BEFORE THE PUBLIC SERVICE COMMISSION

**OF THE STATE OF MISSOURI**

In the Matter of a Working File to )

Consider Changes to Chapter 13 ) **Case No. AW-2011-0252**

Service and Billing Practice Rules )

# AARP’S COMMENTS ON STAFF’S DRAFT REVISION OF THE CHAPTER 13 RESIDENTIAL SERVICE AND BILLING PRACTICE RULES

In response to the Commission’s February 10, 2011 invitation for informal comments on suggested rule changes submitted by the Commission Staff (“Staff”), AARP hereby provides these comments to Staff’s draft revisions to the Commission’s Chapter 13 Residential Service and Billing Practice Rules (“Staff Draft Revisions”)[[1]](#footnote-1).

 Over the past few years, Staff has hosted extensive stakeholder discussions regarding possible revisions to Chapter 13 of the Commission’s Rules which govern the rights and responsibilities of consumers vis-à-vis regulated utilities regarding their residential service and billing practices. In these discussions, a substantial amount of time and attention was devoted to what some termed “problem customers”. Throughout the stakeholder process, AARP and other consumer advocates have warned against making changes that may be designed to address a few difficult situations, but have the overall effect of reducing the fundamental rights of all consumers, including innocent customers that have legitimate disputes regarding utility charges and problems accessing essential utility services. These issues are challenging and are not easily resolved.

Thanks to Staff’s mediation, many tough issues have been worked out among the stakeholders during those productive discussions. However, while the Staff’s goal appeared to be a consensus on new revisions to these rules, the nature of the difficult subject matter prevented such consensus on many aspects of the proposed revisions. Where a consensus could not be reached, Staff chose the language that would be included. It is important to realize that, while Staff’s Rulemaking Issue Paper provided to the Commission refers to Staff’s Draft Revisions as “a compromise among the majority of entities involved”, regulated utilities actually made up a large majority of all stakeholders present in those discussions. Most of the proposed changes included in Staff’s Draft Revisions reflect a compromise *among* utility companies and the Staff. Very few revisions proposed by consumer advocate stakeholders are included in the Staff Draft Revisions.

Unfortunately, the Staff Draft Revisions would change the current Chapter 13 in ways that significantly weaken consumer protections. AARP’s primary concern is this matter is preservation of the balance in rights between utilities and their captive customers who need essential services, and we urge the Commission to prevent an unintended erosion of consumer rights as Chapter 13 is revised. AARP has special concerns about how the Staff Draft Revisions could limit access to service for utility consumers who are over 50 years of age and for vulnerable consumers.

AARP is offering general comments on the overall impact of the proposed changes to Chapter 13, and then in chronological order, offering several comments on proposed changes to the rules that raise issues of specific concern. In some places, AARP offers specific language that it believes could correct inadequacies in the manner that Chapter 13 protects consumers. AARP also reserves the right to offer further comments and suggestions as the Commission’s process of reviewing Chapter 13 proceeds.

In developing these comments, AARP has communicated with a variety of experts and organizations that represent and advocate for the interests of utility consumers. The comments submitted herein are also supported by the following organizations: the **Consumers Council of Missouri**, the **St. Louis Human Development Corporation,** and **Legal Services of Eastern Missouri, Inc.** .

1. **General Comments and Concerns**

AARP’s overriding concern in addressing Staff’s Draft Revisions is pointing out areas in which proposed changes may, perhaps inadvertently, diminish important existing consumer rights. AARP urges the Commission to preserve the balance of rights and responsibilities between consumers and the utilities that it regulates, keeping in mind that the power relationship between them is not equal. Oftentimes, the minimum protections provided in Chapter 13 are the only bulwark that a captive consumer has against a utility that is attempting to deny access to essential services or is attempting to discontinue those essential services if a controversy is not resolved in its favor. For instance, it is important that changes to Chapter 13 do not currently place an innocent consumer in a situation where she must pay for the utility bill of another person as a condition of receiving service for herself. Under Missouri law, a utility may not compel payment for utility services for which that customer did not receive “significant benefit”. See State ex rel. Imperial Utility Corp. v. Borgmann, 664 S.W.2d 215, (Mo. App. 1983).

It is anticipated that utilities may comment that certain vulnerable consumers, defined as “disabled” or “elderly” (over sixty-five years of age), if registered with the utility, are granted extra protections under the Cold Weather Rule (“CWR”) section of Chapter 13. However, there is no automatic process to place such individuals on a registration list when an individual first becomes eligible (i.e., when someone celebrates their 65th birthday), the process for registering under these protected categories is not widely known, and the current CWR requires annual renewals every year in order to stay registered. Thus, the lists of “registered disabled” and “registered elderly” fall far short of including all persons who are eligible for the extra protections under the CWR. Moreover, there are consumers for whom essential services are a major public health concern (e.g., consumers with infant children) but which do not fall within a registered category under the CWR. AARP believes that, while the registration provisions provide a helpful safeguard, it is no substitute for ensuring that minimum consumer protections of Chapter 13 as a whole are adequate to protect all consumers, recognizing that accessing essential services can be a matter of life and death for many consumers that are not registered or eligible to be registered.

The current Chapter 13 contains provisions that defer to the provisions of utility-specific tariffs regarding certain important issues (i.e., bill estimation procedures; deposits), and the Staff Draft Revisions would defer further matters to utility tariffs. AARP believes that referencing tariffs is not an ideal policy, and urges the Commission to avoid it when possible. Preferably, the residential billing rules contained in Chapter 13 should have general applicability and ensure minimum standards and fundamental rights that are guaranteed to all residential consumers. The rules contained in Chapter 13 are more easily accessed by consumers than are tariffs, and usually more easily understood by consumers. If exceptions to Chapter 13 are deemed warranted by the Commission, AARP believes that it is a better practice to have the utility seek an exception through a request for a specific waiver from a rule, rather than through a proposed tariff provision that may conflict with the provisions of Chapter 13.

AARP supports the proposal to add sewer companies to the type of utilities subject to Chapter 13. Sewer consumers (and consumers of small utility companies generally) should benefit equally from the protections afforded in the Commission’s residential billing rules. However, the Commission should be careful to avoid lowering the general protections for all consumers in an effort to include sewer companies or small companies in these rules. AARP supports the practice of allowing small companies to seek company-specific waivers from the Commission, and would be opposed to revisions that lower standards for all companies out of a concern that some companies may have difficulty complying with some provision of Chapter 13.

Another overriding principle that AARP believes should guide any revision to Chapter 13 is preservation of built-in incentives for *accurate billing*. Any changes to the rules regarding billing adjustments or to estimation procedures should not foist upon a consumer risk and exposure for meter malfunctions that are not the fault of the consumer or for errors that are otherwise beyond the consumer’s ability to control. Ratepayers expect accurate bills and they do not believe that they should bear the risk of inaccurate readings.

1. **Comments on Specific Changes in Staff’s Draft Revisions**
	1. **Definitions – Rule 13.015**

Several of the proposed definitions contained in Staff’s Draft Revisions are not objectionable, although it is important that each definitional change be analyzed carefully, not just by how the word itself is defined, but also by how it may inadvertently change each and every use of that word throughout Chapter 13. The following definitions bear special scrutiny in order to ensure that proposed definitions do not cause unintended changes to existing consumer rights.

* + 1. **“Applicant” and “Customer”**

Staff’s Draft Revisions would amend the definition of “applicant” by adding this sentence, “Upon initiation of service, the applicant becomes a customer.” AARP is concerned that the use of the words “applicant” and “customer” throughout Chapter 13 are not currently consistent with that dichotomy, in that certain operative rules refer to applicants as customers [For example: 4 CSR 240-13.030(1) regarding deposits]. The word “customer” appears literally *hundreds of times* throughout Chapter 13. Before the Commission decides to proceed with revisions to the rules, it should ensure that no proposed definitional changes result in an unintended denial of consumer protections. The concern about this change is that it could be interpreted to mean that someone has fewer rights, simply because he is seeking utility service, as opposed to someone who is currently maintaining utility service.

* + 1. **“Inquiry” and “Complaint”**

The Staff Draft Revisions proposal for a new definition of “inquiry” creates similar concerns. Creating this new official definition of consumer contacts, to the exclusion of those consumer contacts that fall within the definition of “complaint”, could unintentionally cause a shrinkage of consumer rights, limiting the appropriate remedies available under 4 CSR 240-13.070. If this new definition of “inquiry” is created, AARP suggests that the following clarifying language be added to it: “An inquiry that expresses a concern or disagreement with a utility charge or utility service shall also be considered a complaint under these rules.”

* + 1. **“Payment Agreement”**

The Staff Draft Revisions proposal for a definition of “payment agreement” is not necessary and could lead to confusion. The proposal is not a proper definition in that it does not actually describe the essential properties of a payment agreement, rather it creates two new limitations on payment agreements: 1) that a payment agreement “remains in effect as long as its terms are being adhered to”, and 2) that a payment agreement “shall not exceed twelve (12) months duration, unless the customer and utility agree to a longer term”. AARP does not agree that such limitations are necessary because utilities should have flexibility to work with their customers and offer payment agreements that exceed minimum standards. However, if it is desired to place such limitations on payment agreements, it would be more understandable if such limitations were placed in 4 CSR 240-13.060 (Settlement Agreement and Extension Agreement) or in 4 CSR 240-13.055 (Cold Weather Rule) where operative provisions regarding payment agreements are located.

* + 1. **“Rendition”**

The Staff Draft Revisions propose to expand the definition of “rendition” to include “posted electronically”. Such a method of rendering a bill is acceptable, provided that the rules make it clear that the customer has consented to receive a utility bill in the particular way that it is posted electronically. AARP objects to this definition without that clarification.

This proposed new definition also includes a catch-all category of “. . . otherwise sent to the customer”. This open-ended clause should be deleted from the proposed definition because the lack of specificity leaves open the potential for abuse.

* 1. **Billing and Payment Standards – Rule 13.020**
		1. **AARP Opposes the Expansion of Estimated Bills**

The current electronic era justifies setting a higher standard for accurate billing by utilities, not a lower standard. AARP believes that the Commission should be *discouraging* estimated utility billing practices, rather than *expanding* the ability to use estimates. The current Rule 13.020 prohibits estimated billing unless absolutely necessary (i.e., extreme weather, emergencies, work stoppages, or when a utility is unable to gain access to a customer’s premise for the purpose of reading a meter) or when a seasonal customer agrees to an estimated bill. Several provisions in the Staff Draft Revisions would expand such exceptions to include situations when an actual reading is possible, but the utility finds it more convenient to estimate the bill. AARP urges the Commission to retain the current consumer protections that require an actual reading whenever it is possible.

AARP opposes the Staff Draft Revisions proposal to create or expand deferrals from this rule to utility-specific tariffs [proposed subsection (2)(C)(1)]. Chapter 13 should establish basic consumer rights that adhere to all consumers. Company-specific tariffs are not easily accessed nor understood by the normal consumer. If special circumstances warrant, it is a better practice to require utilities to seek special waivers from the rule.

Requiring actual reads when an automatic meter reader (“AMR”) fails or other “equipment or mechanical failure” occurs, will place the incentive on the utility to reduce such occurrences, will reduce the likelihood that a customer is given a large catch-up bill resulting from an estimated bill, and will reduce the number of complaints lodged with the Commission from angry consumers who have no control over faulty equipment belonging to the utility or its vendors. This is a category of problem that has generated numerous complaints filed with the Commission.

AARP strongly urges the Commission to reject this proposed expansion of estimated billing practices and erosion of consumer protections. Rather, the Commission should adopt a rule that encourages utilities to pursue actual and accurate meter readings, and that provides strong incentives for utilities to prevent and to fix problems that occur with AMR devices. Utilities have control over the management of meter reading technology, while consumers have virtually no such control.

Furthermore, AARP proposes (below, in the section on Discontinuance – Rule 13.050) that no customer should have their utility service involuntarily discontinued based upon an unpaid bill that was estimated. Unless a customer is unreasonably preventing the utility from obtaining an actual meter reading, it is unfair to disconnect service solely on an estimation. Discontinuance of service is a severe enough remedy that the utility should be required to first obtain an actual reading.

* + 1. **Equalization of Billing Time for Monthly and Quarterly Bills**

There is no justification for the uneven billing turnaround required for paying utility charges under subsection (7): “A monthly-billed customer shall have at least twenty-one (21) days and a quarterly-billed customer shall have at least sixteen (16) days from the rendition of the bill to pay the utility charges . . .” AARP proposes that all customers be permitted 21 days from rendition to pay a bill. It is particularly onerous to shorten the time available to pay by 5 days when a quarterly bill is likely to be three times as large as a monthly bill.

* + 1. **Mandatory Preferred Billing Date**

Most utilities now have a preferred billing date plan, and for many consumers who receive limited income on a specific date of each month, such a program is necessary to be able to be able to pay their utility bills on time. AARP proposes that this subsection (7) of this rule be clarified so that it is mandatory for a utility to offer its customers the ability to choose their preferred billing date.

* + 1. **Format for Customer Billing and Status Information**

The Staff Draft Revisions proposes adding a new subsection (13) that states, “A utility shall allow payment by mail but may allow payment through telephone, electronic transfer or through a pay agent.” AARP proposes that this new provision further clarify that such information shall be available in whichever of these formats the customer requests, by adding the phrase, “pursuant to the customer’s preference”.

The Staff Draft Revisions also propose adding a new subsection (14) that states, “A utility may provide customers current bill status information via telephone, electronic transmission or mail.” AARP proposes that this new provision also clarify that such information shall be available in whichever of these formats the customer requests, by adding the phrase, “pursuant to the customer’s preference”.

* + 1. **Ban on Formal Relationships with Predatory Lenders**

If the Commission decides to adopt a version of the new phrase “through a pay agent” as proposed in subsection (13) quoted above, it is important that utilities are not given permission to formally associate with predatory lenders. In order to avoid harming their reputation, most (but not all) regulated utilities in Missouri currently refuse to formally do business with payday lenders. By not restricting formal pay agent relationships with such businesses as payday lenders, the Commission would be allowing utilities to steer vulnerable consumers into financially hazardous situations that threaten their ability to continue paying their utility bills.

It may not be possible or wise to prevent utilities from accepting payments that are sent to it from such disreputable businesses on behalf of their consumers, the Commission should ban formal business dealings that send consumers the message that predatory lenders are endorsed by state regulation. Therefore, AARP proposes adding this sentence to the end of any new subsection (13):

“However, the utility may not enter into any formal pay agent relationship with financial service companies, currency exchanges, check cashing stores, pawnshops, auto title loans, payday loan companies or other entities that are engaged in the business of making unsecured loans of five hundred dollars or less or that lend money where repayment is secured by the customer’s postdated check.”

* + 1. **No Extra Charges for Format of Billing**

AARP proposes that a new subsection (15) be added to Rule 13.020 to ensure that utilities do not use the availability of new billing formats to charge extra fees or surcharges for rendering a bill or for issuing other essential billing information:

“No utility shall charge any customer a fee or charge for rendering a bill or a replacement bill or any other statement of account of amount due in a printed form or, if available and at the customer’s preference, rendering the same in an electronic format. If no customer preference is made, the utility shall provide a printed copy without charge. If alternate bill formats are available, the customer shall have the right to choose or to change the method of billing without an additional charge.”

* 1. **Billing Adjustments – Rule 13.025**
		1. **Backward-looking Re-billing Period for Undercharges**

AARP proposes an amendment to subsection (1) of this rule to allow a shortened period for capturing errors that are caused by the utility undercharging. Currently, the rule allows a utility to re-bill backwards for twelve months of error, even in instances where the utility’s incorrect billing is the result of a malfunction in company-owned equipment or other circumstances outside the consumer’s control. Shortening the backward-looking period in this situation to six months of erroneous billing would lessen the controversy, as well as recognize that adding an entire year’s worth of re-billing can be difficult for customers with limited incomes. Shortening the backward-looking period to six months would also increase the incentive for the utility to reduce billing errors.

* + 1. **Repayment Period for Undercharges**

The Staff Draft Revisions propose a new subsection 13.025(1)(c) that, in the event of an undercharge that is not the fault of the customer, requires utilities to “offer that the adjustment be paid over a period covered by the adjusted bill.” Sometimes undercharge errors can be quite large, even for short periods of time, and for many consumers requiring the adjustment to be placed on top of current charges is still very difficult. AARP suggests that the customer also be allowed to pay such adjustment over a 12-month period, if the customer desires. This change could be accomplished by adding this phrase at the end of the proposed subsection 13.025(1)(c): “or twelve (12) months, whichever is greater.”

* 1. **Deposits – Rule 13.030**
		1. **Preserve the Prima Facie Methods of Achieving Credit**

Utility company use of credit scoring raises serious questions of fair practice and access to essential services, especially for low-income consumers. While utilities may claim that credit scores help them be more efficient and profitable, credit scores are based on reports that often contain erroneous information because of mistakes or identity theft. Therefore, AARP recommends that the Commission not allow the widespread use of credit scoring. However, when it is allowed, it should not be the only method for determining whether a consumer must pay a security deposit.

The current rule allows credit scoring as a method of establishing an acceptable credit rating to avoid having to pay a deposit, but also allows the consumer four *prima facie* methods of establishing an acceptable credit rating:

“1. Owns or is purchasing a home;

2. Is and has been regularly employed on a full-time basis for at least one (1) year;

3. Has an adequate regular source of income; or

4. Can provide adequate credit references from a commercial credit source.”

The Staff Draft Revisions would eliminate the availability of these four *prima facie* methods for all consumers except for those with no credit history at all or for consumers of utilities that do not use credit scoring.

AARP believes that it is unreasonable to allow utilities to rely so heavily on credit scoring alone, and that the availability of the four *prima facie* methods provide an essential safety net to ensure that all consumers that own a home (which is important for many older consumers) or those who can provide evidence of regular employment and income should qualify for an exception to the requirement to pay a deposit.

* + 1. **Excessive Deposits**

The current subsection (4)(A) of this rule allows a deposit that is “two times the highest bill”. The Staff Draft Revisions would allow a deposit up to “four times the average bill” if so stated in the utility’s tariff. AARP supports retaining the current rule, and believes that it is bad policy to allow the rule to defer to a utility’s tariffs. As an alternative, AARP could accept a revision that allowed the required deposit to be “either two times the highest bill or four times the average bill, whichever is less”.

* 1. **Denial of Service – Rule 13.035**
		1. **“Disputed” Should Not Mean “Undisputed”. The Right to Access Essential Services Should Not Depend on a Complaint.**

The second sentence of subsection (1)(A) of this rule contains a sentence allowing a utility to treat a previous unpaid utility charge as “undisputed” for purposes of denying utility service, unless the utility charge is the subject of a complaint at the Commission. AARP proposes deleting this sentence. It is unfair to require a consumer to know that about the Commission’s complaint procedures, and to lodge a complaint, in order to avoid denial of service. If a consumer does not believe that she is responsible for a utility charge, then the charge is indeed disputed, no matter whether the consumer is savvy enough to know how to utilize the Commission’s complaint procedures and no matter what whether the utility wishes to call it “undisputed”.

* + 1. **“Written” Should Not Mean “Verbally”**

The Staff Draft Revisions would add a new subsection (D) that states:

“(D) Written Notification Regarding Refusal To Provide Service:

When the utility refuses to provide service to an applicant for service, the

utility shall inform the applicant verbally or written upon applicant request: . . . “

AARP believes that when a utility issues a denial of service that denial should be required to be in writing, and thus proposes this alternative language, in order to ensure that the applicant/consumer receives all of the adequate and appropriate notices and information in a format that he can take with him:

“(D) Written Notification Regarding Refusal To Provide Service.

When the utility refuses to provide service to an applicant for service, it shall inform the applicant in writing, and shall maintain an accurate record of the written notice: . . . “

Denial of the right to access to essential services is too important to allow mere verbal communications to serve as adequate notification.

* 1. **Discontinuance – Rule 13.050**
		1. **Elimination of Direct Contact Threatens Public Safety**

The current subsection (8) contains a requirement designed to help prevent public health and safety tragedies by creating an expectation of reasonable efforts for direct contact by a utility employee with the customer immediately prior to an involuntary discontinuance of essential services:

(8) Immediately preceding the discontinuance of service, the employee of the utility designated to perform this function, except where the safety of the employee is endangered, shall make a reasonable effort to contact and identify him/herself to the customer or a responsible person then upon the premises

and shall announce the purpose of his/her presence.

The Staff Draft Revisions would completely eliminate this subsection. AARP strongly supports retaining the requirement. The main purpose of this subsection is to ensure that a human being attempts to make direct contact with the consumer and is physically present to notice any public health and safety issues that might be associated with disconnecting service at the premise. It is also important to note that (by explicit exemption) the rule does not ever require an employee to go into a situation that the employee subjectively feels is dangerous. Many unfortunate risks to older customers with health concerns have been avoided by this practice because an alert employee noticed such health concerns on the premises.

* + 1. **Ban on Discontinuance for an Estimated bill**

As discussed earlier, AARP proposes adding a new provision to the list of causes in subsection (2) that are not sufficient to permit discontinuance of service, banning discontinuance for an estimated bill:

“13.050(G) Failure to pay estimated charges, unless the customer has unreasonably hindered the utility’s attempt to obtain an actual meter reading.”

Adding this ban would simply require the utility to make the effort to obtain an actual reading prior to making a discontinuance. Disconnection of essential services is a drastic remedy, and it is considered by consumers to be patently unfair by consumers who believe that they a bill that is based upon an accurate or objective assessment of the customer’s usage. Consumers should not bear the risk of factors outside their control, and the utility should face an incentive to fix problems and maintain accurate readings. If this provision is adopted, it will go a long way towards eliminating other language disputes regarding the methods permitted for estimating bills.

* + 1. **Ban on Electronic Discontinuance Notices**

Consistent with its strong positions regarding sufficient and adequate notice provisions, AARP opposes the new subsection (4) contained in the Staff Draft Revisions that would allow notice of discontinuance by electronic means, in place of currently required written and in-person notices. Even if a customer once gave consent to the utility for electronic billing information, it is possible that by the time that the customer is facing the discontinuance of essential services, the customer’s internet service has been disconnected. The notice requirement is simply an important enough consumer protection when the remedy is as extreme as discontinuance that it should be attempted in writing and in person.

* + 1. **Adequate Time Needed to Seek Means for Reconnection**

The Staff Draft Revisions would expand the time allowed each day for discontinuing service to residential customers. The current subsection (3) allows shut-offs between the hours of 8:00 am and 4:00 pm. The Staff Draft Revisions would expand those shut-off hours from 7:00 am to 7:00 pm. AARP is primarily concerned with the public health and safety implications of allowing shut-offs to occur late in the day. If a family is disconnected, they will often need to very quickly seek financial assistance from a community action agency (“CAA”), a church, or other charity, before returning to the utility with the means to obtain a restoration of service. Allowing shut-offs of a heating utility service only one hour prior to the time that the utility will stop performing reconnections for that day can be an insufficient amount of time to prevent that family from spending the night without heat, even if they can find assistance. Therefore, AARP supports retaining the current time limit of 4:00 pm.

For the same reasons, AARP proposes new language in this part of the rule that would clarify that a utility may not discontinue service on weekends or holidays.

* 1. **Cold Weather Rule – Rule 13.055**
		1. **Direct Contact During the Cold Weather Period**

As described above, AARP is opposed to eliminating the requirement to have a utility employee make an attempt to check directly on the health and safety of the customer in person prior to a proposed discontinuance, *especially during the Cold Weather Period.* The Staff Draft Revisions would do just that by deleting the consumer protections of subsection (3)(C).

* + 1. **Registration Process Not Widely Known.**

The current CWR offers additional protections to “elderly” and “disabled” consumers, provided that those consumers comply with a registration process by filling out a utility-approved form, although no notifications about the registration process are required. Subsection 13.055(1)(D). AARP is concerned that many qualifying consumers are not aware that they would need to register in order to benefit from the extra protections. AARP proposes adding a requirement to the rule that electric and natural gas companies must notify all consumers via a conspicuous notice in its billings prior to each cold Weather Period stating that these special categories of consumers can receive additional protections during the winter months and explaining where the forms may be accessed.

* + 1. **Temperature Moratorium Calculation Needs Clarification.**

Subsection (5), which prohibits disconnection on certain days during the Cold Weather Period when the temperature is predicted to drop below 32 degrees Fahrenheit, has been the subject of some controversy on days when the temperature is predicted to be higher than 32 degrees but does not actually rise to that predicted level in some parts of a utility’s service area. AARP supports clarifying language that would ensure that the utility may not proceed with discontinuances at times when the *actual* temperature is below 32 degrees.

Respectfully submitted,

 /s/ John B. Coffman

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Dated: March 1, 2011

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of March 2011 copies of the foregoing have been mailed, emailed or hand-delivered to the Commission’s General Counsel’s Office, the Office of the Public Counsel, and to stakeholders participating in discussions about Chapter 13.

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 /s/ John B. Coffman

1. The version of proposed changes filed in this case file on February 14, 2011 does not indicate with a redlining and strikeout format where changes are being proposed to the current rule. In developing these comments, AARP is relying upon a redlined/strikeout version of Staff’s Draft Revisions that was distributed to stakeholders by email on that same date. [↑](#footnote-ref-1)