

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
LEGAL
WORKING FILE

FROM: BEVERLY BARKER

DATE: FEBRUARY 28, 2019 *INT-G-19-03*

SUBJECT: FORMAL COMPLAINT OF RAUL MENDEZ AGAINST
INTERMOUNTAIN GAS COMPANY

On January 25, 2019, Raul Mendez filed a formal Complaint, Attachment A hereto, against Intermountain Gas Company (the Company). Mr. Mendez asks the Commission to order the Company to:

- (1) Refund a \$14.00 Account Initiation Charge, plus accumulated interest applied to his account in October 2018;
- (2) Pay costs of \$72.00 incurred in the drafting of his Complaint;
- (3) Bar the Company from charging fees for voluntarily disconnecting service, especially if the reason for requesting disconnection is due to financial hardship;
- (4) Warn the Company that they must comply with the Commission's rules; and
- (5) Warn the Company "about manipulation of fees to the detriment of Idaho customers."

See Complaint at 10-11.

Mr. Mendez filed his Complaint after becoming unsatisfied with the outcome of informal proceedings. His formal Complaint thus asks the Commission for "more accountability and transparency of the IPUC complaint process and to warn staff of not giving the appearance of bias."

BACKGROUND

Mr. Mendez contacted Commission Staff several times about the Company's rates and charges and his bills. In this particular instance, Mr. Mendez objects that the Company charged him an Account Initiation Charge after he tried to save money by having the Company disconnect his service in the summer and then reconnect service at the same address before winter. Mr. Mendez questions whether the Account Initiation Charge is "a valid charge on an already existing account" and whether a customer "can disconnect gas service without incurring additional fees such as an initiation fee for restarting service." *See* Complaint at 1. Staff notes that the Commission has authorized the Company to assess an Account Initiation Charge whenever an account is opened. *See* Intermountain Gas' Tariff, Section A, Sheet No. 6, Section 9.4, and Attachment B hereto. Mr. Mendez also questions the amounts billed by the Company in the past during the summer, when he believes no gas was consumed. *See* Complaint at 1.

Mr. Mendez also alleges that Commission Staff violated his right to due process during informal proceedings. Specifically, he complains that Staff insufficiently explained the Commission's rules and the Company's rates and charges. *See* Complaint at 7, 9 and 10.

Finally, Mr. Mendez's Complaint refers to the Fair Debt Collections Practices Act. However, it is unclear which specific collection practices of the Company he disputes and how this federal law might apply under the circumstances. *See* Complaint at 9 and 10.

STAFF RECOMMENDATIONS

Staff recommends that the Commission issue a summons to Intermountain Gas and direct it to file a response to the Complaint.

Further, given that Mr. Mendez has identified several issues that are more appropriately addressed by Staff, Staff requests that it also be allowed to respond to the Complaint.

Staff recommends the Commission allow the Company and Staff to file their responses within 21 days after the Commission issues the summons.

Staff recommends that the Commission then allow Mr. Mendez 14 days after the response deadline to file a reply.

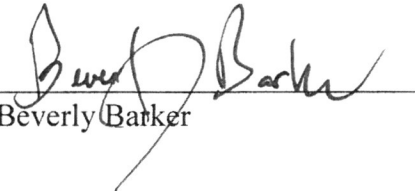
Finally, Staff recommends that the Commission direct the Company, Staff and Mr. Mendez to meet within 30 days after Mr. Mendez's reply deadline to explore whether they might

resolve some or all of the issues. Staff then would update the Commission within 14 days about settlement efforts in order to allow the Commission to make a decision.

COMMISSION DECISIONS

Does the Commission wish to:

- (1) Accept Mr. Mendez's formal Complaint?
- (2) Issue a summons to Intermountain Gas, giving the Company 21 days to respond after the summons issues?
- (3) Allow Staff to respond to the Complaint within 21 days after the summons issues?
- (4) Allow Mr. Mendez to reply within 14 days of the response deadline?
- (5) Direct the Company, Staff and Mr. Mendez to meet and confer within 30 days of the reply deadline, with Staff to report to the Commission within 14 days on the outcome of the meeting or with further process recommendations?


Beverly Barker

Udmemos/Decision Memo Mendez_sckkbbrev

ATTACHMENT A

Raul Mendez

2712 N. Goldeneye Way

Meridian, ID 83646

PH (208)860-5037

Raulmendez2002@gmail.com

RECEIVED

JUN 25 PM 1:24

STATION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

RAUL MENDEZ,

CASE No.

Complainant,

VS

CUSTOMER COMPLAINT

INTERMOUNTAIN GAS COMPANY,

Respondent.

NOW COMES RAUL MENDEZ, complainant charges as follow:

Mr. Mendez complains against the above utility company providing gas for Idaho residents. Mr. Mendez notes that most of his communications over the past 1.5 years have been with staff at the Idaho Public Utilities Commission thru the Informal complaint procedure, *Rule 402 01; IDAPA 31.21.01*. He has received little correspondence from Respondent because they indicated that they don't respond to email even when their website indicate that it is one of the means to contact them. Mr. Mendez charges that the staff with the Idaho Public Utilities Commission violated his Due Process rights and Intermountain Gas violated his rights under the Fair Debt Collections Practices Act (FDCPA).

ISSUES

- 1) Is an account initiation fee of \$14 dollars a valid charge on an already existing account?
- 2) Should the charges be consistently the same over the summer on an account that shows no use of gas?
- 3) can a customer disconnect gas service without incurring additional fees such as an initiation fee for restarting service?

FACTUAL BACKGROUND

On 7/6/2017, Mr. Mendez contacted respondent questioning why he had been charged \$7.41 for July 2017 when on July 2016 and over the entire Summer of 2016 the charge had been \$5.34. Mr. Mendez indicated that he does not use gas over the summer including heating for water. He questioned why there was an increase of 2.07 from the previous summer when it should be identical since there is no gas usage. Furthermore, he indicated that for many years it had been \$5.34 over the summer months when he does not use gas.

On 7/7/2017, Respondent explained that the difference in the bill from 2016 summer to 2017 summer is due to the customer charge going from \$2.50 to \$5.50 as of 5/1/2017.

On 7/25/2017, Mr. Mendez called utility to ask how to disconnect service over the summer since there is no usage of gas and to save money for the winter. He was told by Sydney in Customer service that there would be a 14 dollar reconnect fee to restart service in the winter.

On 7/30/2017, Mr. Mendez contacted respondent via email and told customer service that he has not being able to find on their website anything in regards to a 14-dollar reconnection fee.

On 8/3/2017, Mr. Mendez requested respondent send to him the information where it says that there is a 14 dollar reconnect fee.

On 8/4/2017, Respondent explained to Mr. Mendez that the \$14 fee is not a reconnect fee but initiation fee for starting service. He was directed the FAQs on the company's website. *see exhibit 1.*

On 8/4/2017, Mr. Mendez replied to respondent pointing out that an initiation fee is entirely different than a reconnect fee. I already have the service on, therefore the 14-dollar charge does not apply. furthermore, I see that you do indeed charge a reconnect fee only if the service has been disconnected due to non-payment. The company's website indicate that an initiation fee is charged on each account opened with Intermountain gas. *see exhibit 1.*

On 8/9/2017, Mr. Mendez contacted respondent stating that if there is no usage then there should be the same fee every statement during summer whether it's \$5.34 or \$7.41. How is it possible that the cost of gas per terms and the distribution costs varies from July 2017 to August 2017 when there is no gas usage. *see exhibit 1.*

On 8/24/2017, Curtis Thaden with the IPUC handled the informal complaint. He indicated that when the customer places a request to reconnect a \$14 'account initiation charge' is assessed to open a new account. He further indicated that the account number in the new account will be the same as the closed out account. He stated that if an account is closed for longer than 10 days and a request is made to reconnect

service the utility company will consider that person an applicant and not a customer. Mr. Thaden indicated that though your furnace is not operating in the summer months Therm usage is being recorded. More than likely the recorded usage is from a pilot light of the furnace and hot water heater and gas is being used to heat the water. This explanation was provided even when Mendez made it clear that no gas is being used at all during summer including heating for water and when for many years the per therms and distribution costs have been the same during summer months when there has been no use. see **exhibit 1.**

On 9/12/2017, Mr. Mendez questioned respondent if the fees are being manipulated. It was 4 therms summer 2016 as well when there was no gas usage. However, it was \$2.06 and \$7.08 in 2016 when the customer charge was \$2.50. It is still 4 therms summer 2017 but because the customer charge is now \$5.50, it appears that Intermountain Gas has lowered the same 4therms to \$1.86 and \$0.69. it was \$5.34 summer 2016 and it is \$8.05 summer 2017. No gas is being used at all during summer. Comparison between prior years and 2017 summer show a consistent 4 therms but somehow the statements for this year ends up being 3 dollars more. He got no response. **see exhibit 1.**

On 4/30/2018, Mr. Mendez contacted respondent again regarding a seasonal shut off over the summer since he does not use gas during warm weather. He noted in August 2017 that there was no point in disconnecting service that late since it would have to be restarted in October but he would plan on the seasonal disconnect in 2018.

On 5/2/2018, Respondent talked to Mr. Mendez on the phone and provided him with Order No2738941026 and indicated there would be a \$14 initiation fee to restart service.

On 5/4/2018, Mr. Mendez told respondent that the \$14 fee is for new accounts but his account has been open for 15 years.

On 5/4/2018, Respondent told Mr. Mendez that once your account is closed for 10 days you're no longer a customer. So, the \$14 initiation fee for a new account would apply when you start service in the fall. **see exhibit 1.**

On 5/12/2018, Mr. Mendez asked respondent to provide the exact location on the policies where it states that the utilities can charge the 14-dollar initiation fee on an already existing account. **see exhibit 1.**

On 5/18/2018, Mr. Mendez told respondent that his account has been opened for 15 years and that they are trying to charge 14 dollars to restart the service on an existing account which is current and not stopped due to non-payment. **see exhibit 1.**

On 6/7/2018, Mr. Mendez contacted Mr. Thaden with the IPUC regarding the ongoing issues with respondent. Mr. Mendez told Mr. Thaden that the IPUC has approved a 14-dollar initiation fee on a new account but not on existing accounts that have been temporarily disconnected.

On 6/8/2018, Mr. Thaden told Mr. Mendez that Section 9.4 of the approved tariff allows intermountain gas to charge a fee of \$14 or \$40 whenever a customer requests service, even if the requestor previously had an active account. If a customer requests disconnection of service, service is disconnected and the account is closed. The account is no longer active and the former customer is no longer classified as a customer. **see exhibit 1.**

On 6/14/2018, Mr. Mendez told Mr. Thaden that he had not being able to find anywhere where it specifically states that an existing account becomes a new account after it has been closed for more than 10 days.

On 6/19/2018, Mr. Thaden told Mr. Mendez that the word existing is causing confusion and that existing implies that something is current. when a customer closes out their account, the account is no longer an existing account and that person is no longer a customer of the utility. Only active accounts are existing accounts. A customer is defined by the Utility Customer Relation Rules as someone who is receiving service from a utility or has received service within the past ten calendar days prior to termination by the utility. **see exhibit 1.**

On 7/20/2018, Mr. Mendez told Mr. Thaden that under section 9.4 of the tariff and under the fee policy (approved by the IPUC) there was nothing in the language indicating that "when a customer closes out their account, the account is no longer an existing account and that person is no longer a customer of the utility. If he/she, at a later date decides to become a customer again, and requests service be established, an account is opened."

On 8/2/2018, Mr. Thaden indicated again that if a customer voluntarily disconnect service and then decides to reconnect service again an account initiation charge is assessed. Often, IG will issue the same account number as previously issued as a courtesy to a customer for the purpose of bill pay and automatic withdrawal from the individuals banking account. **see exhibit 1.**

On 8/2/2018, Mr. Mendez replied to Mr. Thaden that if the same account number is "issued" for the purposes of billing, then any reasonable person would conclude that it was an existing customer with an existing account with an existing billing information that is having the service restarted. In other words, it is not a new applicant for service.

On 8/3/2018, Mr. Thaden told Mr. Mendez that the customer definition specific to "has received service within the past 10 calendar days prior to termination by the utility." Termination by the utility refers to any condition that brought about the termination of service which includes customer requests. **see exhibit 1.**

On 8/15/2018, Mr. Mendez told Mr. Thaden that he could not find anything on the IPUC rules regarding to "any condition that brought about the termination of service which includes customer requests."

On 10/9/2018, Mr. Mendez contacted respondent noting that he received the bill for 10/2018 for which 14 dollars had been charged as an initiation fee on an existing account which now showed as being active.

On 10/18/2018, Mr. Thaden told Mr. Mendez that if you file a formal complaint and the Commissioners accept the complaint, IG will respond to the Commission. **see exhibit 1.**

On 10/25/2018, Mr. Mendez attached a link from the Idaho Supreme Court for Mr. Thaden review. The link is a guide regarding the IPUC and utilities in Idaho. It asks the question: my utility charged me a deposit before they turned on my service. Can they do that? Usually, no. However, a utility may charge a deposit when they turn on your service if you had your service terminated for nonpayment at previous address. The link indicated too that IPUC rules applied to the water utility like Suez. yet. Suez does not charge an 'initiation' fee for restarting service after temporary disconnections. Aren't the rules the same for all three utilities? **see exhibit 1.**

On 11/6/2018, respondent told Mr. Mendez that the 14-dollar initiation fee as well as the interests on the past due balance is allowed, and even mandated by our tariff that is approved by the IPUC. **see exhibit 1.**

On 11/6/2018, Mr. Thaden told Mr. Mendez that if the Commissioners were to rule in your favor I am certain that Intermountain Gas would be ordered to remove the \$14 fee and interest charges from your account. The 14-dollar initiation fee is allowed per each company tariff and is not a violation of any rule. Also, keep in mind that both Intermountain Gas and Idaho Power incur costs when having to reconnect service and those costs are not recovered in rates. **see exhibit 1.**

On 11/8/2018, Mr. Mendez told Mr. Thaden that basically, the 14-dollar charge that is in dispute is for sending someone to turn on service on an existing account. it's just that IG are not saying that it is a fee connected with sending someone to turn it on; instead they claim it is an initiation fee on a new account. What about Suez? many people request seasonal disconnects during winter if they are away from home to avoid frozen pipes. They don't charge an initiation fee on existing accounts. aren't the IPUC rules the

same for the utilities?

On 12/4/2018, Mr. Thaden told Mr. Mendez that when you called IG to start service again an account was opened; often the company will issue the same account number as previously used for a customer's convenience for electronic payment purposes. IG assesses a \$14 account initiation fee when a request for service to be established is requested. For service to be established an account has to be opened. In review of the company's tariff under section 9.4, the wording states "on each account opened" not new account. Suez water does not charge an initiation fee. Each utility company has its own set of guidelines, business practices, and rate design so policy will vary from utility to utility. I do not believe the commission will waive a fee that has previously been approved by the Commission. **see exhibit 1.**

ARGUMENT

Mr. Mendez has only included email correspondence on exhibit 1 for organizational purposes of this complaint. He refers to some links/attachments in the above correspondence that will be included as separate exhibits. He will refer to pertinent Rules and he will also refer to *K.W v. Idaho Department of Health and Welfare, State of Idaho. Case No 1:12-cv-00022*. A US District Court of Idaho case involving violations of due process rights. He will refer to the FDCPA.

On 5/18/2018, Mr. Mendez attached a picture for respondent of his IG account showing as the service being stopped. **see exhibit 2.** On 10/9/2018, Mr. Mendez attached a picture for respondent of the same account number with the same account name for the same address showing as the service being active. **see exhibit 3.** On 10/9/2018, Mr. Mendez also attached a picture of respondent's website showing the fees approved by the Idaho Public Utilities Commission. **see exhibit 4.** Respondent and Mr. Thaden frequently refer on the above emails to 9.4 under IG tariff. **see exhibit 5.** On 10/25/2018, Mr. Mendez attached a link from the Idaho Supreme Court website to help people with questions about utilities. **see exhibit 6.**

Rule 5 of IDAPA 31.21.01 defines an applicant as any potential customer who applies for service. Defines customer as any person who has applied for, has been accepted by the utility and is: receiving service from a utility or has received service within the past ten days prior to termination by the utility. defines utility as any public utility providing gas, electric or water service subject by law to the Commission's jurisdiction.

IDAPA 31.21.01, Rule 101.01 states that no utility shall demand or hold a deposit from any current residential customer or applicant for residential service without proof that the customer or applicant is likely to be a credit risk or damage to property of the utility. A utility shall not demand or hold a deposit

under this rule as a condition of service from a residential customer or applicant unless one or more of the following criteria applies: a) the customer or applicant has outstanding a prior residential service account with the utility that accrued within the last four years and at the time of application for service remains unpaid and not in dispute. b) the customer's or applicant's service from the utility has been terminated within the last four years for one or more of the following reasons: i. nonpayment of any undisputed delinquent bill; ii. misrepresentation of the customer's or applicant's identity for the purpose of obtaining utility service. d) the applicant did not have service with the utility for a period of at least 12 consecutive months during the last four years and does not pass an objective credit screen.

IDAPA 31.21.01, Rule 104 states that if the utility requires a cash deposit as a condition of providing service, then it shall immediately provide an explanation to the applicant or customer stating the precise reasons why a deposit is required. The applicant or customer shall be given an opportunity to rebut those reasons.

IDAPA 31.21.01, Rule 107.02 states that the utility shall promptly return the deposit (with accrued interest) by either crediting the existing customer's current account or issuing a refund. **Rule 107.03** states that the utility shall pay interest at the annual rates established in Rule 106 for the entire period over which the deposit was held.

IDAPA 31.01.01, Rule 21 states that the Commission may provide that informal proceedings may precede formal proceedings in the consideration of a rulemaking or a case.

Mr. Mendez has already spent a significant amount of time corresponding with Mr. Thaden in regards to his complaint against Intermountain Gas. The informal complaint has resulted in a violation of Mr. Mendez right to Due Process as Mr. Thaden has provided information that conflicts or overshadows the language of the IPUC rules, or just misrepresented information to Mr. Mendez. In the Federal Case *K.W v. Idaho Department of Health and Welfare, State of Idaho. Case No 1:12-cv-00022*; Judge Winmill explained that the first Notice reducing benefits to disabled participants failed to provide due process because it made it difficult for a participant to determine why his budget had been reduced and left him unable to effectively challenge the reduction. A second proposed notice failed to properly notify participants of the reasons for IDHW's actions. Judge Winmill stated that one of those procedural protections is the establishment of clear ascertainable standards that "insure fairness and ...avoid the risk of arbitrary decision making," citing *Carey v. Quern, 588 F.2d 230, 232 (9th Cir. 1978)*.

The explanations provided by Mr. Thaden thru the informal complaint violate Due Process because they make it difficult for people to determine why Respondent/utilities under IPUC Jurisdiction are charging

\$14 to restart service and the conflicting information makes it difficult to challenge the charge. Mr. Thaden explanations failed to properly inform the public why utilities like IG charge an initiation fee on existing accounts. Judge Winmill ruled against the IDHW in violations of Due process precisely because the lack of clear ascertainable standards to avoid the risk of arbitrary decision making.

For example: **Mr. Thaden** stated that the 14-dollar initiation charge is assessed to open a new account and if the account had been closed for longer than 10 days and request is made to reconnect that the utility will consider the person an applicant and not a customer. **Mr. Thaden** also stated that Section 9.4 of the tariff allowed IG to charge the 14 dollar whenever a customer requests service even if the requestor previously had an active account. **Mr. Thaden** stated that the customer definition specific to "has received service within the past 10 calendar days prior to termination by the utility; termination by the utility refers to any condition that brought about the termination of service includes customer requests. **Mr. Thaden** stated that if the Commissioners were to rule in your favor I Am certain that IG would be ordered to remove the \$14 fee and interest charges. **Mr. Thaden** stated that Suez does not charge an initiation fee and each utility company has its own set of guidelines, business practices and rate design so policy will vary from utility to utility and he also noted on his last email that he now did not believe the commission will waive a fee that has previously been approved.

IDAPA 31.21.01 Rule 5 defines utility as any public utility providing gas, electric or water service subject by law to the Commissioner's jurisdiction. The Utility questions under the the Idaho Supreme Court site to help people show that the IPUC adopts rules that apply to residential customers of investor-owned utilities such as Idaho Power, Intermountain Gas and Suez water. Mr. Mendez has seen nothing in the IPUC rules to indicate that Suez has a different set of rules than other utilities under IPUC jurisdiction in regards to the 'initiation fee.'

IDAPA 31.21.01, Rule 101.01 clearly state that a utility shall not demand or hold a deposit unless: 1) the customer or applicant has an outstanding prior account with the utility that accrued within the last four years and at the time of application of service remains unpaid and not in dispute, 2) the customer's or applicant's services from the utility has been terminated within the last four years for i. nonpayment of any undisputed delinquent bill, ii. misrepresentation for the purpose of obtaining utility service, 3) the applicant did not have service with the utility for at least 12 consecutive months during the last four years and does not pass an objective credit screen. It is clear that the 14-dollar initiation fee on Mr. Mendez case became a deposit that respondent charged (to restart service) to an existing account that did not met any of the above criteria under the rule. Respondent would not have been able to assess the 14-dollar fee if there was no account on file even if the applicant/customer was delinquent for four years or if the

applicant did not have service with IG for 12 consecutive months during the last four years. Mr. Mendez account was already opened and was temporarily disconnected by the customer NOT the utility.

Mr., Thaden stated that "has received service within the past 10 calendar days prior to termination by the utility"; termination by the utility refers to any condition that brought about the termination of service includes customer requests. However, that is not what the rule states. **IDAPA 31.21.01 Rule 5** defines a customer as any person who has applied for, has been accepted by the utility and is: receiving service from a utility or has received service within the past ten days prior to termination by the utility. Due process requires that the rule specifically state that "termination by the utility refers to any condition that brought about the termination of service including customer requests." Otherwise, there is no clearly ascertainable standards. Due process requires that the 9.4 Tariff actually state that Respondent is allowed to charge the 14 dollar whenever a customer requests service even if the requestor previously had an active account. Otherwise, there is no clearly ascertainable standards. Due process requires that IPUC staff don't toy with people when Mr. Thaden first, state that "that if the Commissioners were to rule in your favor I Am certain that IG would be ordered to remove the \$14 fee and interest charges," then later on he tells people that "I do not believe the commission will waive a fee that has previously been approved." It gives the appearance of arbitrary decision making and an attempt to discourage/prejudice people.

The Fair Debt Collections Practices Act is a Federal Consumer Protection Law intended to shield the public from the menace of unscrupulous and dishonest debt collectors. Among other provisions, The FDCPA makes it illegal to: collect charges not permitted by law (15 U.S.C. 1692f(1)); falsely represent the character, amount or legal status of the debt (1692e(2)(A)); falsely represent the compensation lawfully permitted for services (1692e(2)(B)); threaten to take any action that cannot legally be taken or that is not intended to be taken (1692e(5)); use false representations or deceptive means to collect or attempt to collect the debt (1692e(10)), and threaten to take nonjudicial action to effect dispossession of the property (1692f(6)).

Respondent never answered Mr. Mendez concerns with the charges being manipulated since there is no gas usage over the summer including no heating for water means that it should be consistently the same every month over the entire Summer. In fact, Mr. Mendez pointed out that prior to the Summer Of 2017 it had been a consistent \$5.34 every single month of the Summer for years. It was 4 therms summer 2016 as well when there was no gas usage. However, it was \$2.06 and \$7.08 in 2016 when the customer charge was \$2.50. It is still 4 therms summer 2017 but because the customer charge is now \$5.50, it appears that Intermountain Gas has lowered the same 4therms to \$1.86 and \$0.69. it was \$5.34 summer

2016 and it is \$8.05 summer 2017. No gas is being used at all during summer. Comparison between prior years and 2017 summer show a consistent 4 therms but somehow the statements for 2017 year ends up being 3 dollars more. While Mr. Mendez got no response from Respondent; Mr. Thaden told Mr. Mendez that the difference was attributed to a "pilot light of the furnace and hot water heater and gas is being used to heat the water." NOTE: Mr. Thaden provided this explanation even when told that there is no gas being used to heat water and when the readings showed a consistent 4 therms during Summer for many years, precisely because of the no usage.

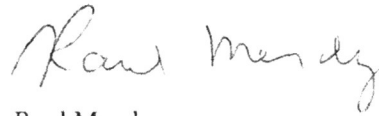
IDAPA 31.21.01, Rule 104 states that if the utility requires a cash deposit as a condition of providing service, then it shall immediately provide an explanation to the applicant or customer stating the precise reasons why a deposit is required. The applicant or customer shall be given an opportunity to rebut those reasons. The assessing of the 14-dollar initiation fee to an existing account to restart service is an example of "collect charges not permitted by law (15 U.S.C. 1692f(1))" and since Due process protections requires the establishment of clear ascertainable standards that "insure fairness and ...avoid the risk of arbitrary decision making," *Carey v. Quern, 588 F.2d 230, 232 (9th Cir. 1978)*. Having discussed extensively how the IPUC informal complaint violated Mr. Mendez Due process, then stands to reason that the same explanations given by respondent are in violation of Law including the aforementioned FDCPA.

CONCLUSION

- 1) Mr. Mendez asks the Commission that the 14 dollar "initiation" fee assessed to his existing account in order to restart service on 10/2018 be refunded along with Interests accrued since 10/2018.
- 2) Mr. Mendez asks the Commission to Order Respondent to pay costs incurred in the drafting of this Utility complaint. Mr. Mendez has incurred costs of Gas/mileage in traveling to the Law library to do research and for printing/copies. His Costs total 72 dollars.
- 3) Mr. Mendez asks the Commission to issue an Order barring Respondent from charging customer's fees for voluntarily disconnecting service. Especially if the reasons for disconnect are due to financial hardship.
- 4) Mr. Mendez asks the Commission to issue an Order warning Respondent that they must comply with the IPUC Rules.
- 5) Mr. Mendez asks the Commission to issue an Order warning Respondent about manipulation of fees to the detriment of Idaho customers.

6) Mr. Mendez asks the Commission for more accountability and transparency of the IPUC complaint process and to warn staff of not giving the appearance of bias.

Dated: January 25, 2019

A handwritten signature in cursive script that reads "Raul Mendez". The signature is written in dark ink and is positioned above the printed name.

Raul Mendez

EXHIBIT 1

26 PAGES

Raul

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Thu, Aug 3, 2017 at 5:54 PM

1) can you please send me the information where it says that there is a 14 dollar reconnect fee?

3) can you just make a note on my account not to be billed during this time of the year when there is no gas use? do you need me to sign an agreement so to make sure that I won't use gas during warm weather and you won't bill me for it?

5) If you need to disconnect service then schedule for next week so that I can unlock the fence for the tech to access the meter. Call me ahead of time. Even though I believe it to be a waste of time/resources when I'm not using gas during 5 months of the year.

thank you,
Raul

Customer Service IGC <CustomerService@intgas.com>
To: Raul Mendez <raulmendez2002@gmail.com>

Fri, Aug 4, 2017 at 9:42 AM

I have attempted to contact you by phone several time to discuss your issues. The \$14.00 fee is not a reconnect fee but initiation fee for starting service you can find this information on our website in the FAQs, <https://www.intgas.com/utility-navigation/faqs>. If the gas service is on you will be charged a customer charge each month this is the same for every customer of Intermountain Gas Company. If you

wish to have the service off during the summer you will need to contact our Customer Service Center at 1-800-548-3679, Monday through Friday, 7 a.m. to 7 p.m.

Sincerely,

Mary, Customer Support Lead

Intermountain Gas Company

Phone: 1-800-548-3679, M-F, 7am-7pm



From: Raul Mendez [mailto:raulmendez2002@gmail.com]
Sent: Thursday, August 03, 2017 5:55 PM
To: Customer Service IGC <CustomerService@intgas.com>
Subject: Re: acct # XXXXXXX000 2

** WARNING: EXTERNAL SENDER. NEVER click links or open attachments without positive sender verification of purpose. DO NOT provide your user ID or password on sites or forms linked from this email.
 **

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Fri, Aug 4, 2017 at 6:35 PM

Hello,

an initiation fee is entirely different than a reconnect fee. I already have the service on, therefore the 14 dollar charge does not apply. furthermore, I see that you do indeed charge a reconnect fee ONLY if the service has been disconnected due to non-payment. Here is what your website states:

Does Intermountain Gas charge any special handling fees?

Our goal is to keep costs for service to our customers as low as possible. In order to do this we believe individual customers should bear the cost of any special handling they require instead of having all

customers pay for these services. The Idaho Public Utilities Commission authorizes Intermountain to recover the following costs:

- **Interest on Past Due Accounts:** Amounts due for your previous month's gas bill, which remain unpaid at the time of the next billing date, will be assessed interest at the rate of 1% per month. Participants in the Level Payment Program will be exempt from late payment interest charges.
- **Field Collection Fee \$15:** If a company representative must visit your home to collect a past due payment, a \$15 fee will be assessed. If gas service is discontinued, this charge does not apply (see Reconnection Fee).
- **Reconnection Fee:** A reconnection fee is assessed when service is restored for a customer after a non-pay service interruption. This fee is \$22 during the hours of 8:00 a.m. to 4:30 p.m. and \$44 during the hours of 4:30 p.m. through 7:00 p.m., Monday through Friday. A reconnection fee of \$50 will be charged on weekends or Company holidays.
- **Returned Payment Fee \$20:** This charge shall apply when a payment (check or electronic) is not honored and returned by the bank.
- **Account Initiation Fee \$14 or \$40:** Each new account opened with Intermountain 8 a.m. to 5 p.m., Monday through Friday, will be billed a \$14 fee with the first regular bill. A \$40 fee will be charged for all accounts opened after 5 p.m., Monday through Friday, weekends or holidays.

I'm troubled by your attempts to be misleading. I don't understand why you would not want to work something out with a customer with such an excellent payment record. I got laid off by Micron and so I'm working taking care off my disabled mom but it doesn't pay well. I don't have a choice but to disconnect then during warm weather when I don't use gas so to save money for winter. It makes no sense for a tech to come twice during the year to disconnect then reconnect when you have documented statements over the years showing that I don't use gas during this time of the year, but whatever if that is what it needs to be done then fine. I'll probably wait until next year to start disconnecting the service after cold weather since it's already august and the tech would have to come in October to reconnect.....just to be clear though there is no reconnect fee based on the information on your website.

Thank you,

Raul Mendez

[Quoted text hidden]

Customer Service IGC <CustomerService@intgas.com>
To: Raul Mendez <raulmendez2002@gmail.com>

Mon, Aug 7, 2017 at 8:38 AM

Hello Raul,

If you would like to discuss this more you will need to contact our Customer Service Center at 1-800-548-3679, Monday through Friday, 7 a.m. to 7 p.m. We will no correspond with you by email on this matter.

Sincerely,

Mary, Customer Support Lead

Intermountain Gas Company

Phone: 1-800-548-3679, M-F, 7am-7pm



From: Raul Mendez [mailto:raulmendez2002@gmail.com]

Sent: Friday, August 04, 2017 6:35 PM

[Quoted text hidden]

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Wed, Aug 9, 2017 at 5:50 PM

Mary,

you have email and social media available to customers, presumably so that customers can contact you. I already call and talked to Sydney who told me that you would not waive the misleading 14 dollar reconnect fee. she also told me that you do not have any kind of customer assistance program for low-income people who would qualify for it. It seems like Intermountain Gas is the only utility that does not have any customer assistance program.

If there is no usage then there should be the same fee every statement during summer whether it's 5.34 or 7.41 because apparently there is a customer charge of 5.50 that is now fixed. I don't understand then how the charge for this month is 8.05 as opposed to 7.41 from last month and 7.41 this month plus .07 interest. The bill should be 14.89.

how is it possible that the cost of gas per terms and the distribution costs varies from last month to this month when there is no use? these are all valid questions. If there is no intent to mislead then there is no reason why the questions would not be answered by anyone either by email, phone, or any other social media available on your website to customers to reach you.

Thank you,
Raul

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Fri, Aug 11, 2017 at 6:45 PM

no response from customer service to my valid questions/concerns? well, it isn't like I could just switch service to another company in Idaho and I wonder if this is the reason why you try to get away with misleading people. I'm not going to pay a 14 dollar reconnect fee and I'm not going to pay more for the 'cost of gas per terms and distribution costs' that should be the same every month while service is not



Raul Mendez <raulmendez2002@gmail.com>

FW: Intermountain Gas, Raul Mendez,

5 messages

Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Thu, Aug 24, 2017 at 4:03 PM

To: "raulmendez2002@gmail.com" <raulmendez2002@gmail.com>

Hi Mr. Mendez,

Thank you for contacting the Idaho Public Utilities Commission concerning the issues you outlined in your email.

Previously, the customer charge was set at a seasonal rate (April – November \$2.50, December – March \$6.50). The Commission approved a year round rate of \$5.50. The year round rate was approved (Case No. INT-G-16.-02) and went into effect May 1, 2017. Having the same customer charge throughout the year is consistent with how the Intermountain Gas incurs customer related costs over the year. Costs most closely tied to specific customers are the capital costs and expenses of metering, meter reading, billing, the service line, and customer service. Intermountain Gas asked for \$10.00. Staff recommended \$5.50 and the Commission approved the recommendation. The low usage of therms on your billing indicates possible usage by a pilot light. This might be why you are seeing 3 to 4 therms of use over the last two billing periods? In June and July of 2016 therm usage was 4 therms per month.

If a customer requests disconnection of service the account is officially closed. When the customer places a request to reconnect a \$14 "Account Initiation Charge" is assessed to open a new account (account number used will be the same as the closed out account). If service is connected after hours the fee is \$40. Any time a customer voluntarily stops service and then a request is made to establish service again an "Account Initiation Charge" is assessed. Please note that if the account is closed for longer than 10-days and a request is made to reconnect service the utility company will consider that person an applicant and not a customer. ✱

If you are disconnected from service for non-payment and then reconnected a "Reconnection Fee" of \$22 is assessed and if outside of regular business hours the charge is \$40.00, and \$50 on weekends and Company holidays.

At this time Intermountain Gas nor does any utility in Idaho offer rate assistance to Idaho low income customers. EI-Ada provides energy assistance grants to help with customer heating costs. The agency can be reached at (208) 377-0700.

I will address the issue of your preferred method of communication with Intermountain Gas (email) and why the Company told you that you have to call them to get an answers.

Thank you for sharing your thoughts on disconnection of services due to financial hardships, assistance programs, and consistent utility statement fees.

Sincerely,

Curtis Thaden

Idaho Public Utilities Commission

208-334-0322

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

Subject: Intermountain Gas

From: Raul Mendez <raulmendez2002@gmail.com>

To: Beverly Barker

CC:

Good Afternoon,

I have concerns and issues with this utility company. I don't know if I have to fill out the form on the Idaho Public Utility Commission website or if you can route my concerns to the right personnel.

I'm low income and I don't use gas during warm weather. I contacted intermountain gas via their email address around 7/5/2017 wondering why the fee has gone up from 5.34 to 7.41 every month during summer when for many years it had been 5.34. I was told that I had to submit any questions/concerns via their internal messaging system on the customers account. IG has social media, email, and phone as means for customer's to contact them.

So, I asked them via their internal messaging system on my customer's account why the fee had gone up from 5.34 to 7.41 when there is no use during summer and when for many years it was 5.34 during this time of the year. In addition, I asked them what to do in order to disconnect service during warm weather in order to save money for non-used service.

I was told via their internal messaging that the fee increased had been approved by the Public Utilities Commission and that the difference was due to the fact that IG had decided that it would be a flat 5.50 customer fee every month as opposed to a changing customer fee thru the year. I was also told that there would be a 14 dollar reconnect fee if I decided to disconnect service during warm weather.

A copy of the internal message and the company response are forwarded to the customers email address. However, I noticed that after a few days the company responses disappeared from the copy that had been forwarded to my email address. only the customers inquiry show up now.

On 7/25/17 I talked to customers service over the phone. Again, I asked them about the disconnecting of service during summer when I don't use gas in order to save money. I was told that there would be a 14 dollar reconnect fee that would not be waived. I was also told there was no assistance program for low-income customer's.

I asked IG for a copy of the policy stating that there is a 14 dollar reconnect fee.

On 8/4/2017 a supervisor send me a link of the special fees stating that the 14 dollar is an "initiation" fee for starting service. This is what the sites state:

Does Intermountain Gas charge any special handling fees?

Our goal is to keep costs for service to our customers as low as possible. In order to do this we believe individual customers should bear the cost of any special handling they require instead of having all customers pay for these services. The Idaho Public Utilities Commission authorizes Intermountain to recover the following costs:

- **Interest on Past Due Accounts:** Amounts due for your previous month's gas bill, which remain unpaid at the time of the next billing date, will be assessed interest at the rate of 1% per month. Participants in the Level Payment Program will be exempt from late payment interest charges.
- **Field Collection Fee \$15:** If a company representative must visit your home to collect a past due payment, a \$15 fee will be assessed. If gas service is discontinued, this charge does not apply (see Reconnection Fee).
- **Reconnection Fee:** A reconnection fee is assessed when service is restored for a customer after a non-pay service interruption. This fee is \$22 during the hours of 8:00 a.m. to 4:30 p.m. and \$44 during the hours of 4:30 p.m. through 7:00 p.m., Monday through Friday. A reconnection fee of \$50 will be charged on weekends or Company holidays.
- **Returned Payment Fee \$20:** This charge shall apply when a payment (check or electronic) is not honored and returned by the bank.
- **Account Initiation Fee \$14 or \$40:** Each new account opened with Intermountain 8 a.m. to 5 p.m., Monday through Friday, will be billed a \$14 fee with the first regular bill. A \$40 fee will be charged for all accounts opened after 5 p.m., Monday through Friday, weekends or holidays.

I pointed out to the supervisor that IG is misleading customers. An initiation fee is when an account is being opened and there is a reconnect fee only after service has been shut down due to non-payment.

I received the latest statement showing an increase in the per terms and distribution costs even when there is no use. It should be the same every month when there is no gas usage, and in fact prior statements during this time of the year show exactly the same fee when there has been no use in years past.

Intermountain gas stated that they would no longer answer my questions via email and I had to call them; which concerns me since I already talked to them over the phone and told me that 1) there is a reconnect fee of 14 dollars that is not being waived, 2) there is no assistance program for low-income/poor people. I believe that there is an intent to mislead customers.

I believe that customers should be able to disconnect services if they are not using them; in particular if the reason for disconnecting it is due to financial hardship. I believe that utilities should have some sort of assistance program for low-income customers, and I believe that the utility statement fees should be the same every month if the service is not being used (assuming there is no late charges/interests) and in fact prior years show that the statements have been the same every month when service has not been used.

Lastly, I believe that utilities should not be allowed to abuse and mislead customers. Unfortunately, IG is the only gas provider and so it's not like customers can just switch service provider's.

Sincerely,

Raul Mendez

Raul Mendez <raulmendez2002@gmail.com>
To: beverly.barker@puc.idaho.gov

Mon, Aug 28, 2017 at 11:03 PM

Mr. thaden,

See my responses below.

See my responses below.

----- Forwarded message -----

From: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Date: Thu, Aug 24, 2017 at 4:03 PM

Subject: FW: Intermountain Gas, Raul Mendez,
 To: "raulmendez2002@gmail.com" <raulmendez2002@gmail.com>

Hi Mr. Mendez,

Thank you for contacting the Idaho Public Utilities Commission concerning the issues you outlined in your email.

Previously, the customer charge was set at a seasonal rate (April – November \$2.50, December – March \$6.50). The Commission approved a year round rate of \$5.50. The year round rate was approved (Case No. INT-G-16.-02) and went into effect May 1 2017. Having the same customer charge throughout the year is consistent with how the Intermountain Gas incurs customer related costs over the year. Costs most closely tied to specific customers are the capital costs and expenses of metering, meter reading, billing, the service line, and customer service. Intermountain Gas asked for \$10.00. Staff recommended \$5.50 and the Commission approved the recommendation. The low usage of therms on your billing indicates possible usage by a pilot light. This might be why you are seeing 3 to 4 therms of use over the last two billing periods? In June and July of 2016 term usage was 4 therms per month. I understand that Intermountain Gas decided to make it a flat fee of 5.50 year round. However, it does not explain why the per therms and distribution cost changed in the months when there has been no usage of gas AND when for many years it has not reflected a change in the per therms and distribution costs. It should be the same when there is no usage of service like it has been in prior years

If a customer requests disconnection of service the account is officially closed. When the customer places a request to reconnect a \$14 "Account Initiation Charge" is assessed to open a new account (account number used will be the same as the closed out account). If service is connected after hours the fee is \$40. Any time a customer voluntarily stops service and then a request is made to establish service again an "Account Initiation Charge" is assessed. Please note that if the account is closed for longer than 10-days and a request is made to reconnect service the utility company will consider that person an applicant and not a customer. I have read the entire policy of Intermountain gas and that is not what it states. I highlighted in blue on my previous message what the policy defines as an "initiation fee" and "Reconnection fee" as approved by the Idaho Public Utilities Commission. **Reconnection Fee:** A reconnection fee is assessed when service is restored for a customer after a non-pay service interruption. **Account Initiation Fee \$14 or \$40:** Each new account opened with Intermountain. I'll like to know how you came up with such information because it is abundantly clear what the fees are. furthermore, why is it that the other utilities in Idaho have no problems disconnecting unused service and not charging fees for re-connecting service for the same account/customer? aren't you the ones regulating the utilities? how is that fair across the board for all utilities and more importantly how is that protecting the public interest? I'm assuming that other utilities can sue the IPUC for allowing Intermountain gas to make the charges that you came up with.

If you are disconnected from service for non-payment and then reconnected a "Reconnection Fee" of \$22 is assessed and if outside of regular business hours the charge is \$40.00, and \$50 on weekends and Company holidays.

At this time Intermountain Gas nor does any utility in Idaho offer rate assistance to Idaho low income customers. EI-Ada provides energy assistance grants to help with customer heating costs. The agency can be reached at (208) 377-0700. There is a misconception that all these "assistance agencies" such as EIADA, St Vincent de Paul, Salvation Army, Ada County Indigent Services, etc will pay for everyone that

walks thru their doors. Unfortunately, I called around and all of them have no funding even if you do qualify. they have limited funding thru the year, rely on volunteers, or give particular preference to elderly, disabled or large families with children. It is imperative then to question why Intermountain gas is being allowed to mislead customers trying to charge fees that are not applicable and not according to policy

I will address the issue of your preferred method of communication with Intermountain Gas (email) and why the Company told you that you have to call them to get an answers. You did not address the initial portion of my message which raises questions as to why if you contact them thru the internal messaging on the customer's account that the company responses can be later deleted. they instructed me to contact them on their internal messaging but the responses were erased, later I was told on the phone that there was a 14 dollar for reconnecting the fee. Lastly, they told me they would not respond to me via email even though it is one of the means available for customer's to contact them. A supervisor named Mary did not return my last phonecall. so what do I do? it is clear to me they are misleading customer's

Thank you for sharing your thoughts on disconnection of services due to financial hardships, assistance programs, and consistent utility statement fees.

Unfortunately, I'm not at all surprised to find out that the Idaho Public Utilities Commission is now claiming that Intermountain Gas can charge bogus fees not in accordance to what has been approved by you. while other utilities don't charge reconnect fees and you can disconnect service if you choose to. The State of Idaho has a nefarious history of violating the law and constitutional rights of the same people that put food on your table and that allow you to have excellent benefits/retirement. Just take a look at this links;

<https://www.acluidaho.org/en/news/federal-court-rules-against-idaho-department-health-and-welfare-medicaid-class-action>

<https://www.acluidaho.org/en/news/idaho-supreme-court-rules-favor-aclu-public-defense-case>

The common theme of course being how much the State of Idaho despises poor people. I'm not surprised to see that you're allowing Intermountain gas to charge fraudulent fees for someone that want to disconnect due to hardship given that the IDHW withdrew benefits from disabled people or that poor people cannot get proper legal representation in Criminal cases.

i'll just disconnect unused service next year during warm weather and if Intermountain gas wants to charge me a reconnect fee then I'll sue them.

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Curtis.Thaden@puc.idaho.gov

Mon, Aug 28, 2017 at 11:04 PM

[Quoted text hidden]

Curtis Thaden <Curtis.Thaden@puc.idaho.gov>
To: "raulmendez2002@gmail.com" <raulmendez2002@gmail.com>

Thu, Aug 31, 2017 at 2:50 PM

Hi Raul,

the Commission approved the recommendation. The low usage of therms on your billing indicates possible usage by a pilot light. This might be why you are seeing 3 to 4 therms of use over the last two billing periods? In June and July of 2016 therm usage was 4 therms per month. I understand that Intermountain Gas decided to make it a flat fee of \$5.50 year round. However, it does not explain why the per therms and distribution cost changed in the months when there has been no usage of gas AND when for many years it has not reflected a change in the per therms and distribution costs. It should be the same when there is no usage of service like it has been in prior years.

[If I understand you correctly you are stating that you understand the customer charge has been raised to \$5.50 year round but your billing dollar amount should be the same every month when there has been no usage of service?

I reviewed your usage history dating back to July 2014 and usage has been recorded every month and billed accordingly. I compared the past 3 months of billing (June, July, August) to the same months in 2016 – see below. Though your furnace is not operating in the summer months therm usage is being recorded. More than likely the recorded usage is from the pilot light of the furnace and hot water heater and gas is being used to heat the water. Last year your billing for June, July, and August was \$5.34 each month because the recorded therm usage was the same each month. This year the therm usage has been different each month for June, July, and August; therefore the billing amount each month will not be the same.

June 2017	9 Therms – total gas charges \$11.23
July 2017	3 Therms – total gas charges \$7.41
August 2017	4 Therms – total gas charges \$8.05

Note: the total gas charge each month is different because the recorded therm usage was a different amount each month.

June 2016	4 Therms – total gas charges \$5.34
July 2016	4 Therms – total gas charges \$5.34
August 2016	4 Therms – total gas charges \$5.34

Note: the total gas charge each month was the same because the recorded therm usage (4 Therms) was the same.

Further Review:

August 2016 billing total gas charge - \$5.34, of that amount \$2.50 is the customer charge. All charges associated with 4 Therms of usage was billed out at \$2.84

August 2017 billing total gas charges - \$8.12, of that amount \$5.50 is the customer charge. All charges associated with 4 Therms of usage was billed out at \$2.62

Please note the Distribution Cost (\$0.017187) is lower this summer than it was last summer (\$0.196)

In summary, the billing dollar amount for your recorded therm usage this summer is lower than it was last summer. Therm usage has varied month-to-month which is the cause of a different billed amount each month.

If you believe there should be no recorded usage at your residence during the summer months then there might be a gas leak and Intermountain Gas should be contacted.

If a customer requests disconnection of service the account is officially closed. When the customer places a request to reconnect a \$14 "Account Initiation Charge" is assessed to open a new account (account number used will be the same as the closed out account). If service is connected after hours the fee is \$40. Any time a customer voluntarily stops service and then a request is made to establish service again an "Account Initiation Charge" is assessed. Please note that if the account is closed for longer than 10-days and a request is made to reconnect service the utility company will consider that person an applicant and not a customer. I have read the entire policy of Intermountain gas and that is not what it states. I

highlighted in blue on my previous message what the policy defines as an "initiation fee" and "Reconnection fee" as approved by the Idaho Public Utilities Commission. **Reconnection Fee:** A reconnection fee is assessed when service is restored for a customer after a non-pay service interruption. **Account Initiation Fee \$14 or \$40:** Each new account opened with Intermountain. I'll like to know how you came up with such information because it is abundantly clear what the fees are. furthermore, why is it that the other utilities in Idaho have no problems disconnecting unused service and not charging fees for re-connecting service for the same account/customer? aren't you the ones regulating the utilities? how is that fair across the board for all utilities and more importantly how is that protecting the public interest? I'm assuming that other utilities can sue the IPUC for allowing Intermountain gas to make the charges that you came up with.

[When an individual requests service from Intermountain Gas the Company will charge either a \$14 or \$40 Account Initiation fee depending on the time of day and day of the week service is connected. If an existing customer decides to disconnect service the Company will disconnect service without charge. If the same individual decides to reconnect service Intermountain Gas will again charge an Account Initiation fee. As an example, if a customer requests disconnection of service in April and then requests reconnection of service in October Intermountain Gas will charge another Account Initiation Fee. Furthermore, once a customer is disconnected from service for more than 10-daysd he/she is no longer classified as a customer but rather an applicant. You asked how I came up with this information? The Account Initiation Fee is contained in Intermountain Gas Company's tariff on file with the Commission. In the Company's Tariff the fee is called Account Initiation Charge. *

9.4 An "Account Initiation Charge" in the amount of \$14.00 during regular business hours and \$40.00 outside of regular business hours will be assessed on each account opened with the Company and will be billed with the first regular bill. This charge will not apply to landlord temporary service where a landlord has signed a Continuous Service Agreement or to code compliance inspections mandated by the Idaho Public Utilities Commission.

Idaho Power charges a fee anytime a request is made to establish service. If an existing customer voluntarily requests disconnection from service and then asks for a reconnection at a later date the Company will charge a Service Establishment Charge of \$20.00. Suez Water does not charge a fee when a request is made to establish service, only when a reconnection is requested when service is terminated for non-payment or a request made to temporarily turn service off due to a repair.

All the fees mentioned above have been approved by the Idaho Public Utilities Commission and are valid fees. In summary, anytime a request is made to establish service (Intermountain Gas and Idaho Power), after service was voluntarily requested to be disconnected, a fee will be assessed to establish service. The fee was approved by the Idaho Public Utilities Commission].

At this time Intermountain Gas nor does any utility in Idaho offer rate assistance to Idaho low income customers. El-Ada provides energy assistance grants to help with customer heating costs. The agency can be reached at (208) 377-0700. There is a misconception that all these "assistance agencies" such as EIADA, St Vincent de Paul, Salvation Army, Ada County Indigent Services, etc will pay for everyone that walks thru their doors. Unfortunately, I called around and all of them have no funding even if you do qualify. they have limited funding thru the year, rely on volunteers, or give particular preference to elderly, disabled or large families with children. It is imperative then to question why Intermountain gas is being allowed to mislead customers trying to charge fees that are not applicable and not according to policy

[You are correct. Not everyone who applies for energy assistance will get approved and there are times during the year when the agencies funding has been depleted. The fees that Intermountain Gas communicated to you are valid and were approved by the Commission]

I will address the issue of your preferred method of communication with Intermountain Gas (email) and why the Company told you that you have to call them to get an answers. You did not address the initial portion of my message which raises questions as to why if you contact them thru the internal messaging on the customer's account that the company responses can be later deleted. they instructed me to contact them

From: Raul Mendez [mailto:raulmendez2002@gmail.com]
Sent: Saturday, September 09, 2017 7:40 PM

[Quoted text hidden]

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Tue, Sep 12, 2017 at 5:16 PM

Hi,

This is what works best for me and the Commission assured me there was no reason why I could communicate via email since this is one of the many options you have available for customers. Here is the thing:

it was 4 therms last summer as well when there was no gas usage. However, it was \$2.06 and \$0.78 last year when the customer charge was \$2.50. It is still 4 therms this summer but because the customer charge is now \$5.50, it appears that IG has lowered the same 4 therms to \$1.86 and \$0.69. It was 5.34 last year now is 8.05.

Does that make sense? I don't use gas during warm weather including no usage of hot water. It appears obvious that the fees are being manipulated. It wouldn't make much difference to people who have a decent income but for those of us who are struggling every penny counts. I was told that all these assistance agencies get federal funds for heating from November to March and I'll see what kind of help I can get. the IPUC regulates nothing and they sleep with the utility companies. What a bizarre world we live in where people slave away to support the corruption of public officials. Just take a look at these:

<https://www.cheatsheet.com/business/10-states-with-the-most-minimum-wage-workers.html/?a=viewall>
<http://boisestatepublicradio.org/topic/bottom-rung-living-low-wages-idaho>
http://www.idahopress.com/news/state/shame-idaho-ranks-poorly-in-many-key-areas/article_69e564a4-3f3f-11e1-a84c-0019bb2963f4.html

Earnings can affect everything as shown on poorly Idaho ranks top or near top on many areas. Public officials are responsible for this but it should not be a surprise given the nefarious history of the State of Idaho as shown here:

<https://www.acluidaho.org/en/news/federal-court-rules-against-idaho-department-health-and-welfare-medicaid-class-action>

<https://www.acluidaho.org/en/news/idaho-supreme-court-rules-favor-aclu-public-defense-case>

It is not surprising to see that the IPUC allows IG to charge bogus fees given how the above information points to not only a disconnect with the people of Idaho but how public officials despise poor people as a whole.

In short, I don't use gas during summer AT ALL, comparison between prior years and this summer show a consistent 4 therms but somehow the statements for this year ends up being 3 dollars more. I guess there really isn't a solution to it, is there?

Raul

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Mon, Sep 18, 2017 at 11:31 PM

Good Morning,

I called customer service on 5/2 to disconnect the service over the summer. I spoke with Michelle who gave me confirmation number 2738941026. I requested to speak to a manager since she told me that there would be a 14 dollar reconnect fee during winter; despite the fact that I told her that I'm low-income and you have proof that ELAdA has made a couple of big payments to avoid the service being disconnected. the whole point of saving me 25 dollars until cold weather is to have the money when I actually use gas and bills are much higher. In addition, this is what your policy is regarding reconnect fee:

Is there a charge for reconnection?

A reconnection fee is assessed when service is restored for a customer after a non-pay service interruption. This fee is \$22 during the hours of 8:00 a.m. to 4:30 p.m. and \$44 during the hours of 4:30 p.m. through 7:00 p.m., Monday through Friday. A reconnection fee of \$50 will be charged on weekends or company holidays.

It is clear that a reconnect fee applies only when the service is restored after nonpayment service interruption. There is a 14 dollar initiation fee for new accounts. however, my account has been open for 15 years and this is just a temporary stop of service to save money. I have been disconnecting service temporarily for other utilities as well to save money and they have not charged a reconnect fee. I would like to be able to work things out with Intermountain gas so that there is no reconnect fee contrary to your policy. I figure that maybe Michelle was mistaken.

Thank you,
Raul

[Quoted text hidden]

Customer Service IGC <CustomerService@intgas.com>
To: Raul Mendez <raulmendez2002@gmail.com>

Fri, May 4, 2018 at 11:36 AM

Good morning Raul,



Thank you for your email. Unfortunately, once your account is closed for 10 days you are no longer a customer. So, the \$14.00 initiation fee for a new account would apply when you start your service in the fall.

If further assistance is needed please feel free to email, or call Customer Service at 1-800-548-3679, Monday-Friday, 7 AM to 7 PM.

Thank you,

Kat, Customer Support

Intermountain Gas Company

Phone: 1-800-548-3679, M-F, 7am-7pm



Know what's below.
Call before you dig.

From: Raul Mendez [mailto:raulmendez2002@gmail.com]
Sent: Friday, May 04, 2018 11:21 AM
To: Customer Service IGC <CustomerService@intgas.com>
Subject: Re: Contact Inquiry

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Fri, May 4, 2018 at 11:42 AM

Hi,

Would you please send me the link to this particular information? I could not find it in your policies. My concern is that none of the other utilities charge a reconnect fee when a customer disconnects seasonally or due to hardship. Once you reconnect with other utilities, you still have the same existing information on their system.

Thank you,
Raul

[Quoted text hidden]

My account shows as being currently stopped. I have not being able to find anything in regards to an initiation fee applying to an account after it has been stopped for 10 days. It seems to me that this is just a case of greed on the part of IG believing that you can mislead people. It is my understanding that legally you cannot leave people without gas during winter even if they are behind on payments. would you deny me starting the service during winter due to the 14 dollars on an existing account? I will pay the current balance which apparently you have now changed it from 36.65 to 37.02 due to a customer charge for non-service?

Raul

[Quoted text hidden]

Customer Service IGC <CustomerService@Intgas.com>
To: Raul Mendez <raulmendez2002@gmail.com>

Mon, May 14, 2018 at 12:57 PM

The link is: <https://www.intgas.com/rates-services/rates-tariffs> This is under frequently asked questions.

- **Account Initiation Fee \$14 or \$40:** Each new account opened with Intermountain 8 a.m. to 5 p.m., Monday through Friday, will be billed a \$14 fee with the first regular bill. A \$40 fee will be charged for all accounts opened after 5 p.m., Monday through Friday, weekends or holidays.
- If further assistance is needed, please call Customer Service at 1-800-548-3679, Monday-Friday, 7 AM to 7 PM.

Thank you,

Daniela, Customer Support

Intermountain Gas Company

Phone: 1-800-548-3679, M-F, 7am-7pm



From: Raul Mendez [mailto:raulmendez2002@gmail.com]
Sent: Saturday, May 12, 2018 3:04 PM

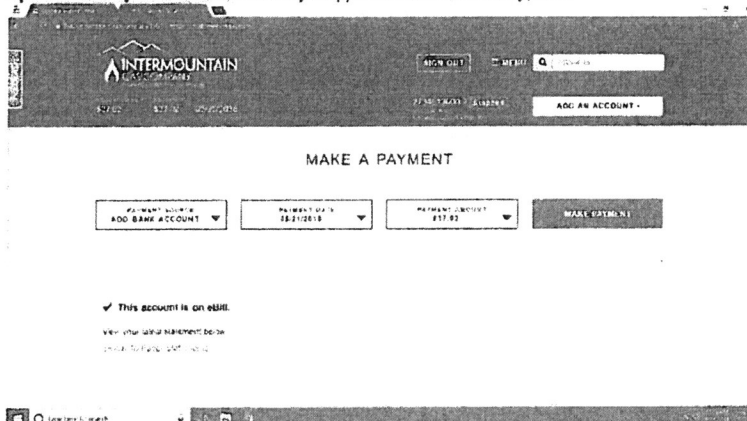
[Quoted text hidden]

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@Intgas.com>

Fri, May 18, 2018 at 11:48 AM

yes, I can read and I see that on the fees approved by the IPUC you can charge a 14 dollar initiation fee for a NEW ACCOUNT. My account has been opened for 15 years and it is currently stopped to save me money; look:



you're trying to charge 14 dollars to restart the service on an existing account which is current and not stopped due to non-payment. to the contrary, you have record that ElAda has made a couple of pledges to make payments on my account therefore the reason to save money for winter when the service is used and billing is much higher. so, what if I the service was stopped and then transfer to another residence? you don't charge an initiation fee for transfers as far as what the IPUC has approved. you don't charge a fee for your technician going to homes to change the meters, so why are you trying to charge a 14 dollar fee just because the technician has to go to a customer's home to restart service on an existing and current account?

https://mail.google.com/mail/u/0?ik=a57046e9d0&ui=en&_ga=aa101010

Sincerely,

Curtis Thaden

Idaho Public Utilities Commission

208-334-0322

From: Raul Mendez [mailto:raulmendez2002@gmail.com]
Sent: Thursday, June 7, 2018 1:29 PM
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>
Subject: IG Fees

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Thu, Jun 14, 2018 at 8:26 PM

Hi,

This long document is hard to read. Would you be able to specifically scan the portion where it says that? all I know is what Intermountain Gas has under the fees approved by the IPUC. the fees specifically state that the 'initiation' fee is for NEW ACCOUNTS. I have not being able to find anywhere where it specifically states that an existing account becomes a new account after it has been closed for more than 10 days. I'm confused so you're saying IG can charge an initiation fee on an existing account? but you don't approve them to charge a fee for transfers to a new residence? so, does the IPUC have due process procedure whereby people can have their cases heard by a hearing officer just as the other agencies do? I find it hard to believe that this is it? just contact you to be told the fees are approved by the IPUC? what if people want to dispute it?

Sincerely,
Raul

[Quoted text hidden]

Curtis Thaden <Curtis.Thaden@puc.idaho.gov>
To: "raulmendez2002@gmail.com" <raulmendez2002@gmail.com>

Tue, Jun 19, 2018 at 2:13 PM

Hi Raul,

Thank you for the email reply. I have attached a scan of the section in the Intermountain Gas Company tariff that you requested concerning "account initiation charge."

I believe that the use of the word "existing" is causing some confusion? Existing implies that something is current. When a customer closes out their account, the account is no longer an existing account and that person is no longer a customer of the utility. If he/she, at a later date, decides to become a customer again, and requests service be established, an account is opened, and a service technician is dispatched to the residence. An "account initiation charge" is assessed anytime service is established. The wording in Section 9.4 of Intermountain Gas Company/ tariff states that the charge "will be assessed on each account opened with the Company and will be billed with the first regular bill." Only active accounts are existing accounts.

Lastly, a customer is defined by the Utility Customer Relation Rules as someone who is receiving service from a utility; or has received service within the past ten (10) calendar days prior to termination by the utility; or has resumed responsibility for payment of service provided to another or others.

Does my explanation help with understanding why an account initiation charge will be assessed when you request service in the fall, and that a closed account is not an existing account? Let me know and we can proceed from there.

Sincerely,

As previously stated, if a customer decides to voluntarily disconnect service and then decides to reconnect service again an "account initiation charge" is assessed. If an individual is no longer receiving service from Intermountain Gas (not using the company's services) he/she is no longer a customer of the utility and the account is no longer an active account. When service is requested again an account is opened and an order is placed to reconnect service. Often, Intermountain Gas will issue the same account number as previously issued as a courtesy to a customer for the purpose of bill pay and automatic withdrawal from the individuals banking/checking account.

On a side note, Idaho Power will also charge an individual a fee for reconnecting service if he/she voluntarily asked for service to be disconnected. As an example, let's say a customer requests service be disconnected because they will be out-of-town for a few months. When the customer returns and requests service be reconnected Idaho Power will charge the customer a fee too.

The Commission does not have an administrative hearing officer. When a complaint is filed against a utility Company, the Commission forwards the complaint to the Utility in an attempt to resolve the issue. An individual has the option of requesting what is called a formal complaint, but that can only be done after an informal complaint process is utilized.

Sincerely,

Curtis

Curtis Thaden

Idaho Public Utilities Commission

208-334-0322

From: Raul Mendez [mailto:raulmendez2002@gmail.com]

Sent: Friday, July 20, 2018 4:34 PM

[Quoted text hidden]

[Quoted text hidden]



Discontinuance and Reconnection of Service (Section 9.4).pdf
82K

Raul Mendez <raulmendez2002@gmail.com>
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Thu, Aug 2, 2018 at 7:38 PM

Hi,

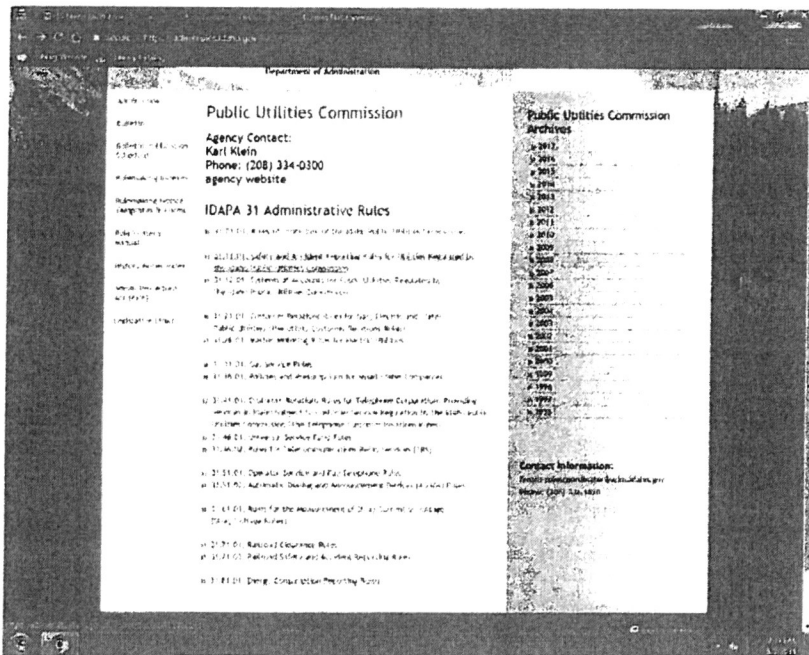
I don't mean to sound like a problematic customer/person. I'm only disputing the "initiation" fee because my financial situation it's not great as the ELAdA contributions prove; therefore the reason to save money. I wouldn't mind paying it even when it's clear that the attached policy states that such a fee applies only after the utility company has disconnected the service to customers because it was their decision. See this: has received service within the past ten (10) calendar days prior to termination by the utility. Usually because issues with non-payment. I'm guessing then that a formal complaint can be established once the company charges the 14 dollars?

are these the applicable rules?

<https://adminrules.idaho.gov/rules/current/31/310101.pdf>

<https://adminrules.idaho.gov/rules/current/31/312101.pdf>

There is bunch of stuff.



What else applies to a formal complaint? there is actually two IDAPA 31.21.01. the one on the website is 25 pages long and the one you attach is 49 pages but it doesn't say when or if it's updated.

Thank you,
Raul

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Thu, Aug 2, 2018 at 7:42 PM

Intermountain Gas will issue the same account number as previously issued as a courtesy to a customer for the purpose of bill pay and automatic withdrawal from the individuals banking/checking account.

So, any reasonable person would infer that it was an existing customer with an existing account with an existing billing information that is having the service restarted? In other words it is not a new applicant for service.

Raul

[Quoted text hidden]

Curtis Thaden <Curtis.Thaden@puc.idaho.gov>
To: Raul Mendez <raulmendez2002@gmail.com>

Fri, Aug 3, 2018 at 3:52 PM

Hi Raul,

I do not perceive you as being problematic. I work with many of the CAP agencies and know firsthand from my position at the Commission that many people are struggling to pay their utility bills.

You are correct, the link below is the Rules of Procedure for the Idaho Public Utilities Commission. When you imitate service again. Intermountain Gas will charge you the \$14 initiation fee. The fee will appear on your first billing. If you still object to the fee you can file an informal complaint by calling the IPUC front desk at 208-334-0300 or online at <http://www.puc.idaho.gov/forms/consumerassistance.aspx>

If the issue is still unresolved you can then elect to file a formal complaint by following the requirements (Rule 54) contained in the Rules of Procedure for the Idaho Public Utilities Commission. The formal complaint must be in writing, state the facts and specify how you would like the problem to be resolved. Unlike an informal complaint, which is handled by the commission's Staff, the Commissioners must consider a formal complaint. The Commissioners will decide whether it is appropriate to accept the formal complaint. If it is accepted, a formal legal proceeding will be started. If the Commission does not accept the formal complaint, then nothing further will be done.

If you decide to file a formal complaint, you are required to submit to the Commission, in writing, the following information:

- The utility or person the complaint is against.
- Fully state the facts constituting the acts or omissions of the utility or person against whom the complaint is filed and the dates when the acts or omissions occurred.
- Refer to the specific provision of statute, rule, order, notice, tariff or other controlling law that the utility or person has violated.
- State what action or outcome should be taken to resolve the complaint.

The address to send the formal complaint to the Commission is:

Idaho Public Utilities Commission

PO Box 83720

Boise, ID 83720-0074

The customer definition specific to "Has received service within the past (10) calendar days prior to termination by the utility." Termination by the utility refers to any condition that brought about the termination of service which includes customer requests.

Lastly, one thing to consider. Even though the \$14 service charge will be assessed, you will still have a net savings for the timeframe of when service was disconnected.

Sincerely,

Curtis

Curtis Thaden

Idaho Public Utilities Commission

208-334-0322

From: Raul Mendez [mailto:raulmendez2002@gmail.com]

Sent: Thursday, August 2, 2018 7:39 PM

[Quoted text hidden]

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Wed, Aug 15, 2018 at 3:44 PM

I work with many of the CAP agencies and know firsthand from my position at the Commission that many people are struggling to pay their utility bills.

Which agencies have you worked with? what kind of work does the IPUC do with such agencies? I can tell you right now from personal experience and from accounts by others that it is extremely difficult to get "assistance" from these agencies because they always tell people that they do not have funds no matter what time of the year you ask. If you call 211 with IDHW then they seem to believe that by giving you a list with numbers from these agencies that somehow they will provide people with help.

I know that these are federal funds given to the IDHW who then apparently hands out the money to the 'agencies' but somehow they never have money to help out people? has anybody in the State of Idaho ever bothered to do an audit on such agencies? because it seems rather strange that they always tell people they don't have funds but somehow they keep expanding with different locations and paid staff. They might get donations and additional funding from elsewhere to support their organizations, but that only helps to further scrutinize why they never seem to have help for utility assistance. ElAda is the only agency that I know that at least they pay a utility bill once a year. Ada County Indigent Services do pay your utilities bill but they ask people to repay the county later on.....see, they get money twice from the IDHW and from the people repaying the county for the utility assistance; do you see something wrong with that? it is federal money given to the county precisely to assist people!

So, the IPUC knows that many people are struggling to pay their utility bills but somehow are allowing the utility companies to charge fees for which they are not entitled and not previously approved by the IPUC although it appears that you're now twisting the meaning of the policies to favor the utility company.

If you still object to the fee you can file an informal complaint by calling the IPUC front desk at 208-334-0300 or online at <http://www.puc.idaho.gov/forms/consumerassistance.aspx>

I thought that this informal going back and forth email conversation was an informal complaint which has/it will obviously not resolve anything.

If the issue is still unresolved you can then elect to file a formal complaint by following the requirements (Rule 54) contained in the Rules of Procedure for the Idaho Public Utilities Commission.....If the Commission does not accept the formal complaint, then nothing further will be done.

There is no rule 54 under the Idaho administrative rules for the IPUC. There are these: <https://adminrules.idaho.gov/rules/current/31/310101.pdf>. <https://adminrules.idaho.gov/rules/current/31/312101.pdf>

Which make mention to a rule 54 but none exist. what are the reasons for which the commission does not accept the formal complaint? and in the process deny people adequate procedural due process protections provided by the US constitution? I'm assuming such denial will state that it can be appealed to the Idaho Supreme Court? see: <https://www.isc.idaho.gov/iar14>

termination by the utility refers to any condition that brought about the termination of service which includes customer requests.

Lastly, one thing to consider. Even though the \$14 service charge will be assessed, you will still have a net savings for the timeframe of when service was disconnected

I could find nothing on the rules regarding to "any condition that brought about the termination of service which includes customer requests". the key being termination by customer therefore a 14 dollar initiation fee is charged. There is most certainly no such specific definition on IG website. In fact, they initially told me it was a reconnection fee, then they changed their story to an initiation fee. ✖

How much do you think that I'll be saving myself after the 14 charge? no more than 12 dollars and how much do you think people pay monthly during winter for gas? if you know firsthand how much people are struggling to pay their bill then you would know that people are struggling because of the high fees during cold season therefore the reason to save money now when fees are low for later on.

I guess that I'll be filing the informal complaint which would then become a formal complaint since it appears the informal proceedings solve nothing.

Raul

[Quoted text hidden]

From: Raul Mendez [mailto:raulmendez2002@gmail.com]
Sent: Friday, September 21, 2018 1:21 PM

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

What else applies to a formal complaint? there is actually two IDAPA 31.21.01. the one on the website is 25 pages long and the one you attach is 49 pages but it doesn't say when or if it's updated.

Thank you,

Raul

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Tue, Oct 9, 2018 at 3:28 PM

so, I received the statement for this month which is due on 10/22/2018. it is my understanding that the 14 dollar initiation fee being disputed does not have to be paid pending the outcome of the formal complaint therefore no interests should be charged to the 14 dollars. It will take me some time to prepare the formal complaint since such complaint might end up for review in front of the Idaho Supreme Court. I haven't had the chance to read the entire rules but normally IG has to give their side or not? do you or do I have to notify them that I'll be filing a formal complaint disputing the 14 dollars?

Raul Mendez
 [Quoted text hidden]

Curtis Thaden <Curtis.Thaden@puc.idaho.gov>
To: Raul Mendez <raulmendez2002@gmail.com>

Thu, Oct 18, 2018 at 3:56 PM

Hi Raul,

If you only pay your monthly usage amount in full and not the \$14.00, the payment will apply to any past due amount first, therefore you will never be up for a disconnection. Your account will always show \$14 past balance plus a 1% late fee added each month (14 cents the first month). In summary, as long as you pay for your usage you will not receive a disconnection notice; therefore you can take as long or as much time as you want to file a formal complaint.

If you file a formal complaint and the Commissioners accept the complaint, Intermountain Gas will respond to the Commission.

Sincerely,



image001.png
1K

Raul Mendez <raulmendez2002@gmail.com>
To: Customer Service IGC <CustomerService@intgas.com>

Sat, Nov 3, 2018 at 2:08 PM

I have been informed by ELAdA that a pledge for 123 dollars would appear on my IG account sometime in the middle of November. I received the latest statement showing .14 cents interest on the disputed 14 dollar initiation fee. Please do not utilize the 123 to pay the disputed charges as I'm still working on how to put together the formal complaint in front of the IPUC commissioners which if they refuse will be appealed to the Idaho Supreme Court. I will reiterate again do not use the 123 dollars from ELAdA to pay the 14 plus interest.

Thank you,
Raul Mendez
[Quoted text hidden]

Customer Service IGC <CustomerService@intgas.com>
To: Raul Mendez <raulmendez2002@gmail.com>

Tue, Nov 6, 2018 at 4:47 PM

Good Afternoon Raul,

Thank you for your correspondence. Unfortunately, when a payment is received in our office, no matter the source, it applies toward the most delinquent portion of the bill first. Our system does not allow for us to make exceptions and disregard portions of the balance when crediting an account.

If the LIHEAP pledge of \$123.00 is received in our office, it will pay the entire balance. It will most likely result in a credit on the account that will be applied toward future charges as well.

The \$14.00 account initiation fee as well as the interest on the past due balance is allowed, and even mandated, by our Tariff that is approved by the Idaho Public Utilities Commission.

Please click the links below to reference the applicable rules:

http://puc.idaho.gov/laws/Utility%20Customer%20Relations%20Rules_2010.pdf

202. DUE DATE OF BILLS – DELINQUENT BILLS (Rule 202).

01. Ordinary Due Date. The utility may require that bills for service be paid within a specified time after the billing date. The minimum specified time after the billing date is fifteen (15) days (or twelve (12) days after mailing or delivery, if bills are mailed or delivered more than three (3) days after the billing date.) Upon the expiration of this time without payment, the bill may be considered delinquent. (7-1-93)

<http://puc.idaho.gov/fileroom/tariff/gas/intermountaingas.pdf>

9.4 An "Account Initiation Charge" in the amount of \$14.00 during regular business

hours and \$40.00 outside of regular business hours will be assessed on each account opened with the Company and will be billed with the first regular bill.

This charge will not apply to landlord temporary service where a landlord has signed a Continuous Service Agreement or to code compliance inspections mandated by the Idaho Public Utilities Commission

4.3 All billings rendered shall be net and each monthly bill shall be due and payable

within 15 days from the date of rendition, except as provided for in the Idaho Public Utilities Commission's ("IPUC") Utility Customer Relations Rules. When the customer account is participating in the electronic transfer of funds, the billings shall be due and payable within 11 days from the date of rendition.

Curtis

Curtis Thaden

Idaho Public Utilities Commission

208-334-0322

From: Raul Mendez [mailto:raulmendez2002@gmail.com]

Sent: Tuesday, October 9, 2018 3:28 PM

[Quoted text hidden]

[Quoted text hidden]

Raul Mendez <raulmendez2002@gmail.com>
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>

Thu, Oct 25, 2018 at 4:31 PM

Ok. My next question then is if I prevail on the appeal of the 14 dollar initiation fee then the 14 dollar plus interest will be erased from my account? plus I will request IG from charging improper fees in the future to customers. Does the IPUC regulates water, heating, and electricity? I see that the Idaho Supreme court website has a place for court help in which they mention that you do (see link). In addition, it appears that according to such link they have the following information regarding deposit/fee prior to starting service:

My utility charged me a deposit before they turned on my service. Can they do that? Usually, no. However, a utility may charge a deposit when they turn on your service if you had your service terminated for nonpayment at previous address

So, it seems like the IG website is accurate in that they can charge a fee only after non-payment. In addition, don't the rules are the same for all three utilities?

Sincerely,
Raul

<https://courtselfhelp.idaho.gov/brochures/H-7.pdf>

[Quoted text hidden]

Curtis Thaden <Curtis.Thaden@puc.idaho.gov>
To: Raul Mendez <raulmendez2002@gmail.com>

Tue, Nov 6, 2018 at 1:14 PM

Hi Raul,

If the Commissioners were to rule in your favor I am certain that Intermountain Gas would be ordered to remove the \$14 fee and interest charges from your account.

The Commission regulates investor-owned or privately owned utilities that provide gas, water, electricity or some telephone services for profit. We do not regulate services provided by Co-Ops' or municipalities. The UCRR (Utility Customer Relation Rules) apply to electric, gas and water utilities. The TCRR (Telephone Customer Relation Rules) pertain to telephone companies.

Keep in mind that anytime a customer cancels service and then requests service to be reconnected, Intermountain Gas will charge the \$14 fee. Idaho Power will do the same though the fee is \$20. This is allowed per the each Company Tariff on file with the Commission and is not in violation of any rule. Also, keep in mind that both Intermountain Gas and Idaho Power incur costs when having to reconnect service and those costs are not recovered in rates.

Curtis

I do hope your situation improves.

As previously discussed, in review of the Utility Customer Relations Rules a "customer" is classified as someone who is receiving service from a utility. When a customer requests service to be disconnected, the individual is no longer receiving service and therefore is no longer a customer of the utility. The account is closed out and a final billing is generated; therefore the individual is no longer a customer of the utility. **When you called Intermountain Gas to start service again an account was opened; often the Company will issue the same account number as previously used for a customer's convenience for electronic payment purposes. Intermountain Gas assesses a \$14 "account initiation fee" when a request for service to be established is requested. For serviced to established an account has to be opened. In review of the Company's tariff, under Section 9.4, the wording states "on each account opened", not new account.**

Suez Water does not charge an account initiation or service establishment charge. Each utility has its own set of guidelines, business practices, and rate design so policy will vary from utility to utility.

Though I understand your position, I do not believe the Commission will waive a fee that has previously been approved by the Commission, but you can certainly file a formal complaint if that is what you choose to do.

Curtis Thaden

Idaho Public Utilities Commission

208-334-0322

From: Raul Mendez [mailto:raulmendez2002@gmail.com]
Sent: Thursday, November 8, 2018 3:07 PM
To: Curtis Thaden <Curtis.Thaden@puc.idaho.gov>
Subject: Re: IG Fees

Curtis,

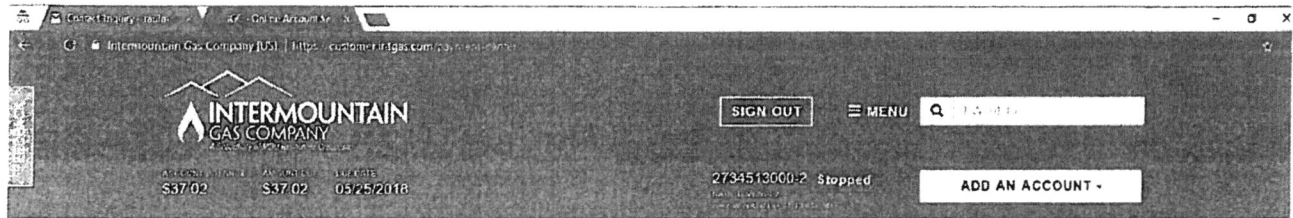
It might sound redundant but what the policy says is that an "initiation fee" applies for new accounts. A reconnect fee applies when the utility company disconnects service usually for non-payment. There is usually a fee associated with the utility sending a tech to reconnect service for reasons such as non-payment and fraud. there is no tech fee associated with sending someone to turn on the service after a seasonal shut off. Basically, the 14 dollars charge that is in dispute is for sending someone to turn on the service on an existing account. It's just that they are not saying that it is a fee connected with sending someone to turn it on; instead they claim it is an initiation fee on an new account.

What about Suez? I was told that a lot of people requests seasonal shut offs during winter if they are away from home to avoid frozen pipes. they don't charge an initiation fee on existing accounts. aren't the rules the same? it makes no sense to charge initiation fees on existing accounts and the only reason people in my position temporarily shut off service is to save money since you already know that public utility assistance is almost non-existent in Idaho. Basically, it appears that the IPUC position is that people in Idaho cannot shut off their services because it looses money to the utility companies? I hope my situation will improve next year but I still believe it's worth to dispute the charge since taken in the context of how much they are charging for initiation fees to other people, then you realize that they are making a lot of money on the questionable practice of charging 14 dollars on existing accounts. I'm still doing research so it might be a while because I want to give myself the best chance in case it ends up being appealed to the Idaho Supreme Court.

Sincerely,

Raul

EXHIBIT 2



MAKE A PAYMENT

PAYMENT SOURCE ADD BANK ACCOUNT ▼	PAYMENT DATE 05/21/2018 ▼	PAYMENT AMOUNT \$37.02 ▼	MAKE PAYMENT
--------------------------------------	------------------------------	-----------------------------	--------------

✓ This account is on eBill.

View your latest statement below.

[Switch to Paper Statements](#)



EXHIBIT 3

Internet Explorer - IGC - Online Account Services

Intermountain Gas Company (US) | https://customer.igc.com

INTERMOUNTAIN GAS COMPANY

SIGN OUT **MENU**

ACCOUNT NUMBER: 27345130002 **Active**
ACCOUNT BALANCE: \$28.46 **PAID**
AUT. PAYMENT: \$28.46 **ON**
DUE DATE: 10/22/2018 **FOR PAYMENT**

ADD AN ACCOUNT

Automatic Payments
Sign up for Autopay

✓ **This account is on eBill.**

View your latest statement below

[Switch To Paper Statements](#)

Level Pay
Sign up for Level Pay

VIEW STATEMENTS

CURRENT ACCOUNT BALANCE -
2734513000
\$28.46

CURRENT STATEMENT AMOUNT
\$28.46

CURRENT PAYMENT DUE DATE
Due in 14 days

CURRENT STATEMENT DATE
10/04/2018

SELECT A STATEMENT

STATEMENT DATE
10/04/2018

VIEW, PRINT OR DOWNLOAD (click on thumbnail)



Bill Statement



Back of Bill



Call Before Cross Bore



Gatekeeper

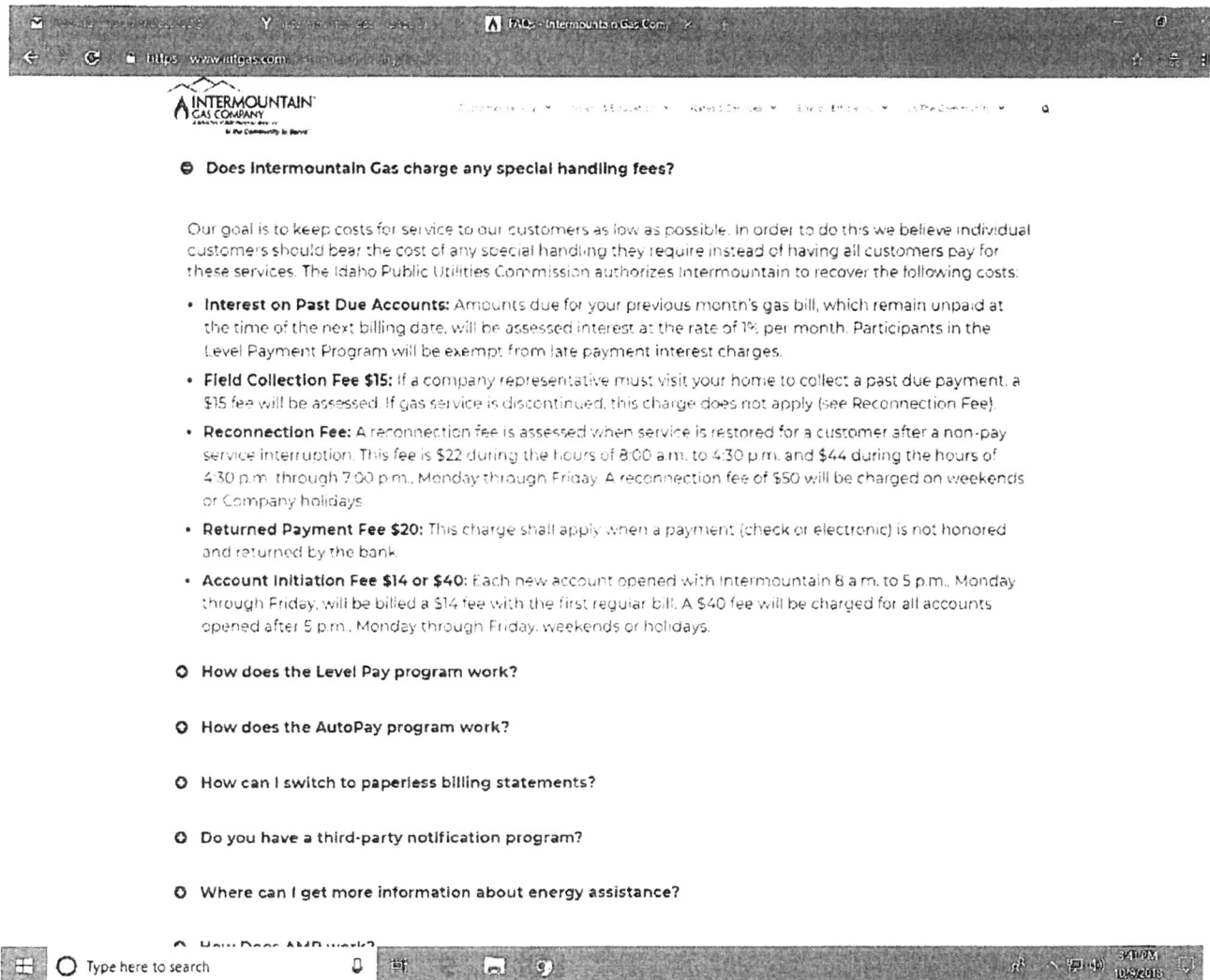
PAYMENT HISTORY

[Return a Payment](#)

Tracking Number *	Payment Date	Payment Amount	Payment Status
	05/31/2018	\$37.02	Completed

Navigation bar with icons for home, search, and other functions. Includes a clock showing 3:26 PM on 10/9/2018.

EXHIB: 7 4



The screenshot shows a web browser window with the URL <https://www.intgas.com>. The page header includes the Intermountain Gas Company logo and navigation links: Customers, About Us, Rates & Service, Energy Efficiency, and The Community. The main content area is titled "Does Intermountain Gas charge any special handling fees?" and contains a paragraph explaining the company's goal to keep costs low and a list of fees. Below this, there are several other frequently asked questions listed as links.

Does Intermountain Gas charge any special handling fees?

Our goal is to keep costs for service to our customers as low as possible. In order to do this we believe individual customers should bear the cost of any special handling they require instead of having all customers pay for these services. The Idaho Public Utilities Commission authorizes Intermountain to recover the following costs:

- **Interest on Past Due Accounts:** Amounts due for your previous month's gas bill, which remain unpaid at the time of the next billing date, will be assessed interest at the rate of 1% per month. Participants in the Level Payment Program will be exempt from late payment interest charges.
- **Field Collection Fee \$15:** If a company representative must visit your home to collect a past due payment, a \$15 fee will be assessed. If gas service is discontinued, this charge does not apply (see Reconnection Fee).
- **Reconnection Fee:** A reconnection fee is assessed when service is restored for a customer after a non-pay service interruption. This fee is \$22 during the hours of 8:00 a.m. to 4:30 p.m. and \$44 during the hours of 4:30 p.m. through 7:00 p.m., Monday through Friday. A reconnection fee of \$50 will be charged on weekends or Company holidays.
- **Returned Payment Fee \$20:** This charge shall apply when a payment (check or electronic) is not honored and returned by the bank.
- **Account Initiation Fee \$14 or \$40:** Each new account opened with Intermountain 8 a.m. to 5 p.m., Monday through Friday, will be billed a \$14 fee with the first regular bill. A \$40 fee will be charged for all accounts opened after 5 p.m., Monday through Friday, weekends or holidays.

How does the Level Pay program work?

How does the AutoPay program work?

How can I switch to paperless billing statements?

Do you have a third-party notification program?

Where can I get more information about energy assistance?

How Does AMP work?

EXHIBIT 5

9. DISCONTINUANCE AND RECONNECTION OF SERVICE

- 9.1 When a customer desires to discontinue service he shall give notice to the Company at least two business days in advance and shall be responsible for all gas consumed for the two days after date of such notice.
- 9.2 The Company may discontinue service for any of the reasons set forth in the IPUC's Utility Customer Relations Rules. Service cannot be disconnected on legal holidays recognized by the state of Idaho or any days where the Company is not open for business.
- 9.3 Whenever service has been discontinued by the Company for any reason specified in the IPUC's Utility Customer Relations Rules, a charge to recover the reconnection shall be collected by the Company before service is restored. Service shall be reconnected as soon as possible, but no later than twenty-four (24) hours after the customer has made satisfactory payment arrangements with the Company. The charge for reconnection shall be:

\$22.00, provided satisfactory arrangements for payment of all proper charges have been made during the hours of 8:00 a.m. through 4:30 p.m. Monday through Friday, except Company holidays; or

\$44.00 if such arrangements are made during the hours of 4:30 p.m. through 7:00 p.m. Monday through Friday, except Company holidays.

If such arrangements are made during hours other than the above, the reconnection shall be completed on the following day except for medical emergencies or where a customer has been disconnected in error. A reconnection completed on a weekend or Company holiday will be charged \$50.00.

Reconnections required for medical emergencies or where a customer has been disconnected in error will be completed the same day, including Company holidays and weekends.

- 9.4 An "Account Initiation Charge" in the amount of \$14.00 during regular business hours and \$40.00 outside of regular business hours will be assessed on each account opened with the Company and will be billed with the first regular bill. This charge will not apply to landlord temporary service where a landlord has signed a Continuous Service Agreement or to code compliance inspections mandated by the Idaho Public Utilities Commission.

Issued by: **Intermountain Gas Company**

By: Michael P. McGrath
Effective: May 26, 2014

Title: Director – Regulatory Affairs

EXHIBIT 6
2 PAGES

I can't pay my bill.

Can the utility shut off my electricity, gas or water?

If you don't pay your bill, your electricity, gas or water service may be terminated. However, you have some rights in this situation:

▲ **Seven days before shutting off service,** the utility must send you a written notice.

▲ **One day before shutting off service,** the utility must make a diligent attempt to contact you by calling you or coming to your home.

▲ The utility cannot terminate service at night or during the weekend.

▲ If the utility knows that minors, elderly persons, or infirm persons live in your household, your electricity or gas cannot be shut off during winter months (December, January, or February). The utility has to get special permission from the PUC to do so.

If you cannot afford to pay your bill, you must still make reasonable efforts to negotiate payment arrangements with the utility. If you are having trouble making payment arrangements with the utility directly, call the PUC immediately.

Can my service be shut off because someone else didn't pay their bill?

No. The utility cannot terminate your service for the unpaid bill of another customer.

My landlord or the owner of my manufactured home community pays my utility bills.

Can they shut off my service?

No. A landlord or owner of a manufactured home community cannot shut off utility service to try to evict you. You have a right to have the utility service put in your own name if s/he tries to evict you in this way.

My utility charged me a deposit before they turned on my service. Can they do that?

Usually, no. However, a utility may charge a deposit when they turn on your service if you had your service terminated for non-payment at previous address.

How long do I have to pay my utility bill?

A utility can set a due date for 15 days after you receive the bill. Some utilities allow more time. If you need more time than this, you can receive an automatic 15-day extension by sending a letter to the utility. Use the following letter as an example:

Dear [NAME OF UTILITY COMPANY],
[DATE]
Paying my utility bill within 15 days creates a hardship because of when I receive my income payment.
Please allow me 30 days to pay my bill each month.
Sincerely,
[CUSTOMER NAME]
[ADDRESS] [ACCOUNT #]

You can ask for an Installment Plan.

You also have the right to pay a large bill in reasonable installments. Some utilities also allow a budget payment plan where you set a monthly amount. Talk to your utility and try to work out a plan. Tell them your income, and what and how often you can reasonably pay.

If that fails, file a complaint with the PUC by following the procedure described in this brochure.

I'll get sick without heat, electricity, gas or water. What can I do?

If termination of gas, water or electricity will aggravate an existing medical condition or create a medical emergency, the utility will not shut off service for 30 days. You will have to give the utility a Medical Extension Letter from your doctor or a public health official. Use the following letter as an example:

Dear [NAME OF UTILITY COMPANY],
[DATE]
The termination of utility service to [CUSTOMER NAME], who lives at [ADDRESS], will aggravate a medical condition for [CUSTOMER]. The nature of the medical condition is _____.
Additionally, it will create a medical emergency for [CUSTOMER].
Sincerely,
Dr. _____

You can also file a second medical extension letter to receive a second 30 day extension.

What can I do if I have a problem with a utility?

You have a right to file a complaint with the PUC if are dissatisfied about your electricity, gas, or water service, or don't agree with a termination notice or a demand for deposit.

Follow this procedure:

▲ 1. First, try to work it out with the utility in writing or in person.

▲ 2. If that doesn't work, file a complaint with the PUC by sending them a letter. Use the following letter as an example:

Dear Public Utilities Commission:
[DATE]
I am filing a complaint against [NAME OF UTILITY COMPANY] concerning the proposed termination of my utility service.

I tried to resolve the matter with [UTILITY COMPANY] but could not.
I certify that I have sent a copy of this letter to [UTILITY COMPANY].
Sincerely,
[CUSTOMER NAME]
[ADDRESS] [ACCOUNT #]

▲ 3. Once a complaint is filed, the utility can NOT terminate your electricity, gas, or water until the PUC makes a decision about the complaint.

WARNING!!!

Do NOT use a false name to get utility service.

Do NOT use a minor child's name to get utility service.

Use of a minor child's name to get utility service can negatively impact their credit and impact their ability to get jobs, housing, or credit when they turn 18.

Do NOT try to hide a previous unpaid bill from the utility.

If you are dishonest with the utility when you first applied for service, the utility can shut off your service, and it will be difficult to get service again. As long as you are honest with the utility, you have a good chance of working out any payment problems with the utility's credit manager or through the PUC.

If you have any questions about these rules or your rights regarding utility bills, call or write the **Idaho Public Utilities Commission (PUC)**.

The PUC is a state agency established to make sure the utilities in Idaho treat all of their customers fairly.

Idaho Public Utilities Commission
472 W. Washington
Boise, ID 83702

General Complaints 334-0300
..... 334-0369

You can also submit a complaint or question electronically
<http://www.puc.idaho.gov/forms/cons/cons.html>

● Call **211**, Idaho's CareLine, for more information on utilities.

● If you are having trouble paying your fuel bills, you may be eligible for assistance through your **local county welfare system**. Contact your county commissioners.

● You may also seek help through a local agency that administers the **Fuel Crisis Program**.

Local Offices

Boise 345-0106
310 N. 5th St.

Caldwell 454-2591
1104 Blaine St.

Coeur d'Alene 667-9559
410 Sherman Ave., #303

Idaho Falls 524-3660
482 Constitution Way, # 101

Lewiston 743-1556
633 Main St., # 103

Pocatello 233-0079
150 S. Arthur Ave., # 203

Twin Falls 734-7024
475 Polk St., # 4

Statewide Hotlines

Idaho Senior Legal Hotline
1-866-345-0106
(en español 1-866-954-2591)

Idaho Domestic Violence Legal Hotline
1-877-500-2980

TTY (Deaf and Hearing Impaired)
1-800-245-7573

Idaho Rental Assistance & Properties:
1-877-428-8844
www.housingidaho.com

Looking for more information?

Visit www.idahoalegalaid.org to find more free forms and information for renters.

Find the Idaho Attorney General's manual, **Landlord and Tenant Guidelines**, at <http://www.ag.idaho.gov>

Revised 1/13

Advice for Idaho Renters and Homeowners:

Utility Bills

Read this handout to understand:

What if I can't pay my utility bill?

Can my utilities be shut off?

How can I protect my rights?

The Idaho Public Utilities Commission (PUC) is a state agency established to make sure the utilities in Idaho treat all of their customers fairly. It adopts rules that apply to residential customers of investor-owned utilities such as:

- **Idaho Power**
- **Avista Utilities**
- **Intermountain Gas**
- **Utah Power & Light**
- **Pacific Power & Light**
- **Citizens Utility**
- **United Water**

This handout briefly summarizes the rules. The rules don't apply to cooperative utilities or municipally owned utilities. Call **211**, Idaho's CareLine, for more information.

The advice in this handout is very general and there might be special factors in your case. If you have legal questions, contact an attorney. If you cannot afford an attorney, contact the **Idaho Legal Aid Services** office nearest you using one of the phone numbers on the back of this handout. Also, visit us on the web at: www.idahoalegalaid.org

ATTACHMENT B

9. DISCONTINUANCE AND RECONNECTION OF SERVICE

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