

Document 2

From: Alberts Jim <Jim.Alberts@kcpl.com>**To:** 'BFallonFRX@aol.com' <BFallonFRX@aol.com>**Subject:** RE: KCP&L**Date:** Thu, May 12, 2011 4:35 pm

Brent,

I don't believe there is much more we can do for you, but I would be happy to work with you and the Missouri Public Service Commission (MPSC) if that is what you choose to do. We have spent significant time and resources on your questions, and have demonstrated that the consumption you have been using is in fact flowing through your meter, so we must charge you for that usage. Because you no longer live in the area, we took the extra step to conduct a walk through of your home to investigate, and we shared that assessment with you, which logically demonstrates the appliances, lighting and HVAC equipment in your home could account for the total usage based on what was there at that time.

When or if you contact the MPSC, please share with them the following things we have done to investigate your inquiry. (I believe I provided their number in a prior email, but in case you do not have it any longer, here it is: 1-800-392-4211.)

Investigation items conducted over a five month period:

- Reread the meter each month of your inquiry to ensure accurate readings were used for billing
- Visibly inspected the outside of your home to ensure energy was not being diverted without your knowledge because your home is unoccupied on multiple occasions
- Performed meter tests in January and May to ensure the meter is measuring usage correctly (both tests demonstrated the meter is accurate)
- Cancelled all disconnect notices and waived late payment fees over a several month period during the review
- Analyzed your consumption and shared that information with you showing your usage has gone down compared to the prior year when the home was occupied
- Recommended you seek an energy audit to identify what is using the power in your home, and provided that information to you
- Performed a walk through of your home at our expense to assist you in identifying what could be using power. We identified items that can logically account for your usage levels.

The scenario we shared with you frames what could be possible, but ultimately as the owner of the home, the usage beyond the meter is your responsibility. The meter tests are the definitive measure, and those tests assure us and you the meter is accurate. Please keep in mind that even a certified audit is a snapshot in time, just like the walk through we conducted. There are many variables that affect usage, including the operating efficiency of your appliances and other equipment, so please take that into consideration.

Thank you,

Jim Alberts
KCP&L

From: BFallonFRX@aol.com [mailto:BFallonFRX@aol.com]

Sent: Thursday, May 12, 2011 1:44 PM

To: Alberts Jim

Subject: Re: KCP&L

Jim:

Thank you for your recent e mails. In response to those e mails and information gathered during the walk through of our home, I have some observations and questions.

Our 10/12/2010-11/9/10 bill shows an average daily usage of 69.14 kWh. The last year this period shows 32.0 kWh for the average daily usage. Knowing that our fans were set to the on position, refrigerators were running, outdoor lighting was on a timer and lights/ appliances/ electronics were being used during both billing periods- how can this difference be explained? Our home was fully occupied during both of these billing cycles. That's a greater than two times difference in usage. Also, the average daily usage for the period before the 32.0 kWh measurement was 58.72 kWh, and after was 52.83 kWh. Given this information it seems unlikely that the measurement of 32.0 kWh per day is correct. In an earlier e mail you confirmed that the meter readings used were actual, not estimated. Something is not right.

Furthermore, our 11/9/2010-12/13/2010 bill totaled 1783 kWh for 34 days or 52.44 kWh per day. This measurement was taken on a vacant house with both furnace/ AC fans running, a refrigerator/ freezer, another bar refrigerator, outdoor lighting on a timer and possible additional usage for lighting when the home was being shown. Based on your e mail regarding the walk through of our home you stated that the motors that operate the two furnace/ AC fans could easily consume 1,540 kWh monthly (based on an average 30 day month) when set to run in the on position (operation 24 hours per day)- and with the additional usage of refrigerators, outdoor lighting, and additional usage for lighting when the home is being shown that "it is pretty easy to build a scenerio to get there(1,783 kWh)." Using these numbers, the daily kWh usage of the furnace/ AC fans would total 51.33 ($1,540 / 30 = 51.33$). If this furnace/ AC fan usage is realistic then it makes impossible the period that measured 32.0 kWh.

Something is not right. A high bill in Nov/Dec cannot be justified by saying that furnace/ AC fans can easily consume 51.33 kWh daily when we have a bill with fans running that measured 32.0 kWh per day. Was the meter measuring incorrectly during that period of 32.0 kWh per day or during the Nov/ Dec bill?

The time spent trying to resolve this issue is beyond reasonable and I feel no closer to a solution than when I started. If there is no other information on your end that can help explain these discrepancies I will turn this issue over to the Missouri Public Service Commission.

Thank you,

Brent

From: Alberts Jim <Jim.Alberts@kcpl.com>
To: 'Brent Fallon' <bfallonfx@aol.com>
Subject: RE: KCP&L
Date: Tue, May 10, 2011 7:01 pm

Brent, I wanted to touch base with you again before we close on this matter. If you have any questions, please let me know.

Thank you,

Jim Alberts
KCP&L

From: Alberts Jim
Sent: Wednesday, May 04, 2011 3:17 PM
To: 'Brent Fallon'
Subject: RE: KCP&L

Brent,

I think we have identified the answer to your question; at least it seems to fit the profile. While performing the walk through of your home, we looked at the motors that operate your two furnace/AC fans (they are 115 volts, 9.3 amps, and have a 1 horsepower rating each). Depending on how efficiently those motors run (which can vary based on many inputs), they could easily consume 1,540 KWH monthly (based on an average 30 day month) when set to run in the on position (operating 24 hours per day). While there, our supervisor noted that the fans have now been turned off, so that seems to fit the significant decline in your recent usage. The current meter reading at your home was 97841, with the last reading on 4/12 of 97669 for usage of 172 KWH over 20 days or 8.6 KWH per day. Your April bill had 17.38 KWH per day.

There was also a refrigerator/freezer running, another bar refrigerator running, as well as some outdoor lighting on a timer or photo cell, which would make up the consumption you are seeing now. I am sure there is additional usage for lighting when the home is being shown, but it is hard to document that. As we look back where we began, with the Nov/Dec bill for 1,783 KWH, it is pretty easy to build a scenario to get there, even though your home was not occupied, with the primary user of electricity being the two fan motors for your HVAC units.

While there, we also conducted another meter test, and the meter tested accurately on all standards, so we are very confident that what you have been billed has been used inside your home. Our findings may not be as precise as a full scale home energy audit, but I hope it demonstrates to you that what you are being billed is appropriate and accurate, and we can put this matter behind us.

If you have any questions, please let me know.

Thank you,

Jim Alberts
KCP&L

From: Alberts Jim
Sent: Monday, May 02, 2011 2:24 PM
To: 'Brent Fallon'
Subject: RE: KCP&L

Brent, below is a table (table 1) showing a comparison year over year for the November / December bills (most recently it was 11/9 - 12/13) you asked about. It appears the usage is about the same as prior years on a use per day calculation looking at this one period. It is hard to tell what was going on at the time you moved out, but we do know the meter is measuring correctly (usage is cumulative, so if it was measuring correctly in January when it was tested, it was measuring correctly in November / December). A revealing comparison in table 2 below shows a significant difference during the three month period for 2009 when compared to 2010 and 2008. I am not sure what changed with your usage during that time, but it makes it difficult to compare 2009 to 2010 (October and November are key months). There are some differences in heating degree days by month, but since you told us you are not heat load sensitive, that likely does not explain the difference in 2009, so anything you could recall would be helpful. I also included more detail in a graph for trending and the details used to build the graph should you want to reference them at the bottom of the note. We also went back and checked to see if your meter had been estimated during any of the months in question, which could explain some of the variation, but it has not been estimated.

One question I came back to was when you mentioned you had your HVAC person out to the house – did they happen to run a diagnostic on the furnaces at the time? Let's see what the walk through and second meter test shows us today, then we can plan to discuss the findings.

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Thank you.

Table 1

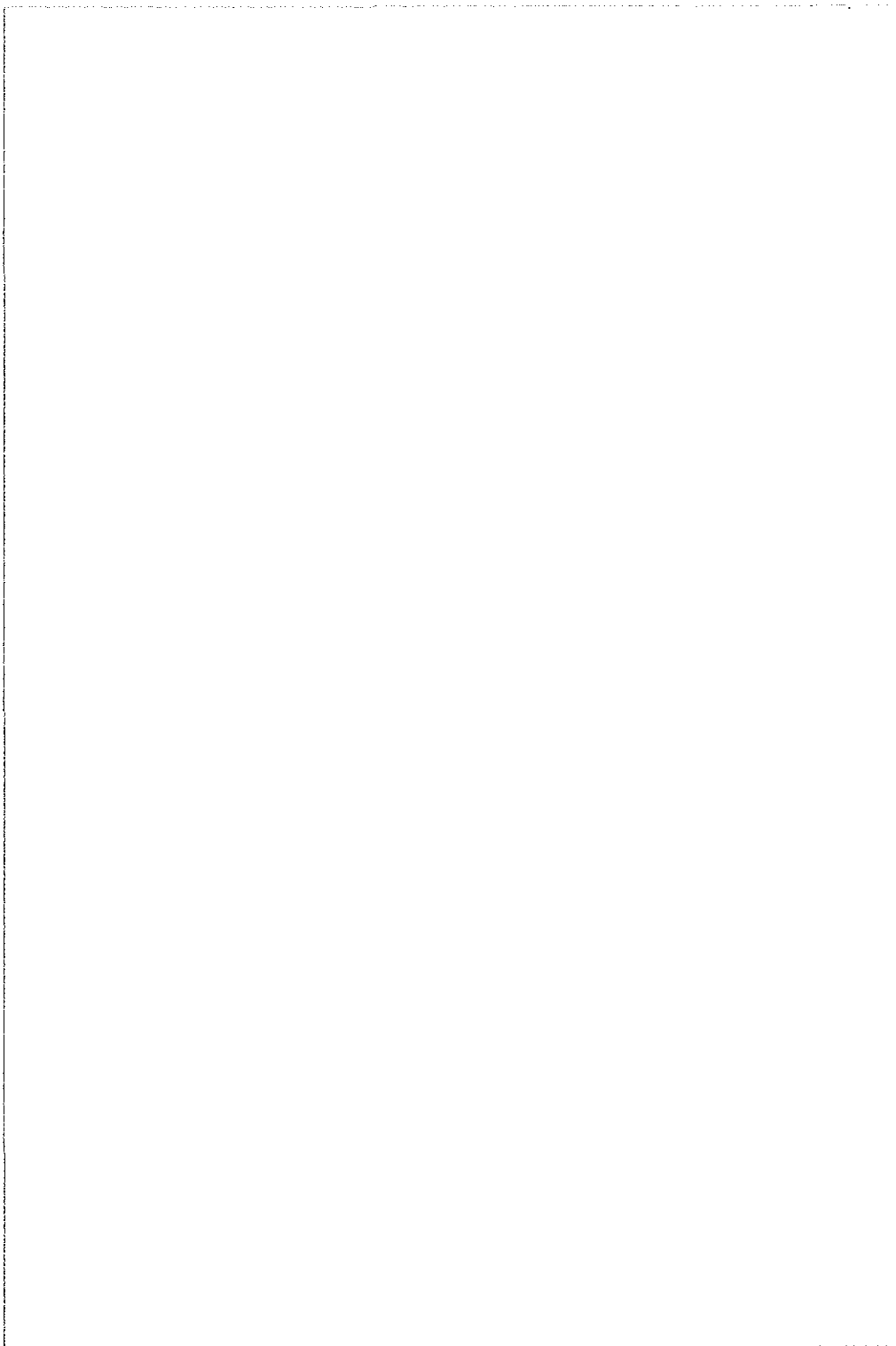
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Table 2

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Data for Graph:



From: Brent Fallon [<mailto:bfallonfrx@aol.com>]
Sent: Monday, May 02, 2011 11:24 AM
To: Alberts Jim
Subject: Re: KCP&L


Jim:
Our realtor will be there at 3:00. Thank you.

Brent

Brent Fallon, CCDS
Sales Representative
Cardiology, Rhythm and Vascular
Boston Scientific Corporation
800-227-3422 Customer Service
269-873-5142 Mobile

On May 2, 2011, at 10:26 AM, Alberts Jim <Jim.Alberts@kcpl.com> wrote:

Brent, they just need access for today, letting them in and out. I will have more information on November by tomorrow. If you can provide access, we should be okay.


From: Brent Fallon <bfallonfrx@aol.com>
To: Alberts Jim
Sent: Mon May 02 09:15:27 2011
Subject: Re: KCP&L

Jim:
Do they need someone to be there during the process or just to let them in and out?


Also, please let me know what your review of the November data shows. Thank you.

Brent

Brent Fallon
269-873-5142 Mobile


On May 2, 2011, at 8:17 AM, Alberts Jim <<mailto:Jim.Alberts@kcpl.com>Jim.Alberts@kcpl.com> wrote:

Brent, I have someone ready for today at 3:00, so please let me know if that will work? Thank you.


From: Alberts Jim
Sent: Thursday, April 28, 2011 12:38 PM
To: '<mailto:bfallonfrx@aol.com>bfallonfrx@aol.com'
Subject: Re: KCP&L

Brent, for the walk through, how about Monday at 3:00 PM? It should take no more than 2 hours. It won't tell us the same as a full audit, but might give us some insight.

I am outside the office right now, so let me go back and review November. It may be difficult to determine and explain what happened then, but we are still confident everything is being recorded properly. Let's see what we can come up with and talk after that.


From: Brent Fallon <<mailto:bfallonfrx@aol.com>bfallonfrx@aol.com>
To: Alberts Jim
Sent: Thu Apr 28 11:51:49 2011
Subject: Re: KCP&L

Jim:
Thank you for your e mails. I am definitely interested in having an operations supervisor build a load profile for our home. Please let me know when this could be done and roughly how long it should take. I will figure out who is best to be there to let you in. Also, the reason this whole thing started was the usage of kWh in an unoccupied home compared to a previous month of usage in a fully occupied home. In answer to a question in one of your previous e mails, we were gone as of the morning of November 8th. There was no occupied usage during

that entire billing period.

A comparison that was e mailed to me showed months December through April, but left out November which is the reason this was drawn to my attention in the first place. If you would, please comment on the November 2010 bill in comparison to the previous months bill. I would expect to see a marked decline in daily kWh usage as the home went vacant. This was not seen. Also, look at the November 2010 bill compared to the prior years usage. Again, I would expect to see a significant drop in usage which was not seen. Am I unreasonable to think that our usage would drop as the home went vacant? All other things remaining equal minus the daily usage of our family?

Please let me know about the operations supervisor and your thoughts on the November data. Thank you.

Brent

Brent Fallon
269-873-5142 Mobile

On Apr 27, 2011, at 9:55 AM, Alberts Jim
<<mailto:Jim.Alberts@kepl.com><mailto:Jim.Alberts@kepl.com>Jim.Alberts@kepl.com> wrote:

Brent, I also had someone run a trend graph for us so we could see the average KWH use per day at your home, and thought it might be helpful for us to see it visually. If you would like to pursue the walk through and/or the observed meter test, we would be happy to do that for you (possibly at the same time so that you would only need someone there once).

<image002.gif>



From: Alberts Jim
Sent: Tuesday, April 26, 2011 3:59 PM
To: 'Brent Fallon'
Subject: KCP&L

Brent, I just left a voicemail for you on your mobile phone, so if you get this message first, it is regarding the same topic. I wanted to know if you might be interested in having one of our operations supervisors taking a walk through of your home, making a list of the items that use electricity, and then build a load profile. It may not be perfect, but at least it would give us a sense for what is going on in your home, and something specific to talk about. In the end we may still need to have you do a more detailed audit, but I think this would directionally help us.

If you have a relative that we could schedule with, or possibly your real estate agent, we would fit it into their schedule. I know this would be an imposition, but it might give us some insight. Please let me know what you think, and if you would be interested in pursuing this option.

Jim Alberts
KCP&L

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From: Alberts Jim <Jim.Alberts@kcpl.com>
To: 'Brent Fallon' <bfallonfrx@aol.com>
Subject: FW: KCP&L
Date: Mon, Apr 25, 2011 1:57 pm

Brent, I want to call your attention to an error on the spreadsheet I sent you for the December 2009 usage. Your question prompted me to verify the data, so I am personally checking all the information now to ensure this it is correct so we can finalize our resolution, and will plan to have one of our operations supervisors attend the meter test should you choose to do that, so that no questions go unanswered. This change does not influence the fact the meter is registering correctly based on the test performed in January. I have printed off images of your statements and compared them with the system generated report so the numbers you see here will be the numbers on your statements. The average reduction in usage is roughly 34% over this five month period when compared year over year. One other possibility, our bills don't correspond to the calendar months, so if by chance you left on or after November 10th, your usage could include some time when the home was occupied?

Please accept my apologies for the data entry error for your December 2009 usage.

From: Alberts Jim
Sent: Monday, April 25, 2011 9:06 AM
To: 'Brent Fallon'
Cc: Chesser Mike
Subject: RE: KCP&L

Brent,

Thank you for your payment.

We have been working with you on this topic for nearly four months, and have demonstrated that the energy we are billing you for is being consumed somewhere in your home. If it will help resolve this, we will offer another meter test, which we would like you to observe so our meter technician can explain the results to you. If you will not be in the area for a while, might a local relative or expert you are comfortable with participate? The first meter test we conducted was in January, shortly after you contacted KCP&L, with test results reflecting that the meter was measuring correctly, which we discussed via email. I believe once you participate in this type of test, you will understand that the meter is accurate and have a better understanding for the energy consumed in your home. The usage analysis I sent to you showed a 40% average reduction in usage compared to the time you were occupying the home a year ago on a kwh per day basis, so I believe this does show a significant difference and correlates to the home now being vacant (the most recent month saw a nearly 69% reduction in kwh per day from the prior year).

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I am attaching a link to a website below, which will provide directions for you to conduct a home energy audit. The program is designed to help homeowners assess their energy usage and efficiency by a certified auditor. Initially, you are required to pay for the home energy audit and any qualifying home improvement made. The total cost of your home energy audit and any qualifying home improvements will then be divided equally between MGE and KCP&L up to a maximum of \$1,200 in bill credits (\$600 from each company) and applied to gas and electric bills as reimbursement. I hope you choose to pursue this audit, as I believe it will help you determine what is using the energy inside your home, and bring closure to this issue, as well as identify ways to make your home more efficient.

<http://www.hpwes.net/>

As to your two questions, I really can't speculate as to what might be using the energy in your home, but can assure you that the energy is being measured correctly. We have made several trips to your home since you let us know the home is vacant to make sure that power is not being diverted from your home. We have also asked a supervisor to reread your meter each of the past two months to ensure that the readings being used for billing are correct, and they have been. One possibility for incremental usage might be if a realtor is showing your home, are they turning on and leaving on lights and appliances that might cause your bills to be higher than expected? You also mentioned an HVAC contractor recently came to your home; did they happen to inspect the motors for your furnaces to see if they were in balance?

Thank you Brent, please let me know how you would like to proceed with the observation of the meter test, and if you have any questions about the energy audit process provided above, please feel free to let me know and I would be happy to help.

Jim Alberts
KCP&L

From: Brent Fallon [<mailto:bfallonfrx@aol.com>]
Sent: Friday, April 22, 2011 4:41 PM
To: Alberts Jim
Cc: Chesser Mike
Subject: Re: KCP&L

Jim:
Thank you for your e mail. If you would, please comment separately on these two things:

1. I know this isn't an exact comparison, but I think the illustration can be made. We now live in Kalamazoo, Michigan where we have a similar sized home. It is still the five of us functioning daily and using electricity. For our 2/19-3/21 (31 days) bill in Michigan- in our fully occupied home- we used a total of 1043 kWh. For our 2/11-3/14 (31 days) bill in Kansas City- in our vacant, non heat pump home- we used a total of 1121 kWh. Again, I know it's not an exact comparison, but does this make sense to you?

2. This is as near to an exact comparison as it gets: In Kansas City our 11/9-12/13 billing period showed average daily usage of 52.44 kWh, vacant house for the entire period. Same period last year, average daily usage was 52.83 kWh- fully occupied with a family of five (and Christmas lights on inside and outside the home starting on 11/26). Does this make sense to you?

Something is not right. As this dispute is unresolved I have made a \$200 Speedpay payment on the KCP&L website, confirmation number 3304958. This amount represents the amount not in dispute. I am asking KCP&L to arrange for an independent third party to perform an energy audit on our home. Please let me know when the audit is scheduled and I will make arrangements to have the house open. When the audit is completed, and dependent on the findings, I will contact you to reconcile the account. If there is any additional information I can provide please let me know.

Thank you,

Brent Fallon

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

From: Alberts Jim <Jim.Alberts@kcpl.com>

To: 'Brent Fallon' <bfallonfrx@aol.com>

Sent: Tue, Apr 19, 2011 2:29 pm

Subject: RE: KCP&L

Brent, I will mark your account as officially in dispute. I will leave it up to you to determine what you believe is not disputed and pay that amount to avoid disconnection of service. The rules ask that we come to a mutual understanding for the portion of the bill that is not in dispute, but at this point I don't believe that would be productive, which is why I will leave that to your discretion. Because the meter test shows we are accurately measuring the energy your home is consuming, we are obligated to bill you for that amount of usage, and not reduce or adjust your bill, which if we did would be unfair to our other customers. We are not able to give you assurances as to what is consuming the power inside the home, but as we have recommended, a home energy audit might give you more insight.

Based on the information you provided about your neighbors, and looking back at your usage compared to the March bill you referenced, your usage last year is in line with your neighbors occupied homes. Your usage this year is 36.75% lower than last year, which supports the fact your home is vacant.

As a reminder, we have addressed your inquiry seriously, and performed the following as part of our investigation:

- Reread the meter each month of your inquiry to ensure accurate readings were used for billing
- Visibly inspected the outside of your home to ensure energy was not being diverted without your knowledge because your home is unoccupied
- Performed a meter test to ensure the meter at your home is measuring usage correctly
- Cancelled all disconnect notices and waived late payment fees over a several month period during the review
- Analyzed your consumption and shared that information with you showing your usage has gone down compared to the prior year when the home was occupied
- Recommended you seek an energy audit to identify what is using the power in your home

It is always unfortunate when we are unable to come to resolution on a dispute, which I regret, because I believe we have done everything possible to assure you that what we are billing you is accurate, and that your bills are reasonable. You always have the option and the right to contact the Missouri Public Service Commission. For your convenience, their number is 1-800-392-4211, and their website link is <http://www.psc.mo.gov/file-a-complaint>. Please accept my apologies for not achieving a mutually agreed to outcome with you, and I look forward to a speedy resolution.

Thank you,

Jim Alberts
KCP&L

From: Brent Fallon [mailto:bfallonfrx@aol.com]
Sent: Tuesday, April 19, 2011 3:15 PM
To: Alberts Jim
Subject: Re: KCP&L

Jim:

Thank you for the follow-up e mail to the phone call. We seem to be missing each other on the phone. Looking at usages on our 11/9-12/13 bill (We moved out on 11/8, leaving the home vacant for this entire billing period) I see an average daily usage of 52.44 kwh's, compared to 52.83 kwh's last year- not much difference considering the home was occupied by a family of five the previous year. I think it is reasonable to assume that something is wrong here. How could a vacant home use nearly as much kwh's per day as a fully occupied home running televisions, computers, washer and dryer, lights, an oven, etc.?

Also, for our most recent bill (29 days) our total usage was 1121 kwh- again, a vacant home with no heat pump. By comparison, our neighbors for the same billing period were home every day using electricity and have heat pumps. Their usage was 1593 kwh. Another set of neighbors, same billing period, home every day using electricity and with heat pumps- usage was 1369 kwh. Again, does this make sense?

I will pay something toward the past due amount, but still consider this in dispute. I would like an independent 3rd party to look into this situation as it has become very time consuming with no resolution in sight. We are obviously at an impasse. I have spent countless hours that I don't have working toward a resolution to this matter. If an agreement can't be reached for some sort of adjustment I will be contacting the Missouri Public Service Commission.

Thank you,

Brent Fallon

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

From: Alberts Jim <Jim.Alberts@kcpl.com>
To: Alberts Jim <Jim.Alberts@kcpl.com>; 'bfallonfrx@aol.com' <bfallonfrx@aol.com>
Sent: Mon, Apr 18, 2011 4:37 am
Subject: KCP&L

Brent, prior to our phone call, I thought I would forward some information to you. Below is a comparison of the past five months of usage (kwh's) compared to the same periods the prior year, which I believe shows that your usage has come down significantly since you relocated. The calculations are all based on the use per day since the usage for each bill has a different number of days on it.

- December – decreased 41.3%
- January – decreased 37.31%
- February – decreased 23.57%
- March – decreased 36.75%
- April – decreased 68.66%

In total for these five months, your usage per day has declined 40.71% compared to the same five months the year before.

Thank you,

Jim Alberts



From: Alberts Jim
Sent: Friday, April 15, 2011 4:55 PM
To: 'bfallonfrx@aol.com'
Subject: Re:

Brent, I am away from the office today. I will plan to call you next week, but would ask that you pay the bill that you have.

We have investigated your inquiries several times, including testing your meter, which indicated your usage was being measured properly. Our communication with you was simply trying to help solve your questions about what could be using the energy inside your home. A question was asked if you had a heat pump, which you told us some time back was not the case. Something inside your home is using the electricity, and as I noted on the last email I sent you, your usage per day did in fact go down quite a bit since you have moved. We sent a technician to your home again this week to verify everything was accurate once your new bill was issued.

We take all inquiries seriously and have worked with you over the past three months to answer your questions. The issue at hand is not if you have a heat pump, it is a question of using electricity somewhere in your home.

I look forward to the conversation, but as I mentioned earlier, I encourage you to pay at least the past due amount.



From: Brent Fallon <bfallonfrx@aol.com>
To: Alberts Jim
Sent: Fri Apr 15 14:06:28 2011
Jim:

I just left a voicemail message on your office phone. I received another bill and disconnection notice today. I have not heard back from you since I left a voicemail last Friday. As I mentioned in my message last week, I had an HVAC person go to my house to confirm that we do not have a heat pump. It was confirmed- we do not have a heat pump. I have a communication from KCP&L that mentions our home being all electric. This is not accurate.

Without the facts straight it will be hard to straighten this out. As I suggested in my voicemail today, if you would like to have a 3rd party look at our system to confirm that it is not electric I can make arrangements for a family member to meet them at our house.

I would like to get this resolved as this is becoming very time consuming. I should be available for the rest of the day and weekend. Thank you.

Brent
269-873-5142 Mobile

On Mar 25, 2011, at 7:15 PM, Alberts Jim <Jim.Alberts@kcpl.com> wrote:

Brent,

I also left you a voicemail message on your cell phone account. I will stop the disconnect order scheduled for Monday, March 28th, but I would like to discuss next steps with you. All of our analysis shows that the metered usage at your address is accurate, which leaves the question as to what is consuming that energy inside your home. From our vantage point outside the home (several on site inspections including testing and verification of meter accuracy), it

appears everything is normal. Your usage for the most recent bill dated 3/14 of 1,121 kwh divided by 31 days yields an average of 36.16 kwh per day. At the same time last year, your usage was 1,658 kwh, for an average of 57.17 kwh per day for a 29 day bill. In this case your usage per day has decreased significantly (almost 37%), so it does seem that your home being vacant is making a difference. A similar trend exists for January and February.

Please let me know how you would like to move forward.

Jim Alberts
KCP&L
816-737-7141