

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

NOV 07 2003

Office of the Public Counsel)
Complainant,)
v.)
Warren County Water and Sewer)
Company,)
Respondent.)

Missouri Public
Service Commission

Case No. _____

COMPLAINT

COMES NOW, the Office of the Public Counsel, and hereby files this Complaint against Warren County Water & Sewer Company before the Missouri Public Service Commission. This Complaint alleges that the Company has failed to adhere to the Commission's rules and regulations regarding disputed bills. Specifically, the Company has acted contrary to the disputed billing rules in connection with the account of customers residing at 2864 Ricky Drive (the Houks). In support of this Complaint, Public Counsel states the following:

1. The customers receiving service at 2864 Ricky Drive received a bill which included a "reconnect charge." That bill alleged that it was for service from "9-25-03 to 10-30-03" and carried a due date of "11-21-03." That bill included a \$2 late charge and a \$20 "reconnect fee." The total amount due by 11-2-03, according to this bill is \$54.90, including those charges. (See Attached Exhibit.)

2. The Customer also received a notice that \$22 of a previous bill was "past due" and that the Customer's service would be disconnected on November 10, 2003. The "past due" portion alleged consists of the same \$2 late charge and \$20 reconnect charge which the other bill states is due on November 21.

3. The Customer denies having been disconnected or reconnected.

4. The Customer disputes owing a late charge or a reconnect charge.

5. The Company's records, also contained in the exhibit show the following: the Customer was billed \$72.22 at the beginning of October. The Company posted a payment to the customer's account of \$56.90 on Oct. 8. On that same date, the Company posted a charge for reconnect fee of \$20. There is no indication that such amount was billed to the customer. On October 29, the Company posted a payment from the customer in the amount of \$22, which would have been the known outstanding balance for the customer on that date AND a \$2 late charge. The first written notice to the customer of the \$20 reconnection charge and the first notice of a late charge came to the customer on the current bill with a due date of 11-21-03. (See attached Exhibit.)

6. The Customer disputes the propriety to a reconnect fee, and disputes that she should be assessed a late charge. Even if such charges should be later determined to be reasonable, they are not due until Nov. 21. Therefore, any disconnection would violate the Company's tariffs and Commission rules, and be unlawful and unreasonable.

WHEREFORE, it is respectfully requested that the Commission issue an Order prohibiting Warren County Water and Sewer from disconnecting the Customer's service until this matter can be resolved, and referring the parties to mediation.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ M. Ruth O'Neill

By: M. Ruth O'Neill *by DM*
M. Ruth O'Neill (#49456)

Assistant Public Counsel

P O Box 2230

Jefferson City, MO 65102

(573) 751-5565

(573) 751-5562 FAX

roneill@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 7th day of November 2003:

General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City MO 65102

Warren County Water & Sewer Co.
PO Box 150
Foristell MO 63348

Paul DeFord
Lathrop & Gage
2345 Grand Boulevard
Suite 2500
Kansas City MO 64108-2684

/s/ M. Ruth O'Neill

M. Ruth O'Neill *by DM*

FARMERS AND MERCHANTS BANK
OF WRIGHT CITY

FILE COPY

100 VETERANS MEMORIAL PARKWAY • POST OFFICE BOX 428
WRIGHT CITY, MISSOURI 63390 • 636/745-3339
TOLL FREE 1-866-700-3339 • FAX 636/745-8240

FAX TRANSMISSION COVER SHEET

TO: Ruth Oneill (573) 751-5502

FROM: Patricia Hawk

NUMBER OF PAGES INCLUDING COVER SHEET ()

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Exhibit

10-21-03

Lamar County Water & Sewer;

As per my conversation with Ruth O'Neil
of the water commission on 10/21/03 I paid
\$56.90 on 10/6/03 with ch # 1306. I am
now paying the remainder of the water
bill dated due 10-21-03 the amount of \$15.32
with ch # 1315 dated 10/21/03 paying off
my bill in full of \$72.22.

2864 RETURN ON HAND
RICKY DR
PAT HOUK

WARREN COUNTY WATER & SEW
PO BOX 150
FORISTELL, MO 63348
(636) 463 1000

TYPE OF SERVICE	METER READING		USED	CHARGES
	PRESENT	PREVIOUS		
Water	536000	533000	3000	14.76
Sewage				18.14
Late Charge				2.00
Reconnect Fee				20.00

*NEVER BEEN
Disconnected
Ever in 5 yrs*

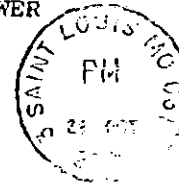
ACCOUNT # 146 10-30-03
2864 RICKY DR.

*Pol Bal. in full last
month how do I have
A Late chg.*

Service From: 9-25-03 to 10-30-03

METER READ			TOTAL DUE UPON RECEIPT	LATE CHARGE AFTER DUE DATE	PAST DUE AMOUNT
MONTH	DAY	CLASS			
10	30	1	54.90	2.00	56.90

WARREN COUNTY WATER & SEWER
PO BOX 150
FORISTELL, MO 63348
(636) 463 1000



ACCT. NO.	LATE FEE	DISCONNECT DATE	TOTAL DUE
146	2.00	11-10-03	22.00

FINAL NOTICE... A late charge has been added. To avoid the
reconnection fee and having your water cutoff, you must pay in
full before the disconnect date shown above.
PAYMENT IN FULL IS REQUIRED
OR DISCONNECT

NO PARTIAL PAYMENT
FINAL NOTICE!!!!

FIRST CLASS MAIL
U.S. POSTAGE
FORISTELL, MO 63348
17
PERMIT NO.

CUSTOMER		PAY GROSS AMOUNT AFTER THE DATE
PHONE	ACCOUNT	
3	146	11-21-03
NET AMOUNT TO BE PAID		ORDERS AMOUNT TO BE PAID
54.90		
		56.90

MAIL THIS STUB WITH YOUR PAYMENT

MICHAEL & PATRICIA HOUK
2864 RICKY DR.
FORISTELL, MO 63348



ACCOUNT NO.	TOTAL DUE
146	22.00

PLEASE RETURN THIS STUB WITH YOUR PAYMENT

MICHAEL & PATRICIA HOUK
2864 RICKY DR.
FORISTELL, MO 63348



Date	Amount	Description	Balance
		Beginning Month Balance	67.38
1-20-03	-50.00	Payment Check Number 1272	17.38
1-25-03	14.76	Water Usage 3000	32.14
1-25-03	18.14	Sewage	50.28
		Beginning Month Balance	50.28
3-23-03	2.00	Late Charge	52.28
3-25-03	14.76	Water Usage 3000	67.04
3-25-03	18.14	Sewage	85.18
3-29-03	10.00	Reconnect Fee	95.18
		Beginning Month Balance	95.18
9-10-03	-60.28	Payment	34.90
9-24-03	2.00	Late Charge	36.90
9-25-03	17.18	Water Usage 4000	54.08
9-25-03	18.14	Sewage	72.22
		Beginning Month Balance	72.22 my bill
0-08-03	56.90	Payment Check Number 1307	15.32
0-08-03	20.00	Reconnect Fee never been disconnected	35.32
0-29-03	2.00	Late Charge	37.32
0-29-03	15.32	Payment Check Number 1315	22.00
=====			
ter	46.70		
wage	54.42		
te Charge	6.00		
connect Fee	30.00		
yments Received	182.50		

Ant
Post

The PSC allows a disconnect fee for each trip to your home to collect - since the disconnect was a day prior to our collection effort, the fee stands - you actually had an extra 24 hours to make the required payment

There was no disconnection notice for Oct 2003 Before they came