

FILED²

DEC 14 2006

**Missouri Public
Service Commission****North Kansas City Campus**

General Studies Nursing Criminal Justice
 Business Administration Computer Systems Support Medical Assisting
 Radiography Information Systems Technology Surgical Technology
 Health Care Information Technology Health Care Administration Management

*Sent at
4:48 pm
12/13/06
HJ
9/1*

FACSIMILE TRANSMITTAL SHEET

TO: *Colleen Dale* FROM: _____
 COMPANY: _____ DATE: _____
 FAX NUMBER: *573-526-1500* TOTAL NO. OF PAGES INCLUDING COVER: _____
 PHONE NUMBER: _____ SENDER'S REFERENCE NUMBER: _____
 RE: _____ YOUR REFERENCE NUMBER: _____

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMM

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NOTES/COMMENTS

*Filing by
5 pm Today!*

520 EAST 19TH AVENUE
 NORTH KANSAS CITY, MO 64116

(816) 472-7400
 FAX (816) 472-0688

WWW.COLORADOTECH.EDU

Case # EC-2007-0146
Dec. 13, 2006

FILED²

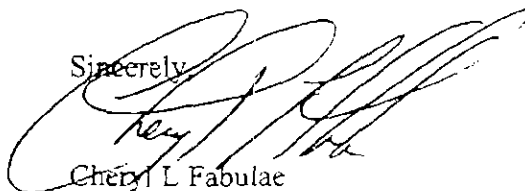
DEC 14 2006

**Missouri Public
Service Commission****RESPONSE TO ORDER DIRECTING FILING**

- 1) I was hospitalized at Liberty hospital for pneumonia from Nov. 21- Nov. 30 and I give consent for verification of this fact. I also give my permission to contact Dr. Thomen Reece at 913-599-2440 who also will verify that I have been too ill to participate in the forementioned hearing and I am still under close observation as my health has significantly deteriorated.
- 2) The witnesses I believe will assist me in this matter is Debbie Egan 816-303-7794, Kim Hickman 816-303-7794, James & Iris Moreland 816-459-7724 also the already identified individuals of KCP&L and The Commission.
- 3) Although I fully expect to either be denied another hearing or given the final ruling in favor of KCP&L I wish to finalize this matter with the commission as soon as possible so I may pursue other legal options which I have been encouraged to pursue.

I also would like to mention I don't fully understand how and by what means I am to file this and as previously stated I have not the strength at this time to put forth more energy toward this matter. I am sure you realize the temperatures have been around 10 degrees on several occasions and although you and KCP&L believe I am perhaps "exaggerating my situation" I assure you that is not the case as if we had anyone or anywhere in which to turn to provide the basics essential to living such as hot water, heat, and the ability to cook a meal I promise I would have made a deal with the devil himself if I could. I certainly hope anyone involved with this cruelty believes that when they are ultimately face to face with god "I was only doing my job" works well for them!

Sincerely,



Cheryl L Fabulae

Cheryl Fabulae
5241 N Bristol
KC, Mo. 64119
H- (816)453-0726
W- (816) 303-7791

Dec. 12, 2006

Commission Case # EC 2007-0146

To Whom It May Concern.

I filed an informal complaint with the Missouri Public Service Commission in July 2006 regarding what I believe to be improper and false billings by Kansas City Power and Light Company. I then subsequently filed a Formal Complaint. The following is a summary of events that have taken place since the initial filing in July. I believe I have been treated not only with disrespect and maliciously but my rights under the Rules of Economic Development for which the Commission operates have been either ignored or circumvented by other statutes in favor of KCP&L. I have been approached by the media but have yet to bring this to that level. I am hoping that you will review the information I am sending and evaluate the conduct of both KCP&L and The commission staff. I appreciate any consideration you give to this travesty as I am on day 40 now with no heat, no hot water, no way to cook & the temps. Have been in the 30s 3 times now! Even the Humane Society will rescue pets if they are left in the cold with no food and water yet a utility company with nothing to loose is allowed to treat human beings in this manner.

- 1) I received a letter from Ms. Bocklage of the commission on 8-12-06 which contained a summary form KCP&L response to my complaint.
- 2) 10-02-06 KCP&L came to my home to DC my service, and stated my complaint had been closed by the commission. I stated that I had never received a final outcome from Ms Bocklage and had mailed my response as directed to her on 8-22-06. KCP&L did at that time with me on the line on hold with the commission and having showed them the only correspondence I had from the commission DC my service which ended my call as I have digital phone service. I then contacted the commission in regard to my DC of service and a Ms. Gaye Fred stated they had never received my reply therefore the case had been closed. I asked why I did not receive a notice of determination see statute 4CSR 240-2.070(4-A,B) Ms Fred replied the summary letter I received on 8-12-06 was sufficient notification, however she would instruct KCP&L to restore my service and I was to resubmit my reply ASAP.
- 3) My service was restored 2 hours later and I subsequently was charged a reconnection fee of \$25.
- 4) 8-03-06 @ 6:15PM I resubmitted by fax at my place of employment 53 pages of what I believed to be discrepancies in KCP&Ls billings.
- 5) 8-04-06 at 10AM I received a fax from Ms Bocklage stating my information was received and would be reviewed. (I had informed Ms. Bocklage both verbally and

in writing that I did not want any of my information faxed to my employer as I do not have immediate secured access to a fax machine and it would be seen by employer and coworkers and would be in violation of the Federal Trade act Section 1287, which protects my right to confidentiality.

- 6) 10-05-06 I received a voice mail at my place of employment from Ms Fred at aprox 9:30 AM asking me to return her call to discuss their findings. I left 2 voice messages for Ms Fred with no response.
- 7) 10-05-06 I received a fax (brought in by my employer's secretary) at aprox. 2PM from Ms Fred containing their conclusion that KCP&L had done nothing wrong and 2 statutes relating to tampering and a threat of prosecution were attached they also stated my numbers could not be verified (this fax contained my utmost personal financial history in regard to KCP&L).
- 8) 01-05-06 aprox. 3:15 PM I was able to reach "Vicki" with KCP&L . I spoke with Vicki using speaker phone in my office with 2 coworkers present as they were already aware of what was happening as a result of the fax. I informed Vicki she was on speaker at the beginning of the call. I stated per 4CSR-13.070(6) I intended to file a formal complaint immediately and she could not DC my service until the resolution of this matter. Vicki stated she would NOT DC my service if she received notification of my Formal complaint being filed. Vicki then stated she was not "comfortable " talking over speaker with witnesses present I replied that they do this all the time with me and I have the right to have someone present to testify to what is actually being said.
- 9) 10-05-06 at aprox 4:15PM I finally reached Ms. Fred at the commission and asked her to allow me to explain how I had arrived at the numbers I had sent. This call was also done via speaker with my 2 coworkers present. Ms. Fred stated that I would not be allowed to explain and that they did not have to make KCP&L maintain my service and they have every intention of DC ing my service the following day. Ms Fred was hostile and nasty and when I told her that I have cancer and my infant grandson living with us she replied " I don't know this as a fact and I really don't care it has nothing to do with this, I also think you misunderstand and think we are a consumer advocate which we are not! I informed her that I was fully aware of this as they had not done one thing on my behalf since I filed however I was under the impression that they were the only agency available to assist with a dispute and had any influence at all over KCP&L. I also informed her that contrary to the fax she sent which stated I could only file my complaint via postal mail I already had faxed the Formal complaint document. and DCing my service would be in violation of 4CSR 240-13.050. Ms Fred became very angry and stated they had a meeting and they decided my 30 days to file was initiated from the date of the letter sent by Ms Bocklage on 8-01-06. I reiterated that this letter did NOT claim any outcome and was merely a summary of KCP&Ls position. Ms Fred stated we find it is sufficient! Ms. Fred ended the call by stating "PAY YOUR BILL!"

- 10) 10-06-06 according to KCP&Ls hand written note of their field technician my service was DCd at 10:35 AM. My formal complaint was sent according to my fax transmission at 2:52PM on 10-05-06 but was not stamped "Filed" by the commission until 10:52AM (17 minutes later).
- 11) 10-11-06 My husband received a letter from the commission stating my case had been filed on the very day KCP&L DCd our service. My husband then contacted Vicki at KCP&L and asked that they restore our service. "Vicki" replied she never stated she would restore service and that she was unaware she was on speaker phone which on both accounts are false. Vicki then stated she would not restore service until legal council directed her to.
- 12) 10-18-06 I received a letter from the commission with a document enclosed titled "Exparte" communication. The information contained in this document referred to a voice message I had left on Colleen Dale's voice mail at the commission pleading that someone enforce their own state statutes and restore my service. A copy was also sent to KCP&L. After receiving KCP&Ls answer on 11-09-06 that clearly outlines on at least 2 occasions 1) The summary initially provided 8-01-06 by Ms Bocklage was generated after she contacted KCP&L for input of their position and 2) "A teleconference between KCP&Ls reps. And Commission staff by their own admission "thoroughly reviewed my case" I am left in quandary as to why I was not notified of these interactions for which I was never asked to be a part and why I was not allowed to support my findings by Ms. Fred as it is apparent that KCP&L has been given the utmost courtesies. Why is any of my communication ignored or shared with the respondent yet I am left out of the proceedings entirely?
- 13) 10-23-06 I received an Order Directing Filing from the commission which responds to my charge of statute violations which the commission finds in my favor regarding the DCing of my service but then in the next paragraph retracts that finding and sites an additional statute.
- 14) 10-25-06 KCP&L rep "Jerry Reynolds" contacted me at my home at aprox. 10:15AM and stated " I wanted to see if we could narrow down these charges. He made no mention he was responding to an order from the commission. I informed him I had no access to my documents therefore could not respond.
- 15) 10-26-06 I received the Order Directing Filing which ordered myself & KCP&L to attempt to mutually agree on charges not in dispute. Mr. Reynolds filed his response and stated after a "discussion" between himself and me we were unable to agree. Mr. Reynolds deliberately attempted to deceive the commission by inferring a "Discussion" had taken place and that he stated if I was to pay 50% of disputed Charges they would restore service. Pay 50% of What by his own admission we did not agree on the amount in dispute.

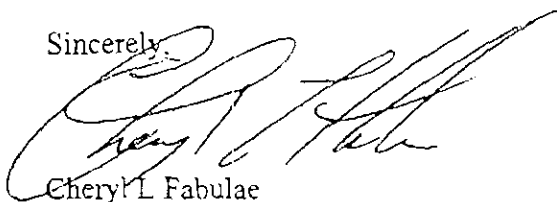
- 16) 10-27-06 Commission's General Council staff Mr. Kevin Thompson filed a motion of expedited treatment and restoration of services after he received a fax from one of my physicians regarding how my present health status has been deteriorating as direct result of no heat, as my home is entirely electric! I did not ask my physician to do this however ALL the Drs. Involved in my cancer treatment are OUTRAGED and willing to testify or anything else they can do to stop KCP&Ls cruel and inhumane treatment! This Motion also clearly states "KCP&L WOULD SUFFER VERY LITTLE COST RELATED TO RESTORING MY POWER!" No response or even acknowledgement of this filing has ever been received from the Commission or KCP&L.
- 17) 11-03-06 3:45PM I once again received a call from a "Chuck Blanc" rep of KCP&L and when I initially picked up the phone(my neighbor was on an extension) I heard LAUGHTER and a female voice state "you do the talking" I then said Hello. Mr. Blanc did not acknowledge anyone else on the line. Mr. Blanc then said he was responding to another order directing filing by the commission to attempt to mutually agree on a disputed amount. I stated I was willing to pay the \$130.00 estimated bill for November although this bill was from 9/12-10/12 and I have been without service since 10/06. Mr. Blanc then stated then I guess we can't agree and the call ended. I am very happy that KCP&L feel so confident and secure in their position that they find a 43 year old teacher with cancer and no heat, no hot water, no way to cook etc. amusing!
- 18) 10-07-06 I received a copy of KCP&Ls latest response to order directing filing where they state they will restore my service for \$1,500.00 no one seems to care that I have already paid them \$2,000.00 in the last 90 days and have spent aprox. \$1,300.00 in the last 30 days to attempt to keep warm and buy food I already have had to not buy medications and miss Dr. visits because we can't afford it as a direct result of KCP&Ls cruelty. Again I would like to reiterate Mr. Thompson's motion that KCP&L would not suffer financial harm by restoration of my service they also according to the statute they rely on could opt to ask for an amt equal to our usual bill see 4CSR 240-13.045 but prefer an amount they know I can not pay!
- 19) I also believe KCP&L is discriminating against me for the filing of this complaint and are retaliating against me in violation of 4CSR 240-13.010 by ignoring the minimal requirements offered by the statutes and even the Cold Weather Law which is now in effect!
- 20) 11-10-06 I received a copy of KCP&Ls answer to my complaint which concludes that I did not allege any misconduct or billing errors by KCP&L. I am amazed at how this conclusion was derived as the entire situation stemmed from numerous complaints about charges, Refusal of KCP&L to explain charges, KCP&Ls demands for large sums of money to initiate payment plans only to then ask for additional money days later to continue plan or until cold weather law stopped in march then full amount due again, and not to mention the 2 incidents where

KCP&L stated we had to pay a determined amount to reinstate our service yet after we paid the amount they continued to refuse service as they had applied \$564.00 to a Deposit which they never mentioned until then!! Even now they are requesting another \$345.00 toward Deposit which again by the statute states "Deposits shall not exceed 2 times the normal actual consumption billing over the last 12 months" They claim to have referred us to agencies to assist us we humiliated ourselves by asking for assistance but were turned down as we are slightly above the "Poverty Level" therefore we don't qualify or the agency could only give \$50-\$150 per person my bill was \$3,000!

21) I have since relieved 2 bills from KCP&L for services covering the dates for which I have had no service and I also believe this has occurred on all previous disconnects that I was billed for services not provided to me. The 2 bills of late are for \$130.00 each.

In conclusion we have been a customer of KCP&L since 1988 (14) years at the time of our home burning down in 2001. Although I am filing "Pro Se" as I can not afford to pay for an attorney and maintain heat, hot water, cooking etc. *feel at the very least I should receive the same courtesies as the Respondent KCP&L.* We even built our new home all electric due to KCP&L promised a discounted rate if we did so. We had an established history with our highest bill ever being in 1998 of \$609.00. Due to KCP&L never informing us of the existence of the Commission we have endured 5 years of on again off again service in fact being DCd aprox 12 times in the last 2 years! By KCP&Ls own admission that they DC service after 91 days past due I do not comprehend how given an average monthly bill of \$225.00 we possibly being a single family residence acquire a bill of \$1,800 - \$3,000 this would be the equivalent of aprox. 8 - 16 months of absolutely NO PAYMENT! Depending on the outcome of this complaint I have full intent to respond to the media as if this could happen to me it could happen to anyone! I Hope you have a wonderful Thanksgiving!

Sincerely,



Cheryl L. Fabulae

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