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BEFORE THE ARIZONA CORPORATION COMMISSION

2004 APR -1 P 4: 14

COMMISSIONERS

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AZ CORP COMMISSION
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Arizona Corporation Commission

DOCKETED

APR - 1 2004

DOCKETED BY

IN THE MATTER OF THE FORMAL) DOCKET NO. E-04230A-04-0185
COMPLAINT OF J. D. BRISTOW AGAINST UNS)
ELECTRIC.) UNS ELECTRIC'S ANSWER AND
) MOTION TO DISMISS TO
) FORMAL COMPLAINT FILED BY
) J. D. BRISTOW

UNS Electric, Inc. ("UNS"), through undersigned counsel, and pursuant to A.A.C. R14-3-106, hereby answers in opposition to the formal complaint filed by J. D. Bristow ("Mr. Bristow"). In addition, UNS moves the Commission to dismiss the formal complaint for failure to state a claim upon which relief could be granted.

I. INTRODUCTION.

UNS takes all customer complaints seriously and makes every effort to resolve them to the customer's satisfaction well in advance of any formal complaint process. In this instance, however, all efforts by UNS and Commission Staff to reasonably resolve Mr. Bristow's billing complaint have proved unsuccessful. Mr. Bristow has and refused to pay a portion of his bill covering the period from August 8, 2003 to September 9, 2003. Mr. Bristow has proceeded with his formal complaint despite UNS' investigation and determination that there was no metering problem and efforts by the Commission to mediate and resolve the dispute. UNS respectfully submits that Mr. Bristow's complaint is without factual or legal basis and should be dismissed.

II. BRISTOW'S COMPLAINT

Mr. Bristow uses his complaint as a forum to express his general dissatisfaction with a variety of issues including electric competition in Arizona, Commission approved rates being charged by UNS, the Commission Staff's efforts and procedures for resolving consumer complaints, and the local economy in Lake Havasu City. Despite his wide-ranging complaints,

1 Mr. Bristow indicates that the core issue presented by his complaint is “a basic over billing
2 problem.” The following excerpts from Mr. Bristow’s complaint set forth his position on the
3 billing problem:

4 Before UniSource took over Citizen’s Electric, my average utility bill for
5 the summer months were around \$130.00, give or take \$20.00 dollars.
6 Unisource sent me their first bill dated, 8/8/2003, for the enormous amount
7 of \$182.53. This is an unreasonable amount of money to spend on a single
8 room apartment with nothing more than a water heater, air conditioner,
9 computer and a few fluorescent lights. However, thanks to the Arizona
10 Corporation Commission’s traitorous affirmation to allow UniSource to
11 raise the existing cost of utilities by 22%, this has become a reality.

12 ...

13 My next bill, dated 9/11/2003, for the amount of \$239.43 was where I
14 have to draw the line, this bill cannot be accurate even with the allotted
15 22% extortion rate. I told Unisource that the bill was way out of bounds
16 and I disputed the amount. I submitted a check for the amount of \$130.00,
17 a figure that could not be disputed. Unisource replaced my meter with a
18 “double-socket” meter. The original meter was beaten from its metal box
19 frame with a large hammer...[and] I was not permitted the opportunity to
20 read it. Paula Baxter, from UniSource, took it upon herself to inform me
21 that the next bill was anticipated to be comparable to the one I was
22 disputing. Although the meter was supposedly being checked for
23 accuracy, she had determined that my next bill by referencing the meter in
24 question.

25 ...

26 I don’t see how UniSource is allowed to test their own meters without
27 supervision. It’s ridiculous to consider that a money hungry company like
28 UniSource is going to honestly report the results of any meter not
29 conforming to the legal standards if it doesn’t benefit themselves.

30 ...

31 As I predicted, the following bill was in fact, closer to the number I said it
32 should’ve been all along. It came in at \$177.97 for 10/27/2003. At the
33 same time, UniSource sends me a termination notice and threat to pay the
34 remaining \$109.43, stating that their meter tested to within the 3% limit

1 allowed by law, and that I had five days in which to pay or my service
2 would be terminated and a reconnection fee applied.

3 [See Complaint, p 1]

4 **III. RESPONSE TO MR. BRISTOW'S ALLEGATIONS¹**

5 Putting aside Mr. Bristow's editorial commentary, most of the basic facts presented in the
6 complaint are undisputed – although incomplete. He first characterizes his electric bill dated
7 August 8, 2003 as “enormous” and “unreasonable.” However, that particular billing period was,
8 except for three days, during the tenure of UNS' predecessor Citizens and prior to the “new rate”
9 raised in Mr. Bristow's complaint. Mr. Bristow then refused to pay a portion of his bill covering
10 the period from August 8, 2003 to September 9, 2003. The bill was for \$239.43. Mr. Bristow paid
11 \$130.00 and notified UNS of his dispute of the bill beginning in late September 2003. In
12 communicating with Mr. Bristow over his bill, UNS informed Mr. Bristow of various methods for
13 managing his utility costs including “in-home energy audits” and “budget billing programs”.
14 These communications failed to resolve the dispute, and on October 18, 2003, Mr. Bristow
15 provided formal notice that he was continuing to dispute the \$109.43 balance due for August,
16 2003. Upon receipt of Mr. Bristow's notice, UNS notified Mr. Bristow on October 20, 2003, that
17 an investigation of his bill was already under way. As part of that investigation, UNS removed
18 Mr. Bristow's meter and performed testing on the accuracy of the meter. Testing established that
19 the meter was properly functioning, and UNS informed Mr. Bristow of this fact in writing on
20 October 27, 2003. At the same time, Mr. Bristow's failure to make payment within 5 working
21 days would be grounds for termination of service.

22 The October 27, 2003 correspondence from UNS also included information on filing a
23 consumer complaint, and on November 7, 2003, Mr. Bristow filed an informal complaint with the
24 Commission. Thereafter, Ms. Woller of the Commission Staff, attempted to work with Mr.
25 Bristow. Ms. Woller personally met with Mr. Bristow on or about January 13, 2004, and in
26

27 ¹ Because of the narrative nature of Mr. Bristow's Formal Complaint, UNS is unable to admit or
deny each allegation separately and therefore addresses the allegations in narrative fashion.

1 connection with her meeting, contacted UNS to inquire whether UNS would permit Mr. Bristow to
2 pay the disputed balance over three months. UNS agreed.

3 Following her meeting with Mr. Bristow, Ms. Woller sent Mr. Bristow a letter on January
4 5, 2004 advising Mr. Bristow "that the charges in the bill are in accordance with UES' (UNS)
5 Commission-approved tariffs and Decision No. 66028 and as explained above we are considering
6 the billing discrepancy closed." Despite Ms. Woller's letter and UNS' agreement to spread the
7 charges out over three months, Mr. Bristow filed his formal complaint commencing these
8 proceedings on or about March 1, 2004.²

9 At this juncture, UNS and the Commission Staff have done everything possible to resolve
10 the current billing dispute with Mr. Bristow. Mr. Bristow's complaint provides no new
11 information or evidence that would support his continuing refusal to pay outstanding charges of
12 \$109.43 for electrical service provided back in August 2003. While Mr. Bristow's increased
13 electrical usage for August 2003 may be explained by the high temperatures experienced over
14 much of the month, this fact provides no basis for Mr. Bristow's refusal to pay his bill.

15 **IV. MR. BRISTOW'S REQUEST FOR RELIEF**

16 In his complaint, Mr. Bristow requests the following relief:

17
18 I want the energy utility competition we were promised. I want to be
19 compensated for the money and thirty-some-odd hours I've wasted, time I
20 can't afford, trying to show reason to people who seemingly have none. I
21 want to pay my utility bills without having to beg, borrow and steal to do it.
22 I want to have the freedom not to be over-burdened by extortion,
23 unreasonable rates, fraudulent business practices, and political corruption. I
24 want to be able to cook a meal without paying more for the electricity to
25 cook it than the ingredients themselves cost. I want UniSource to be put on
26 a shorter leash and their actions actually regulated instead of conforming
27 the regulations to their actions. Most importantly, I want the ACC to do the
28 job it's commissioned to do, to protect the citizens of Arizona from the
29 very things that UniSource is doing right now. Nothing on this list is too
30 much to ask for, so why is it?

31 **[Complaint p. 3]**

32 ² The preceding facts are established and supplemented by Exhibits A and B attached to this
33 Complaint.

ROSHKA HEYMAN & DEWULF, PLC
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET - SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

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V. UNS' RESPONSE TO MR. BRISTOW'S REQUEST FOR RELIEF.

In addition to the wish-list of relief requested in the complaint (most of which UNS does not have the authority to do), UNS can only assume that Mr. Bristow also wants the Commission to find that he is not liable for the \$109.43 in disputed charges. However, as set forth above, there is no basis for the Commission to find in favor of Mr. Bristow on his billing complaint. While it may serve as an editorial on Mr. Bristow's views on energy competition and his dissatisfaction with UNS and the Commission, the complaint fails to state a claim and should be dismissed.

V. UNS' REQUEST TO DISMISS COMPLAINT

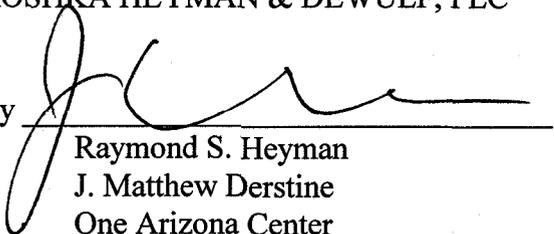
Based upon all of the foregoing, UNS respectfully requests that the Commission issue an Order:

1. Finding that Mr. Bristow has not stated a claim upon which relief can be granted;
2. Granting UNS' Motion to Dismiss;
3. Denying the relief requested by Mr. Bristow;
4. Ordering Mr. Bristow to pay the remaining outstanding portion of his bill to UNS; and
5. Granting such other relief as the Commission deems just and reasonable.

RESPECTFULLY SUBMITTED this 1st day of April, 2004

ROSHKA HEYMAN & DEWULF, PLC

By



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J. Matthew Derstine
One Arizona Center
400 East Van Buren Street, Suite 800
Phoenix, Arizona 85004

Attorneys for UniSource Energy Corporation

ROSHKA HEYMAN & DEWULF, PLC
ONE ARIZONA CENTER
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PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

1 Original and 13 copies of the foregoing
2 filed this 1st day of April 2004 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

7 Copy of the foregoing hand-delivered/mailed
8 this 1st day of April 2004 to:

9 Chairman Marc Spitzer
10 Arizona Corporation Commission
11 1200 West Washington Street
12 Phoenix, Arizona 85007

13 Commissioner William A. Mundell
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

17 Commissioner Jeff Hatch-Miller
18 Arizona Corporation Commission
19 1200 West Washington Street
20 Phoenix, Arizona 85007

21 Commissioner Mike Gleason
22 Arizona Corporation Commission
23 1200 West Washington Street
24 Phoenix, Arizona 85007

25 Commissioner Kristin K. Mayes
26 Arizona Corporation Commission
27 1200 West Washington Street
Phoenix, Arizona 85007

J. D. Bristow
2155 Moyo Drive, #1
Lake Havasu City, AZ 86403

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1 Lyn A. Farmer, Esq.
2 Chief Administrative Law Judge
3 Hearing Division
4 Arizona Corporation Commission
5 1200 West Washington Street
6 Phoenix, Arizona 85007

7 Christopher C. Kempley, Esq.
8 Chief Counsel, Legal Division
9 Arizona Corporation Commission
10 1200 West Washington Street
11 Phoenix, Arizona 85007

12 Ernest G. Johnson
13 Director, Utilities Division
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, Arizona 85007

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26
27
By Mary Appolito

A

EXHIBIT "A"

The facts surrounding the billing dispute presented by Mr. Bristow's complaint are set forth in the following chronology.

- On September 17, 2003, Mr. Bristow inquired about CARES discount and the PPFAC;
- On September 22, 2003, Ms. Crouch provided information on air conditioning load and Budget Bill Plan to Mr. Bristow;
- On September 26, 2003, Ms. Baxter provided an explanation of the PPFAC, and offered an in-home energy audit, provided energy savings tips, and provided bill print histories to show his CARES discount to Mr. Bristow;
- On October 04, 2003, Mr. Bristow inquired about retail competition and meter testing. Mr. Bristow also indicated disinterest in CARES, budget or energy audit;
- On October 16, 2003, Ms. Baxter scheduled a meter change-out for test and installation of double-socket meter, estimated daily consumption at 58 kWh/day. Ms. Baxter informed Mr. Bristow of open-access plan filing, and asked him to make payment arrangements on his delinquent bill;
- On October 18, 2003, Mr. Bristow inquired about the termination notice and requirement for guarantor, disputed billing;
- On October 20, 2003, Ms. Baxter acknowledged receipt of bill dispute, provided dates of termination notices and reasoning for guarantor;
- On October 20, 2003, Mr. Bristow e-mailed Jo Smith, Director Investor Relations, perceived threat, expressed dissatisfaction with Ms. Baxter and the ACC;
- On October 21, 2003, Mr. Bristow's meter test results were 99.89% accurate;
- On October 24, 2003, Ms. Baxter received an e-mail from Mr. Bristow requesting no further replies from her;
- On October 27, 2003, Ms. Baxter informed customer of meter test results, requested payment within 5 days and informed him of his right to appeal to the ACC;
- Mr. Bristow then sent a letter to the Editor of the Lake Havasu City Herald;
- On November 1, 2003, Ms. Baxter received an e-mail threat perceived, requested the ACC contact him directly
- On November 5, 2003, Mr. Bristow paid current bill, disputed portion of prior bill remained outstanding;
- On November 7, 2003, Ms. Baxter received an e-mail acknowledgement of receipt of meter test results, still disputing unpaid balance;
- On November 7, 2003, Ms. Baxter received the ACC complaint - original complaint dated 10/20/2003 sent to czn.com), provided copy of prior correspondence(s);
- On November 25, 2003, the ACC recommends scheduling a mediation; UNS offers independent meter test and provides information on cooling degree days;

On January 13, 2004, Ms. Baxter agrees to three-month payment terms on unpaid balance.

B

2498 Airway Avenue
Kingman, Arizona 86401-3657
928.681.4100

UniSourceEnergy SERVICES

September 26, 2003

J D Bristow
2155 Moyo Dr #1
Lake Havasu City, AZ 86403

Re: Electric Account
No. 511074-7

Mr Bristow:

Steve Crouch, Business Office Supervisor forwarded the email correspondence going back and forth between the two of you.

In your August billing statement, you should have received a bill insert stating the Arizona Corporation Commission approved a rate increase that averages 22 percent for our electric customers. The new rates result from rising purchased power costs. The charge is reflected on your bill as a ppfac factor of \$0.01825 per kWh. The Commission order does not allow for any additional increase before August 2007. The last increase for our electric customers was in 1997, over six years ago.

You may be interested to know that UniSource Energy Services offers in-home energy audits designed to help residential customers identify energy savings opportunities. We also offer energy savings advice that's available online at www.uesaz.com.

Steve also suggested you consider our Budget Billing Program. This program can help even out seasonal swings in your electric bill by allowing you to pay a fixed amount based on your estimated annual electric use. Enrollment forms will be included in our October bills, if you are interested.

I have also enclosed copies of your usage history and bills showing the amount of the CARES discount applied when your usage is below 1000 kWh. For bills with usage:

0 - 300 kWh	30% discount
301- 600 kWh	20%
601 - 1000 kWh	10%
1000 kwh +	\$8.00

Respectfully,


Paula J Baxter
Customer Service Manager

2498 Airway Avenue
Kingman, Arizona 86401-3657
928.681.4100

UniSourceEnergy
SERVICES

October 16, 2003

J D Bristow
2155 Moyo Dr #1
Lake Havasu City, AZ 86403

Re: Electric Account
No. 511074-7

Mr Bristow:

On October 14 at 9:32am, the existing meter at your location was changed out to allow us to test the equipment. We will inform you of the results as soon as the test is complete. If the meter tests outside of the +/- 3% accuracy limits, your account will be subject to an adjustment.

At the time the meter was removed, 290 kWh had been used in the five days since the prior read. This is an average of 58 kWh per day (290 divided by 5 equals 58). At this usage rate per day, your usage at the end of a billing period of 30 days would be 1,740 kWh (58 times 30 equals 1,740). This is consistent with the last billing period. At the same time the serviceman replaced the meter, he installed a double-socket to allow the installation of a check meter. This check meter will allow you to observe the comparison measurement between the two meters over the next month or so.

In the Arizona Corporation Commission's Decision 66028, UniSource was ordered to file an application for approval of a plan to open our service territories to retail electric competition by no later than December 31, 2003. In response to that order, UniSource will file a competitive implementation plan at the end of this month. Unless subject to judicial or regulatory restraints, all UNS customers will be eligible to receive competitive retail access by the end of this year.

Lastly, although we did receive your partial payment for services rendered during the preceding billing period, I need to make you aware that your account is still subject to disconnect for the arrears balance. Please contact the local business office immediately to make arrangements to pay the \$109.43 arrears balance. Failure to do so, prior to the scheduled termination date, may result in discontinuance of electric service without further notice.

Respectfully,



Paula J Baxter
Customer Service Manager

2498 Airway Avenue
Kingman, Arizona 86401-3657
928.681.4100

JniSourceEnergy
SERVICES

October 20, 2003

J D Bristow
2155 Moyo Dr Apt #1
Lake Havasu City, AZ 86403

Dear Mr Bristow:

UniSource Energy Services is in receipt of your letter dated October 18, 2003 disputing the unpaid portion of your September bill in the amount of \$109.43. The termination notice in question was mailed on October 8th. The scheduled termination date was October 15th -- five working days. Notice is considered to have been given to the customer when a copy is posted in the US mail addressed to the customer's last known address. Your current bill in the amount of \$177.97 is due on October 27, 2003.

An investigation has already been initiated. And, as stated in my previous letter dated October 16, 2003, we will inform you of the results as soon as the meter test is complete, and the check meter has registered consumption for a period of time. The company will withhold disconnection of service until the investigation is completed and you have been informed of the results.

You also question how long your father will be held accountable for this service. In lieu of a cash deposit, a guarantor is accepted by the company. Security deposits are required on accounts with more than two delinquent payments during the preceding twelve months. During the preceding twelve months, your account has been delinquent four times. Therefore, we continue to require the guarantor, or another form of security.

I believe this addresses the main points of your recent letter.

Respectfully,



Paula J Baxter
Customer Service Manager

Cc: Lhc Collections
Steve Crouch, Lhc Suprv

2498 Airway Avenue
Kingman, Arizona 86401-3657
928.681.4100



October 27, 2003

J D Bristow
2155 Moyo Dr Apt #1
Lake Havasu City, AZ 86403

Re: Electric Account
No. 511074-7

Mr Bristow:

At your request, meter number A18137 was removed and sent to the meter shop for testing. Attached are the results of the meter test conducted on October 21, 2003 indicating an accuracy level of 99.89%. Accuracy limits, as approved by the Arizona Corporation Commission {ACC}, are +/- 3%.

Also in accordance with rules and regulations filed and approved by the ACC, *once the customer has received the results of the company's investigation, the customer shall submit payment with five (5) working days to the company for any disputed amounts. Failure to make full payment shall be grounds for termination of service. It is my responsibility to inform you of your right of appeal to the Commission.*

I have downloaded the ACC Consumer Complaint Process for your information, or you may contact them directly by calling 800/222-7000.

Respectfully,

A handwritten signature in cursive script that reads "Paula J Baxter".

Paula J Baxter
Customer Service Manager

Cc: S Crouch, Lhc Suprv
Lhc Collections

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

Investigator: Carmen Madrid

Phone: (602) 542-0848

Fax: (602) 542-2129

Priority: Respond Within Five Days

Opinion No. 2003 - 29871

Date: 10/20/2003

Complaint Description: OIA Billing - High/low

First:

Last:

Complaint By:

J.D.

Bristow

Account Name:

J.D. Bristow (acct. # 511074-7)

Home: (928) 854-4039

Street:

2155 Moyo Drive, Apt. #1

Work: (000) 000-0000

City:

Lake Havasu City

CBR:

State:

AZ Zip: 86403

is:

Utility Company: Unisource Energy Services

Division:

Electric

Contact Name:

Patty Webster

Contact Phone: (928) 681-4105

Nature of Complaint:

To whom it concerns, I have been having problems with UniSource trying to overcharge me on my utilities and they're threatening to shut off my service, I've sent along a copy of the letter I wrote to them in hopes someone might be interested in knowing what's going on. Thank you for your time.

J.D. Bristow page 1 of
2155 Moyo Drive Apt.# 1
Lake Havasu City, Az. 86403
(928) 854-4039

October 18, 2003
Re: Acct.# 511074-7

Ms. Baxter,

I received your letter dated October 16, along with three others, two of which were termination threats scheduled for October 15 and one was my most recent utility bill. Do you always send out termination threats after the scheduled date of termination? According to the Arizona Electricity Consumer Bill of Rights, not only are charges by public service corporations required to be just and reasonable, (unlike yours) but you are required to give me five days heads up (among other things) before disconnecting service. You not only wasted an entire page to include your little "carbon copy" to collections, but you wasted the ink to print it with. Yeah, I'm really likin' your service alright. I'm not concerned with what the reading on the meter was when the servicemen installed the "double-socket." To say that I used an estimated 58 kWh per day for five days is only as accurate as the meter and to say that it averages out to last months usage is probably right, according to that meter. So what exactly are you telling me? I'm saying that your estimate is wrong, not because of the math, but because of the improbability of my being able to create such a bill. In fact, the bill I received along with the illegal post termination threats proves that I'm correct and have been all along. The bill was for \$177.97, about the same amount it was the month before I got slammed with the \$239.43 bill that I'm telling you is wrong. I've said all along that my average bill is between \$120 and \$140 a month. Take \$177.97 and subtract the bogus PPFAC charge of \$32.49 and there you have it, \$145.48. A number that much more closely represents the already outrageous fee I'm forced to pay each

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

month. A far cry from \$239.43, don't you agree? And as a utility customer disputing a portion of my bill, I paid the amount that was undisputed and notified you that the unpaid amount was under dispute, so you can't just turn off my service. Do you people do anything legal? Of course the meter is being checked "in house." So, proving that I'm right won't be possible, unless you look at the events for what they are. Just look at my billing record and you'll see the logical truth. And take into consideration that I've never disputed a bill before, regardless of how much I knew I was being bilked, why should I start now except to point out that a criminal act is being committed? How long do you intend to hold my father accountable for co-signing my account, anyway? Is that now a life-long commitment? I've paid the bills for five years and you not only rip me off, but make my father accountable for it. The way you people do business, more words can't express. Your President and CEO, Mr. Pignatelli said; "Reliability, service and value will remain our central goals as we expand our business," he obviously must've been referring to another business because UniSource fails to meet that criteria by a long shot. You've made it such a pleasure to do business with you, thank you so much.

Sincerely Yours,

J.D. Bristow
Purchasing Customer

Utilities' Response:

N/A

Investigator's Comments and Disposition:

10/21/03 e-mailed to company

11/6/03 2:28 p.m. (Notes by Janie Woller) Paula Baxter (Unisource) called regarding J.D. Bristow disputing his electric bill with her. She has e-mailed several responses to him and had his meter tested with the results being 99.89%. He has now paid his bill. Closed.

11/20/03

Ms. Woller, I can appreciate the fact that you're probably up to your neck in complaints about UniSource, but I need to know if UniSource is aware that I'm still disputing this illegal charge. I'm still getting threats from these people and I haven't heard anything from you. I seem to be the only one abiding by the rules set forth by the ACC. If you can't or won't do anything about this, then point me in the direction of someone who can, but I need to know TODAY! The last notice I received had a scheduled termination for the 17th.

J.D. Bristow

Arizona Corporation Commission

Consumer Inquiry and/or Complaint Form

11/20/03 Notes and following response by JSW: I apologize for the delay in responding to your e-mails. Attached is Decision No. 66028 approving a new Purchased Power and Fuel Adjustment Clause ("PPFAC") adjustor rate of \$0.01825 per kWh for the Unisource subsidiary. After reviewing the charges, Unisource has billed your account according to the meter read for August 8, 2003 which was 15860 and the meter read for September 9, 2003, which was 18280. Subtracting the August read of 15860 from the September read of 18280 gives the metered usage being 2420 kWh. The meter was tested resulting in its accuracy being within the 3% which is allowed by Rule No. R14-2-209F. The charges on your bill for the billing date of 9/11/03 is in compliance with the Commission's rules and Company approved tariffs, so payment of the \$109 in dispute must be received by Unisource on or before December 1, 2003, and the current bill within the time allowed for your service to remain active.

>>> "J.D. SNAKE" <jdsnake@citlink.net> 11/20/2003 7:12:56 PM >>>

Like I said, I could see this coming from a mile away. Not that it obviously matters to you, but my bill has been pretty

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

consistent over the last five years, with the unjustifiable and extremely unreasonable rate increase added to my normal billing range, my bill should not have exceeded \$180.00. My bill before this one was just under \$180.00 and the bill after this one was just under \$180.00, but you think that after five years of consistency in my usage and billing, that \$240.00 is easily recognized as being the correct amount I owe? These charges are irrelevant to the "PPFAC". My normal billing is between \$120.00 to \$140.00 that time of year, add the forty-some-odd dollars for this bogus "PPFAC" and you've got just under \$180.00. Of course they're going to say the meter results are accurate, THEY tested it! What else are they going to say? "Oh gosh, this things broke." I don't think so. I've never disputed a bill before, why would I start now if I didn't feel I had good cause? And since you're quoting rules, why not quote the ones about regulating a rate that's reasonable and just, or the one regarding the time frames for termination notices? So is this my only recourse? Am I not allowed access to a mediator that's unbiased or doesn't own stock in UniSource? Or at least someone who will listen to my side as well?

J.D.Bristow

11/24/03 7:35 a.m. I am in the process of setting up a mediation regarding your dispute with Unisource. What dates and times are you available for a mediation?

How do I file for a reconsideration and how can I get someone to read my petition? I think if I could get someone to look at what I'm saying here, they would realize that I'm not the one being dishonest. How is it possible that I get one bill for \$180.00, the following bill is \$240.00, and the one following that is again down to \$180? When UniSource came out and beat my meter off the wall with a large hammer, saying they were taking it in to be tested, I never saw the last reading. But I received a letter from them several days later explaining how, according to my last meter read, the estimated usage for that upcoming month was going to be similar to the previous month that supposedly earned me the \$240.00 bill. But of course, that wasn't true. My next bill was in fact, down to nearly the exact same amount as the prior \$180 bill I received in the beginning. My billing record shows no dramatic deviation in usage for the last five years and suddenly it's a "given" that I must've created this bill? And why doesn't it bother you that the termination threats they've sent me, (four, in all) did not arrive until the day after the scheduled termination? None of them had any postmarking what-so-ever. No dates are printed on the notices themselves that would give any indication as to when these documents were written, no less sent. These things they're doing are in violation of your own regulations, but no one has any interest in that, why?? Why doesn't it matter that these people are criminals and couldn't conduct themselves in a professional manner to save their own lives?

You've gone to great lengths to convince me of the validity of this "PPFAC" clause, and in spite the childish and ignorant behavior exhibited by the relevant parties, it appears that poor management skills and a lack of forethought can be rewarded at the cost of the consumers who have absolutely no choice but to pay for this self inflicted debt, real or not, despite the obvious inability to afford it under these, or any other circumstances. So why then, is there no accountability for UniSource's actions when they refuse to abide by the very same entitlements we have to live up to? My situation had nothing to do with the "PPFAC." The only reason that was ever mentioned was because of my astonishment that such an arrangement could ever be considered, no less implemented in this country by seemingly intelligent people. It's an unnecessary and despicable clause to force upon so many innocent people, but my utility bill had nothing to do with that. My bill was said to be accurate, unreasonably and unjustly high, but accurate. Given the many dishonest and illegal actions taken by UniSource in their first few months of operation, making those of us who happen to have the misfortune of residing within their service area feel like we're captive residence of "Stallag UniSource," and given the outrageous number of people who have received similar variations in their billing in both directions, giving reasonable cause to believe UniSource hasn't the slightest idea of what they're doing or why, it would appear more than logical that this billing was a mistake. And since I can't argue the validity of the meter test as it was done without any witnesses other than their own people who have already proven their trustworthiness to be less than plausible, I'm suppose to just accept this matter the way it's being handled? As it sits, the system of checks and balances being implemented are less than adequate and this matter has not been properly heard. I need to receive information regarding the filing of an appeal or reconsideration. I cannot allow these people to be resolved in their behavior and they cannot be allowed to continue in the manor of which they are racketeering and holding our utilities for ransom. Just look at me, for Christ's sake. I'm not a trouble maker, I can be, but I'm not. I've never been in dispute of a bill before and I believe in paying my bills, why would you not give me the benefit of the doubt and just listen to what I'm saying?

ARIZONA CORPORATION COMMISSION

UTILITY COMPLAINT FORM

J.D. BRISTOW
Lake Havasu City, Az.

11/28/03 (Notes by JSW) 1:48 p.m. Called Mr. Bristow and left message. 12/1/03 2:50 p.m. Returned Mr. Bristow's call and asked him how he came up with the \$109.43 he is disputing and he said that the Company came up with it. I informed him that after reviewing everything again, that he and Unisource has provided; that Unisource is in compliance with the Rules and tariffs. I asked him how he came up with the \$109.43 he was disputing and he said that the Company came up with that amount. Mr. Bristow said that he just paid \$130 because there is no way he could have used \$240 in his 350 sq. ft. apartment. Informed him that the meter was tested and it was 99.89%. Agreed to get him a copy of the meter test and enclose it with the letter I was writing. Again informed him that billing was based on the charges that were approved by the Commission. (His answering machine was on during our conversation). Mr. Bristow said that he was sending copies of his bill to Steve Ahearn.

12/1/03

If you're going to send me documentation, would you mind explaining why UniSource is allowed to send disconnection threats that are not only a day late, but aren't even postmarked or dated anywhere on the envelope or document? Why wasn't I contacted during the dispute/ resolution process prior to such a prejudiced decision being made so that I may have offered into evidence, documents I feel are prudent to a logical and realistically thinking arbitrator? And why wasn't I informed that I still had an opportunity to appeal to the commission? (sorry, for a second there, I thought it actually mattered, my bad.) Does it have to be so obvious that no one is going to listen to reason and that I, as a consumer dependant on the over-priced services in question, have been denied any enforceable rights in the matter? I think I would've been less disappointed if you had told me the way it really was from the get-go. You probably should've just said: "You WILL pay this unreasonable bill, comrade, and you WILL like it!" It would've saved us both the hassle of me trying to prove my innocence and you set on defending theirs. The amount of time and energy spent on this matter has already exceeded its worth, not to mention all the letters I've written only to have them discounted as merit less. Which of course, makes me a liar as well and says that all these calls to the Governor's office and Stephan Ahearn at RUCO mean absolutely nothing and this is all just a ploy to pacify me in some way while everybody just goes on doing whatever the hell it is they want to be doing to me anyway, coercively taking my money as planned from the start. This whole mess just makes me so proud to have fought for this miserable country and the so-called freedoms and rights of apparently everyone else but me. The gratitude I hold for your desire to seek the truth goes far beyond the written word.

J.D Bristow

12/2/03 (Notes by JSW) 8:12 a.m. Please provide me with the documentation you have regarding this matter. I would like the opportunity to review the items and it may make a difference. The disconnection issue will also be addressed.

12/9/03 (Notes by JSW) 10:15 a.m. Mr. Bristow, unfortunately when I opened the attachments the only item I received was your message. What specifically are you sending? Hope you are feeling better!

>>> "J.D. SNAKE" <jdsnake@citlink.net> 12/5/2003 2:01:46 PM >>>

Janie,

I ask for a little patience, I awoke on my birthday, December 1st, nearly crippled with back pain. I've only just now begun to be mobilized. I then had to reformat the documents to send electronically. It was six of one, half a dozen of the other. Either it's consuming more time or money, but I'm footing the bill, regardless. I think I can begin sending this stuff shortly, assuming what little computer skills I have, are actually benefiting me. I apologize for this delay, I've been pounding at my keyboard complaining of not having been heard, now I can't seem to speak. This is frustrating beyond belief!

J.D. Bristow

12/12/03 (Notes by JSW) 3:15 p.m. Called Mr. Bristow and left message regarding setting up a meeting for next week.

1/8/04 (Notes by JSW) 8:48 a.m. Called Mr. Bristow and left message.

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1/9/04 (Notes by JSW) 8:50 a.m. E-mailed the following to Mr. Bristow: 1/9/04 8:50 a.m. Mr. Bristow thank you for your fax and I have reviewed it and would like to meet with you next Tuesday (1/13/04). Please let me know if you are available so we can set up a time and location to meet in Lake Havasu City.

1/12/04 (Notes by JSW) 9:35 a.m. Returned Mr. Bristow's call and agreed to meet at his apartment since he doesn't have transportation and he will have 5 or 6 other neighbors there.

1/13/04 (Notes by JSW) 11:30 a.m. Carmen Madrid and I met with J.D. Bristow, Gina and his Dad. Gave Mr. Bristow copies of the A.A.C. Unisource tariffs and Decision No. 66028, and again informed them that this is what the Commission regulates Unisource in accordance to. If they are in compliance with the above there is nothing more the Commission can do. Mr. Bristow's Dad had a question about his son's apartment costing more than his house. Informed him that apartments are usually not insulated well and many times have old equipment that use more energy.

1/15/04 (Notes by JSW) Wrote and sent Mr. Bristow letter as follow-up to our meeting (summarizing the meeting) on 1/13/04 and closing his complaint. (letter attached).

1/20/04
APPEAL NOTICE

J.D. BRISTOW

2155 Moyo Drive Apt. #1

Lake Havasu City, Az. 86403

(928) 854-4039

Jan. 20th, 2004

Mrs. Woller,

It is has not been possible to reach you by e-mail since January 9th, it would appear rather obvious that I've been intentionally blocked. Nonetheless, this is to inform you of my request to appeal your biased decision against me due to the many discrepancies that have been incorporated in your actions and the actions of your cohorts at UniSource Energy. I am not at all satisfied with the way this matter has been handled and I have come to realize what I have felt from the very beginning, that I have been the victim of a scam conspired by both yourself and UniSource. This allegation has been made clear to the State's Attorney General's Office and the Governor's Office. I have also printed another newspaper article to publicly share with the local community what the ACC really does to the unsuspecting public, who they actually work for and what activities they are presently involved in regarding my erroneously inflated electric bill.

Civil servants are historically, people who work assisting the public body that employs them, while receiving a much higher rate of income, benefits, and quality of work conditions as compared to those experienced by the vast majority of people who support them through taxation. They don't generally drive expensive luxury sedans 250 miles to my home just to tell me they feel my pain. In fact, the only reason you came at all was because you were instructed to do so by the Governor's office. You couldn't care less what kind of frustration you've caused me. You had no hesitation in telling me to pay up or get my service shut off. When I told you I was receiving termination notices after the scheduled termination dates, you only responded by saying; "They didn't shut it off, did they?" In actuality, they don't have to, not for that to be labeled as "non-

ARIZONA CORPORATION COMMISSION

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compliance" according to ACC regulations. But of course, you already know this.

I cannot believe you would be so determined to make me pay for something I don't owe, wasting so much of my time and money in the process. You're suppose to assist me, not force this down my throat as if you were on the utility company's payroll, but then, according to my utility statement, it seems that you do have a stake in it.

I will continue to appeal until this is done properly. But right now, I'm requesting that you make your friends at UniSource aware this matter continues to be debated and that they need to back off on the illegal termination threats. Then, I'd like you to put this matter in the hands of someone more willing to help me. The Arizona Attorney General and the Governor's office are both aware of my request and intentions.

J.D. Bristow

1/20/04 (Notes by JWS) The Appeal Notice regarding your complaint with Unisource has been received. The final step in the complaint format is a formal complaint. The Formal Complaint Form with attached cover letter, explaining the procedure and time frame, will be placed in the mail to you on January 21, 2004.

>>> "J.D. PLISKIN" <jdsnake@citlink.net> 1/21/2004 7:35:07 AM >>>

Mrs. Woller,

I just received a letter from you dating Jan. 15th, 2004. In this letter, you say you conducted a "thorough" review of the information received from me at some meeting. What meeting? There was no meeting. You came up here, told me I had to take it in the shorts, end of discussion. What meeting were you at? I never expressed a concern over when the additional meter was going to be removed, who the hell cares? The information about the notices to my co-signer being sent to me was just to show how stupid these people are being. Again, who the hell cares? You haven't listened to me from day one. My concern is that of being way overcharged, the only issue that was never touched throughout this entire scam. Where do you get off saying these things, you're not even on the same page as the issue. You refuse to even look at the issue. I've discussed this matter with more people than you'll ever know and not one of them agrees with my billing, and yet, you're the only one who says different, guess everyone is wrong and you're right, just like the way the commission feels about the voters, huh? Why would you sit here and tell me you didn't like the situation either, but then tell me I had to pay them anyway? I bet you'd be changing your tune if you were the one having to pay double for your utilities. When something like this is wrong, you're suppose to fix it, for Christ's sake! You people are the "regulators" and you "regulated" something wrong. So, why won't you "regulate" it right again? This is so childishly absurd, it's not even comprehensible. Why are you so eager to screw me like this? Why would the Commission want to do this to anyone? If you all think there should be a rate hike to begin with, why don't you pay it, then?

I realize you're just wasting more of my time and energy by me feeling the need to write this, but I'm not going to just sit here and let anyone do anything to me without a fight. I'm sure I don't stand a chance, but you're trying to put me in the street, and I take that very personally. If I'm going to be forced out of my home because of you people, you can bet you're going to have to answer to me for it. And right know, the answers I'm getting don't address the issue and have no direction. I may be a thorn in your side, now, but I can work on that. I'm getting a lot of attention paid to this matter, more so than you paid to it, and I intend to get more. I just wish you people hadn't done this. And for what? Greed, pure and simple greed. Unbelievable! Thank you so much. One can only hope the day will come when some jerk-off with the need for greed somehow destroys your life for absolutely no other reason than personal gain. I'd give anything to see the look on your drowning face as they putter by in their fancy boat, just as you're doing to me right now. If there was ever a need for karma, it would be most fitting to manifest itself for this one.

I'm not looking forward to all the complaint forms and newspaper articles ahead. But I'm ready to do what needs to be done to make this right. You mention all these trivial accomplishments you've made on my behalf, you didn't happen to tell UES to back off on the termination threats while this matter is still under dispute, I'll wager. We wouldn't want you to go out of

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your way to do something that might be helpful. It's ridiculous how the people with the authority to do the right thing, won't, and those of us who don't, are forced to make it happen. The other day, my elderly neighbor collapsed at my front door with blood spurting from an artery in his leg. To make a long story short, they say I saved his life. I can't help but compare that event with this situation, only you people are just standing there, watching me bleed to death because as far as you're concerned, it's all good. I can't believe all the grief you want to put me through for this. Thanks again.

J.D. Bristow
1/22/04

Mr. Mundell, I am writing in response to a suggestion offered by my County Supervisor, Mr. Buster Johnson. He recommended that I contact you pertaining the problems I'm having personally, and those being shared by the community in regards to the new stigma that has plagued Mohave and Santa Cruz County for the past several months. I'm talking about UniSource Energy. Despite my skepticism, Mr. Johnson seems to think you're possibly somewhat more credible than most of your colleagues due to an article you apparently wrote that involved UniSource. I, myself didn't have the privilege of seeing it, but I trust Mr. Johnson's judgment to some degree. Although, he's a little too believing sometimes that not all government is corrupt, God bless him. The problems I've encountered with the ACC has again proven that to be wishful thinking. So, I'm just taking a stab in the dark that you might be more interested in what I've got to say than Janie Woller was. Whom I suspect, would've done more good for me, had she not do anything at all. It's been nearly three months since I first complained to her about the many problems UniSource has initiated here in Lake Havasu City. It's certainly been challenging, trying to keep up with this astronomically ridiculous 22% rate hike that the Commission so generously provided for us, but now the competitive energy market has failed to materialize as promised, leaving us without a choice but to pay this enormous burden or be denied electrical service. I seriously doubt you would find this the least bit interesting, but my parents have been forced to sell the home they've lived in for the past 10 years because they simply can't keep up with the cost of their utilities on a retirement pension. Despite the loss in value to their home, at least they have something to sell. I, myself, wasn't so fortunate. I hadn't been able to put anything aside in the way of savings since I moved here 5 years ago, and now I can't keep up with these bills either. But I have nothing to fall back on, nothing to run with, and nowhere to run to.

Adding insult to injury, is the way UniSource does business with its reluctant customers. The change was drastic and immediate, and so far, none of it is what would be considered "normal" business practices by any stretch of the term. These people are more than just rude and sloppy in their billing practices, but aggressive and relentless, lacking any regard to the fact that the average working class adult only makes about \$7.00 an hour regardless of their experience in any particular field of employment. But the real kick in the ass is when UniSource is allowed to send out their termination threats days after the scheduled date of termination so they can apply a reconnection fee. In my case, and many others, I was billed double the amount it was suppose to be at the much higher rate. My first bill was about \$180.00 (normally \$110 - \$130) So you figure 22% higher than \$130.00... That puts it in the ball park. But then, my second bill came in at \$240.00!! When I complained that it was not possible for me to have such an outrageous bill, UniSource replaced my meter with a "double-socket" and told me that regardless, I should expect to see a similar amount on the following bill, given a calculated estimate based on the amount of days the meter was used up until the time they replaced it. I told them that my billing history has been relatively consistent and never has there been such a tremendous spike in the five years of my residency. I argued that the bill should've been somewhere near the previous months billing even though, it to, was way out in left field considering I only live in a one-room apartment no bigger than your garage. Despite their calculations, my next bill came in at about \$180.00. Nearly the exact amount as the first months bill. But of course, UniSource sent me a notice stating that my meter had checked out to be within the 3% legal range of accuracy and that the bill was to be paid immediately. I'm not the only one this happened to, a lot of people responded to an article I wrote in the local paper about this scam and said they were experiencing similar frustrations. It seemed rather obvious to me, with my first months bill at \$180, the second bill at \$240.00, and the third back down to \$180 again after the meter is messed with, that there was an obvious error made. But because UniSource is allowed to check its own meters, we'll never know the truth as to the accuracy of that meter.

I paid them the \$130.00 I was certain of, and notified them I was disputing the remainder. At the same time, I submitted my complaint to the ACC. Immediately, I began receiving termination threats that were scheduled for disconnection on the day before I received them. I never received confirmation from the ACC that my complaint was ever received, so after a

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couple of weeks or so of persistent hounding from UniSource, I contacted the ACC again by submitting another complaint. It was then that someone wrote back saying that my complaint was already being reviewed by Janie Woller. I wrote to her and asked if she had confirmed to UniSource that the matter was under dispute in an attempt to find out if UniSource was hassling me knowingly of that information. I never received a reply to that question. Two days after that, I received word from Janie Woller, asking me for a time frame that I could be made available for what I perceived as some kind of hearing. I told her of my availability status and didn't hear back from her until a couple of days later, at which time I was informed that a ruling had been made against me for the remaining sum of the bill.

Janie Woller never questioned the actions of UniSource, only defended them. I spent \$30.00 to fax her and Stephen Ahearn of RUCO, copies of my billing history and of the maliciously pre-dated termination threats sent to me by UniSource. Neither of them seemed to want to discuss the matter at any length, so I complained to the Governor's office. They said that someone would be sent to my home from the ACC, and a couple days later, I received word from Janie Woller that she would be showing up in a couple of days to discuss the matter and review the documents I had already faxed her. When she arrived, she said she drove all the way up here to see me and console me personally for what I was going through. What a crock! The only reason she came here was because she was instructed to come here. Plus, she wanted to stop at the rock show in Quartzite along the way. But there was no debate, I was told I had to pay the amount I was disputing and that was that. Of course, she sympathized with my frustration. Oh, that helped a lot. Then, she wanted to know when and how I was going to make arrangements for payment. I told her not to concern herself, I would handle it. She became noticeably agitated when I didn't want to commit to her, pulled out a cell phone and called Paula Baxter of UniSource saying, she was presently with me and wanted to know how she wanted this to be done. She gave me a stern look and again demanded to know when and how I was going to pay. Obviously, the two of them seemed well acquainted and had been in contact with one another for some time over this. The fact that I had been set up has infuriated me to no end. I need this whole matter cleaned up and done right. This problem with UniSource and it's seemingly hidden ties to the state are grating on my nerves. The ACC did the American people a great injustice by giving UniSource the authority to set it's rates. It wasn't justified and more importantly, it wasn't our problem. What their business deal boiled down to was their own doing, we shouldn't have to pay for discrepancies made within their own dealings. The ACC is suppose to regulate the public utilities from fraudulent scams and unreasonable rates. What the hell happened? The ACC decides what's "reasonable" within a community they don't live in, and in regards to rates they themselves won't pay? The ACC doesn't follow it's own guidelines and won't enforce it's own regulations. What DOES the ACC do, and who is going to clean up this mess? I've spent entirely too much time and money having to explain myself while trying to right this wrong. I thought you were suppose to protect the public from these kinds of problems, not subject us to them?

J.D. Bristow
2155 Moyo Dr. #1
Lake Havasu City, Az. 86403
(928) 854-4039

2/24/04 (Notes by JSW) 2:15 p.m. Steve Crouch called regarding J.D. Bristow and to send him another formal complaint to Mr. Bristow. Since he just received another e-mail from Mr. Bristow. I informed Mr. Crouch that there is not formal complaint on file. From: Harryman, Davia
Sent: Tuesday, February 24, 2004 1:16 PM
To: Crouch, Steve
Cc: Baxter, Paula
Subject: # 511074-7

We received a letter today from J.D.Bristow account # 511074-7 looking over account you have been dealing with the ACC on this customer account and had terms on account. The letter we received today states,

" The illegal charges you seek to collect, for \$109.43, is STILL under dispute. I have filed a formal complaint with the ACC, so now we get to play this stupid game all over again. Until this matter has been rectified and I have received justice, this matter will continue to be under dispute. If you are not being informed through your friends at the ACC, I don't know

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what to tell you. But in regards to the \$109.43 and the termination threats -- you would do well to lighten up"

Just thought you might want to take a look at this account.

Davia Harryman
681-4168
mailto:dharryman@uesaz.com> dharryman@uesaz.com
Have a Beautiful Day

2/26/04 (Notes by JSW) Sent Formal Complaint Package to Mr. Bristow by certified mailed and faxed copy to Unisource.

03/23/04 Received e-mailed from Mr. Bristow attached to Opinion. Duplicate issues. What in Gods name is going on? I see that the ACC has supposedly ordered UniSource to drop its surcharge on natural gas. Isn't there things the ACC should be doing to actually HELP the citizens of Arizona? Why does this have to look like such a scam? What good does it do ANYONE to drop surcharges on natural gas AFTER the heating season is through? The 22% rate hike we still suffer from didn't occur until immediately AFTER elections, everything the ACC does is for themselves and the corporations, not the citizens who are forced to use the services of those corporations through the monopoly that the ACC perpetuates. Where's the competition of energy services we were promised six months ago? When is the ACC going to do the job it was commissioned to do? All you people do is raise our rates for no reason, now the summer temperatures are upon us. Soon, it will be 124 degrees, how the hell are we supposed to survive this??? Why are you doing this to us??? What the hell did we do to deserve you people???

We have an energy plant out here that's sending it's workers home early for lack of business, why aren't we allowed access to that plants resources? It's local! It's available! But it's off limits! WHY??!! What the hell are you people thinking?!? Certainly not about us, the very people you're supposed to be working to protect from all these scams. You're so corrupt and so blatantly obvious about it, it's frightening. We need another civil war, and fast! This is beyond stupid!

As the summer temperatures ensue, so will the tempers of those of us who are starving and struggling to afford these God damned utility bills you've so thoughtlessly provided for us. You obviously don't think you need anyone's vote from these counties, because you're certainly not going to get any.

J.D. BRISTOW
Lake Havasu City

Date Completed: 1/15/2004

Opinion No. 2003 - 29871

COMMISSIONERS
 MARC SPITZER - Chairman
 WILLIAM A. MUNDELL
 JEFF HATCH-MILLER
 MIKE GLEASON
 KRISTIN K. MAYES



BRIAN C. McNEIL
 Executive Secretary

ARIZONA CORPORATION COMMISSION

January 15, 2004

Mr. J.D. Bristow
 2155 Moyo Drive, Apartment #1
 Lake Havasu City, Arizona 86403

Dear Mr. Bristow:

This letter is a follow-up to our meeting regarding your complaint against Unisource Energy Services ("UES") on Tuesday, January 13, 2004, at your residence. Thank you for giving Carmen Madrid and me the opportunity to discuss the regulations governing public service corporations, such as UES in regards to your situation. The Arizona Corporation Commission ("Commission") regulates UES in accordance with the Arizona Administrative Code ("A.A.C."), Commission approved tariffs and in this particular situation Decision No. 66028, issued by the Commission on July 3, 2003.

We have conducted a thorough review of the information received from you and UES, as well as revisited the A.A.C., the UES' Commission approved tariffs and Commission Decisions. As was presented at the meeting, UES is in compliance with the A.A.C., UES' tariffs, and Decision No. 66028 the meter tested correctly in accordance with A.A.C. Rule R14-2-210 E. thus you were billed correctly.

Since UES is conforming with the regulations under which it is governed there is no justification to further delay the payment of the disputed amount. UES (Paula Baxter) was contacted at the end of our meeting and she agreed to breakdown the disputed amount into three payments of \$37 to be paid in conjunction with the current bill starting in February. Ms. Baxter agreed to commit in writing the above arrangements, and provide a copy to you and the Commission.

I contacted UES, when I returned to the office, regarding the following 3 items you brought up at the meeting:

1. Why a disconnect notice is sent out after the disconnection date?
2. Why the notice to your father was mailed to your address and not his?
3. When will the additional meter be removed?

UES' response is as follows regarding the above 3 items:

1. UES' bills and notices are mailed out from another state and may have been delayed by the holidays and/or weather.

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2. UES is checking and will correct their computer programming to determine why you received the notices for your Father.
3. The check meter was removed on January 15, 2004.

Since the charges on the bill are in accordance with UES' Commission approved tariffs and Decision No. 66028 and as explained above, we are considering the billing discrepancy closed. Copies of these items were left for you to peruse at your convenience. Thank you for your hospitality and the opportunity to meet your Father and Gina.

Sincerely,



Janie S. Woller
Public Utilities Consumer Analyst
Utilities Division

JSW:hml

cc: Unisource Energy Services