

ORIGINAL

ARIZONA CORPORATION COMMISSION
FORMAL COMPLAINT FORM



0000166669

E-01933A-15-0378

COMPLAINT <i>Electricity bill is wrong</i>	<i>2015 - 123457</i>	DATE <i>11/3/2015</i>
ADDRESS <i>6960 N. Avenida Adella Tucson AZ 85741</i>		PHONE (HOME) <i>520-975-1077</i>
NAME OF RESPONSIBLE PARTY <i>Cynthia L. Roberts</i>		PHONE (WORK)
NAME OF UTILITY <i>TEP (Tucson Electric Power)</i>	ACCOUNT NUMBER <i>7583774013</i>	

GROUNDS FOR COMPLAINT: (COMPLETE STATEMENT OF THE GROUNDS FOR COMPLAINT. INDICATING DATE(S) OF COMMISSION/OMISSION OR ACTS OR THINGS COMPLAINED OF.) (USE ADDITIONAL PAGE IF NECESSARY.)
After I received my electric bill from 5/18 - 6/17 for \$108.24, I turned my AC to 85° and the next bill from 6/17 - 7/17 went to \$172.26. After that I turned everything off including my AC. I left on 2 refrigerators and tv (sparingly) and I haven't used any of it since 7/17 and the next bill I receive is for \$175.67. I know this can't be right and have tried everything I can to get it corrected. I would take a lie detector test if warranted regarding turning off everything and not using electricity. I contacted TEP/Richard Martinez ^{ACC} the Attorney General / Ombudsman / Raul Grijalva etc. I had a conference call with Richard Martinez / ACC and TEP. I had someone (Larry) from TEP to audit my house for problems and nothing was found. I turned everything off and there is no way my electric bill could have been that high!

NATURE OF RELIEF SOUGHT: (USE ADDITIONAL PAGE IF NECESSARY.)
I want \$175.67 for my bill 7/17 - 8/17 2015.

Arizona Corporation Commission
DOCKETED

NOV 4 2015

DOCKETED BY	
-------------	--

RECEIVED
 2015 NOV -4 A 10:00
 AZ CORP COMMISSION
 DOCKET CONTROL

SIGNATURE OF COMPLAINANT OR ATTORNEY
Cynthia L. Roberts

ARIZONA CORPORATION COMMISSION
FORMAL COMPLAINT FORM

GROUNDS FOR COMPLAINT: (CONTINUED)

My personal goal was to have a lower electric bill after getting my May 2015 bill. In July I turned my AC off and suffered many days and nights because of the heat - but my bill continued to go up to \$175. I was told several times by TEP, Richard Martinez / ACC, Sandra (from high billing desk) and Larry (auditor) that TEP does not estimate electric bills. During my conference call on 10/16/15 it was said by Tony Barray (sp) "that at times TEP does estimate meters". Also during call, Armando (head of auditors) said "that a lot of people say they turn things off but when the auditor leaves they turn things back on and he wanted it noted that this was not the case in my situation". I turned everything off and my bill went way up. There is no way this could of happened unless they estimated my bill. I want my money returned in the amount of \$175.67 for the bill of July/Aug 2015!

8/8/15

CONSUMER COMPLAINT FORM

www.azag.gov



OFFICE OF ARIZONA ATTORNEY GENERAL

ATTORNEY GENERAL MARK BRNOVICH

CINDY ROBERTS

YOUR NAME: CINDY ROBERTS
YOUR ADDRESS: 6960 N AVENITA ADELA, TUCSON, AZ 85741
CITY: TUCSON STATE: AZ ZIP CODE: 85741
HOME PHONE NUMBER:
EMAIL ADDRESS: C.L.Roberts@Maranausd.org

** For AG Use Only **
File No.: 15-009658
Category: PS V
Letter:
Closing:
RT:
CC:
Copy To:
Send To:

NAME OF FIRM YOU ARE COMPLAINING AGAINST:
ADDRESS OF FIRM:
CITY: STATE: ZIP CODE:
PHONE NUMBER OF FIRM:

For statistical purposes, please indicate:

- Your Age: Under the age of 60, Over the age of 60
Military/veteran: Currently in military service, A veteran

- How did you hear about our complaint form (please choose only one): Called Phoenix AG Office, Visited an AG Satellite Office, Another Arizona State Agency/State Legislator, Called Tucson AG Office, An out of State Agency, Attended AG Presentation/Event, Went onto AG Website, Media: Newspaper/Radio/TV, Other

May we send a copy of this to the person or firm you are complaining against? YES NO
(By selecting the answer, "Yes", to the question, "May we send a copy of this to the person or business you are complaining against," I hereby authorize the Office of the Arizona Attorney General to communicate with the party(ies) against whom I have filed this complaint. I also authorize the party(ies) against whom I have filed this complaint to communicate with and provide information related to my complaint, including disclosure of non-public personal information, to the Office of the Arizona Attorney General in connection with this complaint. If your response is "No", we may be prevented from taking any action on your complaint.)

May we provide your name and telephone number to the media in the event of an inquiry about this matter? YES NO
May we send a copy of your complaint to another government agency for their review or investigation? YES NO

Was an oral or written warranty given? YES NO

Did you sign any documents? YES NO

Date of transaction: 7/20/2015 Place of transaction: TEP
Witness to transaction: Electric Bill Salesperson's name:
Total amount of damages (list actual loss only):

Have you complained to the firm? YES NO
What was their response? patronizing and turning it around to me

Was the product or service advertised? YES NO

Do you have an attorney? YES NO
If yes, please provide the attorney's name and address:

Is any legal action pending? YES NO
List any other consumer agencies contacted:

PLEASE EXPLAIN THE ENTIRE CIRCUMSTANCES SURROUNDING YOUR COMPLAINT IN THE FOLLOWING PAGE PROVIDED.

I declare, under penalty of perjury, that the facts and statements contained in this declaration, including any attached statements, are true, correct, and based upon my personal knowledge.

Signature: C Roberts Date: 8/8/15

CONTINUATION / CONTINUACIÓN

Something is not right with my electric bill and I want to know what is going on. After speaking with many people and finding more information - we are getting gouged with higher bills. My bill on 6/18/15 was \$108.04 - which was very high because I keep things turned down or off. The electric bill before that was \$45.12. After getting the \$108.04 - I turned my thermostat to 85° and sat here with very few lights and only the tv on because I was anticipating the electric bill going up and I was going to beat the system because the same happened the last two years. And I have called the last two years. So after one month of sweating and keeping everything off or turned way up to 85° I get the next bill and it's \$172.26! I cut everything way down and still got gouged. I contacted TEP and they were very patronizing - saying things like - last year's bill was \$108.04 - have you had your ac checked (which I have) do you have anyone else in house (which I don't) In other words they were blaming me. Then I call the AZ Corp Commission and speak with Richard Martinez and get the same thing I spoke w him twice - 7/23 and 7/29. He said TEP will get in touch w me. No one has called me back. I have not used what they say and I am quite angry with my bill and them blaming me. I will invite anyone into my house to see what I do to try to cut down on my electric bill. What is happening - why the gouging - why the large bills when I have cut way back - there is something going on & I want answers.

Sincerely,

628-6560 Budget Billing

CISP v24.0.2

Home Menu | History

Main

Account ID 7583774013 ROBERTS, CNTHIA L. *TEP - Residential

SA Information TEP / Residential, TE-R01, Active, 09-21-2001, R01-Residential, 7583774214

SA Billing History

[Handwritten Signature]

Preferences Help Logout | You are logged in as LARRY WAKEFIELD

Save Clear | Refresh

Start Date	End Date	Days	Status	Current Amount	Payoff Amount	UOM	Billable Service Quantity	Average Daily Service Quantity
08-17-2015	09-16-2015	30	Frozen	\$63.17	\$63.17	KWH - Del KWH/Customer Purchased	449,000000	14.97
07-17-2015	08-17-2015	31	Frozen	\$175.67	\$175.67	KWH - Del KWH/Customer Purchased	1350,000000	43.55
06-17-2015	07-17-2015	30	Frozen	\$172.26	\$172.26	KWH - Del KWH/Customer Purchased	1330,000000	44.33
05-18-2015	06-17-2015	30	Frozen	\$108.04	\$108.04	KWH - Del KWH/Customer Purchased	830,000000	27.67
04-17-2015	05-18-2015	31	Frozen	\$45.12	\$45.12	KWH - Del KWH/Customer Purchased	300,000000	9.68
03-19-2015	04-17-2015	29	Frozen	\$41.00	\$41.00	KWH - Del KWH/Customer Purchased	270,000000	9.31
02-18-2015	03-19-2015	29	Frozen	\$39.10	\$39.10	KWH - Del KWH/Customer Purchased	270,000000	9.31
01-20-2015	02-18-2015	29	Frozen	\$48.97	\$48.97	KWH - Del KWH/Customer Purchased	360,000000	12.41
12-17-2014	01-20-2015	34	Frozen	\$62.02	\$62.02	KWH - Del KWH/Customer Purchased	480,000000	14.12
11-14-2014	12-17-2014	33	Frozen	\$52.25	\$52.25	KWH - Del KWH/Customer Purchased	390,000000	11.82
10-16-2014	11-14-2014	29	Frozen	\$44.57	\$44.57	KWH - Del KWH/Customer Purchased	320,000000	11.03
09-18-2014	10-16-2014	28	Frozen	\$71.71	\$71.71	KWH - Del KWH/Customer Purchased	560,000000	20.00

Roberts residence 6960 N Avenida Adella

9/17/2015

• Concern

- Hi bill
 - Customer unhappy with June bill (July bill was even higher)

• Findings

- Customer shut down everything (to save energy)
 - Including A/C, dryer, microwave & dishwasher
 - Left on light & fans

• Conclusion

- After being explained that she had identical bills for this time frame last year
 - She didn't think TEP was reading the meter
 - She thought TEP was instead estimating the usage/bill & rounding up to make sure TEP charged her enough to make up for not using electricity
 - It was explained we don't operate like that and that we do in fact read her meter every month
- August bill was \$63
 - She said it wasn't low enough
- Took the time to explain our different programs including our Energy Efficiency programs
- Left contact information
- Customer is very unhappy with both ACC & TEP

*wrote up from
Larry to make sure
everything was
working well after
suggestion from
Richard Martinez
to have my house
audited.*



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
CIVIL LITIGATION DIVISION
CONSUMER PROTECTION & ADVOCACY SECTION

CONSUMER INFORMATION &
COMPLAINTS
(520) 628-6504
(IN-STATE ONLY) (800) 352-8431

August 19, 2015

CINDY ROBERTS
6960 N AVENITA ADELLA
TUCSON, AZ 85741

RE: CIC 15-09658

Dear Cindy:

Thank you for the complaint you recently forwarded to the Consumer Protection and Advocacy Section of our office. It appears to fall within the jurisdiction and authority of the agency listed below.

We are forwarding a copy of your complaint to this agency for appropriate action. Please contact that agency if you have any questions regarding your complaint.

We wish to thank you for bringing possible violations of the Consumer Fraud Act to our attention.

Sincerely,

Consumer Information &
Complaints

Ombudsman
602-277-
7292

CPA:O

Arizona Corporation Commission
Utilities Division
1200 W. Washington St.
Phoenix, AZ 85007
(602) 542-4251

Carmen
1145

Reply from AG

RAÚL M. GRIJALVA
3RD DISTRICT, ARIZONA

COMMITTEE ON NATURAL RESOURCES
RANKING MEMBER

COMMITTEE ON EDUCATION AND THE WORKFORCE

EARLY CHILDHOOD, ELEMENTARY,
AND SECONDARY EDUCATION

HIGHER EDUCATION AND WORKFORCE
TRAINING

CONGRESSIONAL PROGRESSIVE CAUCUS
Co-CHAIR

Ms. Cindy Roberts
6960 N Avenidaadella
Tucson, AZ 85741-2971

Dear Ms. Roberts:

Thank you for contacting my district office concerning your request for assistance with the Arizona Corporation Commission.

As much as I would like to assist you in this matter, it falls under the jurisdiction of the State of Arizona, since it is not a federal issue.

We have gone ahead and forwarded your information to the office of Hon. Doug Ducey, so he can best assist you with your case. Governor Ducey's Southern Arizona office is located at 400W Congress, Suite 504; you may also reach him office at (520) 628.6580 and (602) 542.4331.

Thank you again for allowing our office the opportunity to assist you, and good luck to you in the resolution of your issue.

Sincerely,



Raúl M. Grijalva
Member of Congress

Reply from
Raúl Grijalva

1511 LONGWORTH HOB
WASHINGTON, DC 20515
PHONE (202) 225-2435 | FAX (202) 225-1541

738 N. 5TH AVENUE, SUITE 110
TUCSON, AZ 85705
PHONE (520) 622-6788 | FAX (520) 622-0198

146 N. STATE AVENUE
P.O. BOX 4105
SOMERTON, AZ 85350
PHONE (928) 343-7933 | FAX (928) 343-7949

13065 WEST McDOWELL ROAD, SUITE C-113
AVONDALE, AZ 85392
PHONE (623) 536-3388 | FAX (623) 748-0451

FACEBOOK: Facebook.com/Rep.Grijalva
TWITTER: Twitter.com/RepRaulGrijalva

October 14, 2015

WEBSITE: <http://grijalva.house.gov/>

8/3 no access to meter (locked up)

8/22 meter exchange
STANDARD UP SLIDE of meter
to DIGITAL meter

— VISUAL MONTHLY READ of meter before — see photo

8/22

(DIGITAL METER)

— READ MONTHLY w/ HAND HELD DEVICE

— PHOTO of meter needs SABENA
~~PHOTO~~ belongs to T.E.P.

— Billing info belongs to customer

Time Line Prior to meter
exchange

— Since 8/22 — How meter is READ
CAN BE SCANNED FROM STREET
(Prior to 8/22 meter was read AT meter)

- specifically and in detail each allegation of the complaint to which such answer is directed. The answer shall include a motion to dismiss if a party desires to challenge the sufficiency of the complaint.
- I. Protests. Unless otherwise provided by special order of the Commission, a person who may be adversely affected by an application shall have the right to file a written protest with the Commission or be heard orally as a protestant at a public hearing.
- J. Response to application when required by Commission. After the filing of an Application, the Commission in its discretion may make any public service corporation or other person subject to its jurisdiction, a party to the proceedings and may require such person or corporation to respond to the allegations of the Application.
- K. Motions. Motions shall conform insofar as practicable with the Rules of Civil Procedure for the Superior Court of the state of Arizona.
- L. Formal complaints. Complaints shall be in writing and shall contain the name and address of the complainant, the name of the person or company against whom complaint is made, a complete statement of the grounds for said complaint, indicating the date or dates of the commission or omission of the acts or things complained of, and the nature of the relief sought by the complainant. The complaint shall be signed by the complainant, or by one of the complainants if there be more than one, or by an officer of the complainant if the complainant be a corporation, association or other organization, or for the complainant by an agent or attorney. If the complainant has an attorney, his name and address shall appear in the complaint and he shall sign the complaint.
- M. Informal complaints
1. Informal complaints may be made by letter or other writing. No particular form is required; however, the writing must clearly state the matters complained of and must satisfactorily identify the party complained against. It need not be verified but must be signed by the complainant or attorney and show the address of the complainant and his attorney if he has one.
 2. Informal complaints may be handled by the Commission or staff, by correspondence or otherwise, with the parties affected in an endeavor to bring about a speedy adjustment of the complaint without formal hearing. Informal procedure is recommended in all cases except those which clearly cannot be adjusted informally. Proceedings on informal complaints will be conducted without prejudice to the complainant's right to file and prosecute a formal complaint if the matter cannot be properly adjusted informally, in which event the proceeding on the informal docket will be discontinued. A formal complaint must thereafter be filed if a hearing is desired.

Historical Note

Former Section R14-3-106 repealed, new Section R14-3-106 adopted effective December 17, 1975 (Supp. 75-2). Amended effective March 13, 1979 (Supp. 79-2).

R14-3-107. Filing and service of formal documents

- A. Formal documents. An original and three legible copies of all formal documents shall be filed with the Commission. One copy shall be served on any person who is already a party to the proceeding. In addition, the Commission may direct that a copy of any such documents shall be made available by the party filing same to any person whom the Commission may specify.
- B. Manner of service. Except as provided in R14-3-103(B) or unless otherwise ordered by the Commission or otherwise provided by law, all notices, orders to show cause, opinions and orders required to be served by the Commission and all documents filed by any party may be served by mail, and service thereof shall be deemed complete when a true copy of such paper or document, properly addressed and stamped, is deposited in the United States mail with first class postage prepaid.
- C. Proof of service. There shall appear on all documents required to be served by a party an acknowledgement of service or the following certificate:

I hereby certify that I have this day served the foregoing documents on all parties of record in this proceeding (by delivering a copy thereof in person to _____) (By mailing a copy thereof, properly addressed with first class postage prepaid to Docket Control _____).

Dated at 11/3/2015, Arizona, this 3 day of November 2015

Cynthia L. Roberts
(Signature)

Historical Note

Former Section R14-3-107 repealed, new Section R14-3-107 adopted effective December 17, 1975 (Supp. 75-2).

R14-3-108. Prehearing conference

- A. Procedure. The Commission or presiding officer upon its own motion or upon motion of any party and upon written notice to all parties of record, may direct that a prehearing conference shall be held for the purposes of formulating or simplifying the issues, obtaining admissions of fact and of documents which will avoid unnecessary proof, arranging for the exchange of proposed exhibits or prepared expert testimony, limitation of number of witnesses and consolidation of the examination of witnesses, procedure at the hearing and such other matters which may expedite orderly conduct and disposition of the proceedings or settlements thereof.
- B. Action taken. The action taken at such conference and the agreements made by the parties concerned shall be made a part of the record and, if approved by the parties, such action will control the course of subsequent proceedings, unless modified at the hearing by the presiding officer.
- C. Recessing hearing for conference. In any proceeding the presiding officer, in his discretion, may call all parties together for a conference prior to the taking of testimony, or may recess the hearing for such conference, with the view of carrying out the purpose of this rule. The presiding officer shall state on the record the results of such conference.

Historical Note

Former Section R14-3-108 repealed, new Section R14-3-108 adopted effective December 17, 1975 (Supp. 75-2).

R14-3-109. Hearings, prehearings, conduct of hearings, procedure, evidence, subpoenas, briefs, arguments, official notice and rulings

- A. Procedure. Hearings will be held before one or more Commissioners, one or more Hearing Officers, or any combination thereof.