

BEFORE THE PUBLIC SERVICE COMMISSION OF THE  
STATE OF MISSOURI

FILED

MAY 12 2000

FLORENCE BUTLER )  
(your name) )

Complainant )

vs. )

) Case No. EC-2000-750

KANSAS City POWER + Light )  
(company name) )

Respondent. )

Missouri Public  
Service Commission

COMPLAINT

Complainant resides at 300 MYRTLE AVE., KANSAS CITY,  
MISSOURI 64124

1. Respondent, KANSAS City POWER + Light  
(company name)  
of MISSOURI, is a public utility under the jurisdiction of  
the Public Service Commission of the State of Missouri.

2. As the basis of this complaint, complainant states the following facts:

On April 11, 2000, After leaving work I arrived home  
approximately 11:00 p.m. The remote didn't open the  
GARAGE/door, nor did The motion lights come on. Since  
I couldn't enter that way I went around<sup>TO</sup> The Front door.  
There I found a piece of paper stuck in the SCREEN  
door. Once in the house, I scrambled around in the  
DARK, for The phone + a Flashlight. "Certainly some-  
thing was wrong with The Electric, Again". I called The  
Hot-Line Number Twice. Puzzled As To why No immediate  
response, AS USUAL. Sitting waiting for service in the cold  
house, I Longed for my Nightly cup of COFFEE, I felt help-  
less. Then I Noticed A different Address under my NAME

ON THE PAPER THE WORKMAN LEFT. ANYWAY NOW, I  
KEPT CALLING NO BODIES TRYING TO GET A LIVE PERSON.  
A MISTAKE HAD BEEN MADE. I HAVE NEVER HAD MY UTILITIES  
DISCONNECTED. WHATEVER THE CIRCUMSTANCES, I'VE PAID WHEN I'VE  
~~PROMISE TO PAY.~~

3. The complainant has taken the following steps to present this complaint to the respondent:

THAT NIGHT I DID TALK TO A "STEVE", A MAN THAT WOULD NOT  
UNDERSTAND MY URGENCY. I MENTIONED HOW COLD IT WAS, THE  
WRONG ADDRESS, I WAS NEVER GIVEN NOTICE. IF I WAS  
AWARE OF THE SITUATION I WOULD NOT ALLOWED A DIS-  
CONNECT. WHEN I ASKED TO SPEAK TO A SUPERVISOR,  
(STEVE HAD PUT ME ON HOLD 4 TIMES, "TO CHECK SOMETHING")  
I WAS TOLD THERE WERE NONE AVAILABLE. ALTHOUGH I  
WAS GIVEN AN OPPORTUNITY TO SPEAK TO ONE OF "STEVE'S"  
FEMALE COWORKERS. SHE MIMICKED THE SAME ARGUMENT. PAYMENT  
HISTORY (MY DEPOSIT WAS REFUNDED), HADN'T PAID SINCE  
JAN. (I WASN'T RECEIVING STATEMENTS). THEIR FINAL DECISION WAS  
THAT SERVICE COULD NOT BE RESTORED THAT NIGHT. ALSO, I WOULD  
BE REQUIRED TO PAY \$50.00 BEFORE IT COULD BE. ALL THIS TOOK OVER  
2 HOURS ON THE PHONE WITH "STEVE" NO COMPROMISE NO COM-  
PASSION, I WAS TREATED LIKE A DEAD BEAT CON-ARTIST  
THE NEXT MORNING I GOT HOLD OF A SUPERVISOR, SHE CONFIR-  
MED "STEVE" DECISION. AND IF I KEPT ARGUING SHE WOULD MAKE  
ME PAY \$64.00.

WHEREFORE, Complainant now requests the following relief:

MY RECORDS + WHEREABOUTS ARE PROTECTED WHENEVER I CON-  
TACT THE COMPANY. CERTAIN INFO IS NOT RELEASED UNLESS I'M ABLE  
TO PROVE WHO I SAY I AM. I SHOULD NOT BE HELD RESPONSIBLE  
FOR THE COMPANY'S ERROR IN DATA ENTRY, DOUBLE BILLING OR NO BILLING  
EVENTUALLY, THEY HAVE THE TECHNOLOGY TO CORRECT THEMSELVES.  
MOST DEFINATELY, I REQUEST A WRITTEN APOLOGY, FROM ALL INVOLVE  
FROM STEVE, THE CO-WORKER, THE SUPERVISOR AND THE EXECUTIVE I TALKED  
TO. PLUS ANY CHARGES WAIVED WHEN IT'S DISCOVERED IT WAS NOT 300 MYR!  
MAY 1, 2000  
Date

Affrence Butler  
Signature of Complainant

METER THAT WAS BEING READ. ALSO, THE \$10.00 RECONNECT CHG WOULD

P.S. I HAVE 2 CLAIMS ~~AGAINST~~ <sup>WITH</sup> THE COMPANY ALREADY. DID THAT  
HAVE ANYTHING TO DO WITH THEIR ATTITUDE??



**Commissioners**

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**Missouri Public Service Commission**

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Secretary/Chief Regulatory Law Judge

**DANA K. JOYCE**  
General Counsel

**Information Sheet Regarding Mediation of Commission Formal Complaint Cases**

Mediation is process whereby the parties themselves work to resolve their dispute with the aid of a neutral third-party mediator. This process is sometimes referred to as "facilitated negotiation." The mediator's role is advisory and although the mediator may offer suggestions, the mediator has no authority to impose a solution nor will the mediator determine who "wins." Instead, the mediator simply works with both parties to facilitate communications and to attempt to enable the parties to reach an agreement which is mutually agreeable to both the complainant and the respondent.

The mediation process is explicitly a problem-solving one in which neither the parties nor the mediator are bound by the usual constraints such as the rules of evidence or the other formal procedures required in hearings before the Missouri Public Service Commission. Although many private mediators charge as much as \$250 per hour, the University of Missouri-Columbia School of Law has agreed to provide this service to parties who have formal complaints pending before the Public Service Commission at no charge. Not only is the service provided free of charge, but mediation is also less expensive than the formal complaint process because the assistance of an attorney is not necessary for mediation. In fact, the parties are encouraged not to bring an attorney to the mediation meeting.

The formal complaint process before the Commission invariably results in a determination by which there is a "winner" and a "loser" although the value of winning may well be offset by the cost of attorneys fees and the delays of protracted litigation. Mediation is not only a much quicker process but it also offers the unique opportunity for informal, direct communication between the two parties to the complaint and mediation is far more likely to result in a settlement which, because it was mutually agreed to, pleases both parties. This is traditionally referred to as "win-win" agreement.

The traditional mediator's role is to (1) help the participants understand the mediation process, (2) facilitate their ability to speak directly to each other, (3) maintain order, (4) clarify misunderstandings, (5) assist in identifying issues, (6) diffuse unrealistic expectations, (7) assist in translating one participant's perspective or proposal into a form that is more understandable and acceptable to the other participant, (8) assist the participants with the actual negotiation process, (9) occasionally a mediator may propose a possible solution, and (10) on rare occasions a mediator may encourage a participant to accept a particular solution. The mediator will not possess any specialized knowledge of the utility industry or of utility law.


In order for the Commission to refer a complaint case to mediation, the parties must both agree to mediate their conflict in good faith. The party filing the complaint must agree to appear and to make a good faith effort to mediate and the utility company against which the complaint has been filed must send a representative who has full authority to settle the complaint case. The essence of mediation stems from the fact that the participants are both genuinely interested in resolving the complaint.

Because mediation thrives in an atmosphere of free and open discussion, all settlement offers and other information which is revealed during mediation is shielded against subsequent disclosure in front of the Missouri Public Service Commission and is considered to be privileged information. The only information which must be disclosed to the Public Service Commission is (a) whether the case has been settled and (b) whether, irrespective of the outcome, the mediation effort was considered to be a worthwhile endeavor. The Commission will not ask what took place during the mediation.

If the dispute is settled at the mediation, the Commission will require a signed release from the complainant in order for the Commission to dismiss the formal complaint case.

If the dispute is not resolved through the mediation process, neither party will be prejudiced for having taken part in the mediation and, at that point, the formal complaint case will simply resume its normal course.

Date: January 25, 1999



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Dale Hardy Roberts  
Secretary of the Commission