

NEXT

DOCUMENT (S)

DISREGARD

BACKGROUND

EL97-009

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

COMPLAINT

Complainant(s): (The party filing the complaint)		Respondent(s): (The person or Company complained against)	
Name	<i>Tracy Ann Heiss</i>	Contact Person	
Address	<i>1821 S Stephen Ave</i>	Company	<i>NSP</i>
City, State, Zip	<i>Sioux Falls SD 57105</i>	Address	
Work Phone	<i>508 846 4024</i>	City, State, Zip	<i>Sioux Falls SD</i>
Home Phone	<i>605 88 338 6761</i>	Work Phone	
Cellular Phone		Cellular Phone	
Fax		Fax	

If the Complaint is represented by an attorney, please list the attorney's name, address, telephone number and fax number below:
If Complaint is not represented by an attorney, please leave blank:

The facts giving rise to my complaint:

At the time that I was going to school I accrued a balance with NSP for the amount of \$318.40. I could no longer continue with school due to financial hardship. I moved my family and the account was transferred to the new address. The past due amount of \$318.40 was not an issue until recently as I began to receive disconnection notices. I am still living within a financial hardship that gives me very little to nothing at the end of the month. So much so that I basically have to "job Peter to pay Paul" in order to get through the month which I am capable of doing successfully, with the exception of a missed rent payment now and again. I have a family of four to which two and a half year old twins belong. I cannot do without electricity. I have been adding to my monthly current charges an extra 10 to 20 dollars. I am certainly not accepting my responsibility but making true attempts to resolve this issue. I have spoken with Sally Deneui at NSP who has conveyed to me the fact that my attempt at this "is not good enough" that I must give \$150 on this day Friday May 2nd and NSP will prolong the disconnection for two weeks at which time I must pay in full otherwise they will disconnect the service on Monday the 5th at 9:00am. If I could I would have \$1591 NET coming in throughout the month and am paying out around \$1700 in rent, food, and utilities. I want this resolved as soon as possible but I can only do so within my means. To a certain extent I understand NSP's point of view, however, I believe a certain lack of compassion and practical understanding as being shown in this matter. I intend to pay my balance in full and having been consistently paying installments to that end. All that I ask for is the good faith opportunity to resolve this debt in a timely and practical matter. Thank you for your time and consideration.

Below is a list of payments made:

Date	Payment	Charge	Difference
12-18	100.00	60.09	39.91
2-6	62.60	62.60	0
4-2	55.33	45.33	10.00
4-25	51.75	41.75	10.00

NOTE:
which is

Pay account	318.40
	- 59.91

	258.49

Total 49.91

RESOLUTION REQUEST

I ask that the Public Utilities Commission grant the following relief. (What do you think the Commission should do to solve this problem?)

Give me the ability to pay off my current debt in
good faith installments

NOTICE: Please attach any additional pages, if necessary.

VERIFICATION

Signature must be witnessed by a notary public.


Complainant's Signature

5/2/97
Date

State of South Dakota)
Country of _____) :SS

On this _____ day of _____, before me personally came and appeared _____ 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 of Notary Public

(SEAL)

My commission expires: _____

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED)
BY JAMES AND MARY BETH MOSS, SIOUX) ORDER FINDING
FALLS, SOUTH DAKOTA, AGAINST) PROBABLE CAUSE
NORTHERN STATES POWER COMPANY)
REGARDING A BILL) EL97-009

On May 3 1997, the Public Utilities Commission (Commission) received a complaint filed by James and Mary Beth Moss (Complainants), Sioux Falls, South Dakota, against Northern States Power Company (Respondent), regarding payment arrangements on a past due bill. Complainants indicate that they acknowledge the past due amount and that they have been making payments to reduce that amount. Complainants further indicate that Respondent is dissatisfied with the payment amounts submitted by them and has issued a notice of disconnection to become effective unless Complainants pay an amount which they claim is unreasonable given their circumstances. Complainants are asking that the Commission allow them to continue making "good faith" payments on their debt.

Pursuant to ARSD 20 10 01 08 01 and 20 10 01 09, if a complaint cannot be settled without formal action, the Commission shall determine if the complaint shows probable cause of an unlawful or unreasonable act, rate, practice or omission to go forward with the complaint.

On May 13, 1997, at its regularly scheduled meeting, the Commission considered this complaint along with presentations by Mr. Moss, Jim Wilcox, a representative of Northern States Power Company, and Commission Staff.

The Commission has jurisdiction over this matter pursuant to SDCL 49-34A-2, 49-34A-4, 49-34A-27, 49-34A-42, 49-34A-55, and ARSD 20 10 01 08 01, and 20 10 01 09. The Commission, Laska Schoenfelder dissenting, voted to find probable cause due to a factual dispute and directed the executive director to set a procedural schedule. It is therefore

ORDERED, that probable cause has been found in this matter and that the complaint shall be forwarded to Northern States Power Company and Northern States Power Company shall file with the Commission its answer in writing within twenty (20) days of service of this order. It is further

ORDERED, that the executive director shall set a procedural schedule in this matter.

Dated at Pierre, South Dakota, this 21st day of May, 1997.

CERTIFICATE OF SERVICE	
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.	
By	<u>Nelore Kalbo</u>
Date	<u>5/22/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

LASKA SCHOENFELDER, Commissioner
Dissenting



FAX Received JUN 13 1997

Northern States Power Company
South Dakota

Jim Wilcox, Manager
Community & Government Relations
500 West Russell Street
P O Box 988
Sioux Falls, SD 57101-0988
Telephone (605) 339-8350 fax 339-8204
email wlcj01@nspco.com

June 13, 1997

Mr. William Bullard, Executive Director
South Dakota Public Utilities Commission
State Capitol Building
500 East Capitol Avenue
Pierre, South Dakota 57501-5070

Re: Docket EL97-009 In the Matter of the Complaint filed by James and Mary Beth Moss, Sioux Falls, South Dakota, Against Northern States Power Company Regarding a Bill.

Dear Mr. Bullard

Enclosed please find the billing and payment history for James Moss.

At present Mr. Moss owes NSP \$450.69. The monthly late fee charge of 1% per month on the unpaid balance presently is in the \$4.50 per month range. At that rate, the proposed \$10 repayment per month is effectively \$5.50 per month and it will take somewhere in the neighborhood of 6 years to pay off.

NSP believes that this length of time is not reasonable. Our practice is to seek a repayment schedule in the order of a few months up to sometimes 6 months.

NSP requests that we be allowed to work out a reasonable repayment plan with Mr. Moss.

If anyone has any questions, please call me at 339-8350

Sincerely,

Jim Wilcox

c. Mike Hanson



Customer Information

James Moss established service with NSP at 1821 S. Stephen Ave in Sioux Falls on November 1, 1996
Following is a billing and payment history from that date

<u>Billing Period</u>	<u>Usage kWh</u>	<u>Billing</u>	<u>Payment</u>	<u>Payment Date</u>	<u>Remaining Balance</u>
Nov 1 1996	Connection Charge	\$ 12 72			\$ 12 72
Nov 1 1996	Bill from prev address	\$ 338 44			\$ 351 16
Nov 1 1996	to Dec 5, 1996	758 \$ 60 01			\$ 411 17
Dec 5 1996	to Jan 9, 1997	815 \$ 62 60			\$ 473 77
			\$100 00	Dec 20, 1996	\$ 373 77
Jan 9 1997	to Feb 7 1997	602 \$ 51 27			\$ 425 04
Feb 7 1997	to Mar 6 1997	560 \$ 49 17			\$ 474 21
			\$62 60	Feb 11, 1997	\$ 411 61
Mar 6 1997	to Apr 8 1997	496 \$ 45 47			\$ 457 08
			\$55 33	Apr 3, 1997	\$ 401 75
Apr 8 1997	to May 7 1997	498 \$ 46 40			\$ 448 15
			\$51 75	Apr 30, 1997	\$ 396 40
May 7 1997	to Jun 6 1997	540 \$ 54 29			\$ 450 69
Jun 6 1997	to	- \$ -			\$ 450 69
	Totals	4 269 \$ 720 37	\$269 68		
		<u>Usage kWh</u>	<u>Billing</u>	<u>Payment</u>	
Remaining Balance Owed		\$	450 69		

Jim Wilcox
June 13 1997

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE COMPLAINT FILED)	ORDER DISMISSING
BY JAMES AND MARY BETH MOSS, SIOUX)	COMPLAINT AND CLOSING
FALLS, SD, AGAINST NORTHERN STATES)	DOCKET
POWER COMPANY REGARDING A BILL)	EL97-009

On May 3, 1997, the South Dakota Public Utilities Commission (Commission) received a complaint filed by James and Mary Beth Moss (Complainants), Sioux Falls, South Dakota, against Northern States Power Company (Respondent) regarding payment arrangements on a past-due bill. Complainants indicated that they acknowledged the past-due amount and that they have been making payments to reduce that amount. Complainants further indicated that Respondent was dissatisfied with the payment amounts submitted by them and had issued a notice of disconnection to become effective unless Complainants paid an amount which they claimed was unreasonable given their circumstances. Complainants asked that the Commission allow them to continue making "good faith" payments on their debt. The Commission found probable cause in this matter at its May 13, 1997, Commission meeting.

On July 15, 1997, at its regularly scheduled meeting, the Commission considered the matter, along with comments from Respondent and Staff.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-34A and ARSD Chapter 20 10 01. Because the Complainants have moved out of state and have apparently abandoned their complaint, the Commission unanimously voted to dismiss the complaint and close the docket. As the Commission's final decision in this matter, it is therefore

ORDERED, that the complaint be dismissed and that docket EL97-009 be closed.

Dated at Pierre, South Dakota, this 29th day of July, 1997.

CERTIFICATE OF SERVICE	
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.	
By	<u>Alaina Kubs</u>
Date	<u>7/29/97</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

James A. Burg
JAMES A. BURG, Chairman

Pam Nelson
PAM NELSON, Commissioner

Laska Schoenfelder
LASKA SCHOENFELDER, Commissioner