

EL 95-004

IN THE MATTER OF THE
In COMPLAINT FILED BY MICHAEL
AND STACEY DANNAH OF SIOUX
FALLS, SD. AGAINST NORTHERN
STATES POWER AS TO THE
VALIDITY OF DEBT OWED

Public Utilities Commission of the State of South Dakota

DATE

MEMORANDA

1/27 95 Filed & docketed,

2/13 95 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]

3/13 95 [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]

The Commission found that the billing procedure followed by NSP did not constitute an unlawful or unreasonable act, rate, practice, or omission. As the Commission's final decision in this matter, it is therefore,

ORDERED that the complaint is dismissed, and it is

FURTHER ORDERED that the docket is closed.

Dated at Pierre, South Dakota, this 23rd day of March, 1995.

<p align="center">CERTIFICATE OF SERVICE</p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: <u>Tom K. Wasson</u></p> <p>Date: <u>3/23/95</u></p> <p align="center">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

Kenneth Stofferahn
KENNETH STOFFERAHN, Chairman

James A. Burg
JAMES A. BURG, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner

~~PLEASE TYPE OR PRINT~~

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE COMPLAINT OF

Michael A. Dannah & Stacey Dannah
(Insert name of each Complainant)

Complainant(s),

vs.

Northern States Power
(Insert name of each Respondent)

Respondent(s).

COMPLAINT

Complainant(s): (The party filing the complaint)		Respondent(s): (The person or Company complained against)	
Name	Michael A. Dannah & Stacey Dannah	Company	Northern States Power
Address	4500 East 16th, #302 Sioux Falls, SD 57103	Address	500 West Russell Sioux Falls, S.D. 57104
City, State, Zip	4500 East 16th, #302 Sioux Falls, SD 57103	City, State, Zip	P.O. Box 988 57101-0988
Work Phone	unavailable	Contact Person	Mike Hanson
Home Phone	605-357-0843	Phone	605-339-8300

The facts giving rise to the complaint are:

On or about September 30, 1994 we received a notice from NSP informing us that because our apartment was incorrectly wired (by someone unknown to NSP as well as us) ~~we were incorrectly billed from April 7, 1994 to September 6, 1994 and an underpayment occurred and we owed NSP \$117.61.~~ On numerous occasions we contacted NSP and disputed the bill. On or about December 2, 1994 we received another notice which informed us that the bill was now \$146.63 and that the bill covered the period of April 7, 1994 to October 29, 1994. We were also informed that they were adding this amount to our new account at our new address. Our account at our new place is and has been current. We once again informed NSP our position on the matter. We were not able to resolve the matter. Thus, on or about the middle of December we received a bill indicating that our services would be disconnected if we failed to pay. The underpayment was included in the billing. Once again we tried to resolve the matter to no avail. Enclosed are copies of the documents referred to herein.

Issues Disputed: ~~The validity of the debt in question or improper allocations of services.~~
 The disconnecting of services for another class of service ARSD 20:10:20 if debt is determined valid
 unreasonable request for payment in full and refusal to enter into a reasonable repay plan if debt is determined valid.

(OVER, PLEASE)

(NOTE: Attach additional pages, if necessary, to explain the situation. Also enclose copies of any bills or other documents which may pertain to your complaint. If known, make reference to any statutes, rules or orders of which a violation is claimed.)

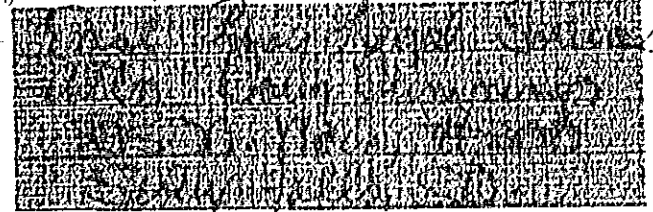
WHEREFORE, Complainant(s) ask(s) that the Commission enter an Order granting the following relief: Issue an immediate Order prohibiting NSP from shutting off service until the issues are resolved. Put NSP on their burden of proof as to the validity of the debt in question and if the debt is determined valid a reasonable repay plan.

(NOTE: Attach any additional pages, if necessary.)

Dated at Sioux Falls, South Dakota, this 26th day of January, 1995

[Signature]
Signature of the Complainant

Name, address and telephone number of Complainant's attorney, if any. If Complainant is not represented by an attorney, leave blank.



(Complaint must be notarized before a notary public prior to sending it to the Commission.)

57102

VERIFICATION

State of South Dakota)
County of Minnehaha) :SS

On this 26th day of January, 1995, before me personally came and appeared Jacey Hannah, known, and known to me, to be the individual described herein and who executed the foregoing instrument, and who duly acknowledged to me that he/she executed same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
NOTARY PUBLIC

(SEAL)

My commission expires: 3/26/95