure out how one person could consistently use more electricity than three. I also requested that they put in writing the fact that their authority stops at the outside of the building. If they're going to continue to verbally insist that they have nothing to do with the interior electrical system, then I want to see it in writing. Whoever I spoke with at the Solutions Center agreed to send me everything I asked for. Of course, all I got in the mail was a single payment history, with no separation between the two meters, and absolutely nothing in writing about where Amerin UE's prerogatives begin and end. But that's the way they've dealt with this entire affair: by lying, stalling, ignoring, and when there's no other recourse, making promises they have no intention of keeping.

They came out to shut me off on April 12th, but they didn't actually shut me off. Yes, they shut off my meter. But my apartment is cross wired with the apartment upstairs. (And I've told them this how many times?) They only shut off part of my apartment. All I had to do was run a couple of extension cords and I have essentially the same electrical use I had before. Except now it's going on the bill of the woman upstairs. What I want from Amerin UE is written verification that what I'm doing is none of their business. Of course, I have no intention of ripping the upstairs tenant off. She's on that level-pay program, so when her bill gets reassessed, I'll simply pay her the difference. (She's already been given a copy of this document.) The point here is that Amerin UE can't have it both ways. If it's not fraud for Amerin UE to demand that I pay for the power used by the people who used to live upstairs, then it's not fraud for me to use the electricity from the upstairs apartment and then reimburse the woman living there.

Because of the fact that Amerin UE took seven months – from August 2003 to February 2004 – to respond to my complaint, because they let a four month window of opportunity for solving the problems close without taking advantage of it, because of Mr. Braun's duplicity, and because of the sheer mean-spirited, bloody minded, typically monopolistic behavior of offering me a 25% reduction on my bill and then two weeks later rescinding the offer for no particular reason, I am asking for three things:

First, I would like to have my electricity turned back on and left on while this whole mess gets sorted out. Second, I want Amerin UE to come and resolve the question of which outlets upstairs are connected to my breaker box. I know this part of it isn't their problem, but since they've been so callous in dealing with the part that *is* their problem, I think it would be a nice gesture for them to give me and the woman upstairs a few minutes of their time so that we can clear this up. (And don't send Mr. Braun – I've had enough of his lies.) Third, I want Amerin UE to delete everything from my bill all the way back to the day the woman upstairs moved in, in October 2003. And I am asking this for three reasons.

First, I feel I am owed some sort of recompense for the stress, the anxiety and the now-I-understand-why-people-snap-and-go-postal frustration of bashing my head against the brick wall of Amerin UE's indifference and lies during the past nine months (and counting – it's still not over).

Second, I feel I'm owed additional compensation for the way I've been treated by Amerin UE's various employees. First there was the repair man who appears to be in serious need of psychotropic medication. Then there was his supervisor who called me to apologize and ended up pissing me off more than I'd been before he called. Then there was the two-faced Mark Braun, who smiled right into my eyes and bald faced lied to me, wasted a great deal of my time and then simply bailed out on the situation when I requested the he clarify the two mutually exclusive stories that he was simultaneously telling Ms. Fred and myself. Then there was the person who offered to reduce my bill by 25% and then just changed their mind, I guess because they felt like it. And last but certainly not least, there was C20794, whoever he-she-it might be. This was the person who promised to send me three much needed documents and instead sent me one useless piece of paper. (See enclosed copy.)

Third, there's the issue of the hours and hours of time that I've had to waste calling Amerin UE over and over again, the hours wasted by letting Amerin UE's questionable employees into my home, the hours I had to waste writing this document, and the hours I know I'm going to have to waste in the near future because, like I said, this still isn't over. *I have better things to do.*

I suck at math. I have no idea how much money I would recover if Amerin UE were to discount my bill back to the day the woman upstairs moved in. I have chosen that date because they had four months in which to solve these problems while the apartment upstairs stood empty, and they did nothing. Because of their foot dragging, a small and simple problem turned into an appalling mess. (The very fact that in order to have my

complaints addressed, I've had to file suit against Amerin UE, is, as far as I'm concerned, ample proof of their attitude and behavior.) If they will delete that portion of my bill, I'll consider myself compensated for whatever I lost by paying the Foster's electric bill for a year. Additionally, if Amerin UE will agree to my terms, I will consider the matter sufficiently resolved. I will then go back to paying my electric bill when it becomes due, and I'll turn my attention to the building's owner and let him deal with the cross wiring problem.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pheonix Dancer', with a stylized, flowing script.

Pheonix Dancer

314-374-2013

4324 Hartford #1-F St. Louis, MO 63116

I do not have a fax machine.

I do not have an email address.