PSC Informal Complaint Process Explained

By Tammy Tabor, Consumer Affairs Technician Supervisor, Water and Wastewater Division, Public Service Commission of West Virginia

Most of the complaints the Public Service Commission (Commission) receives are resolved via the informal complaint process through discussions involving the complainant, the utility and Commission staff. We have Consumer Affairs Technicians (CATs) who are readily available to handle these informal complaints. Should we be unable to resolve the complaint informally, then we will advise the respective parties of the right of the complainant to file a formal complaint with the Commission.

Most Issues are Resolved Informally

The Commission’s CATs receive from 8,000 to 10,000 calls a year concerning water, sewer, electric, natural gas and telephone issues. Some examples of the types of informal complaints we receive include:

- Alleged improper termination of utility service
- Charges on a utility bill that the customer believes are incorrect or unauthorized
- Problems with reading a customer’s meter
- Customer deposits for utility services
- High consumption/bill complaints
- Leak adjustments
- Deferred payment agreements
- Denial of service
- Problems with back billing
- Timing of restoration after a payment has been made
- Utility allegedly not providing extension cost estimates pursuant to Commission regulations

How to File Informal Complaints

Customers may submit informal complaints to the Commission by telephone, letter, fax, Electronic Request for Assistance (ERA) or file in person. A customer will be advised that we need the following information in order to efficiently review their complaint:
• Customer name, mailing address, city, county, zip code and telephone number, including area code
• Physical address, if different from their mailing address
• Customer utility account number
• The name of the utility and utility personnel they have spoken with
• The complete facts of their complaint
• The action the utility took on their complaint
• A brief explanation of the solution desired

Processing the Informal Complaint

Our CATs will review the complaint and discuss the problem with the complainant. The CATs will then contact the utility to obtain additional information regarding the situation and discuss recommendations that may be considered in resolving the informal complaint. In some situations it may be necessary to request the Commission's Engineering Division assign one of its staff to make an on-site visit, etc., in order to attempt to resolve more technical informal complaints. Our informal recommendation will then be provided to the respective parties based upon Commission Regulations, West Virginia State Code and case precedents. Please remember that, informally, we can only make recommendations to resolve the situation and, informally, we do not have the authority to order action be taken.

While approximately 98% of the informal complaints we receive are resolved informally, there are instances in which the complainant may still choose to pursue the matter via the formal complaint process if they are not satisfied with the informal outcome.

We appreciate the utilities' cooperation in providing information to the Commission so that we can attempt to resolve these issues in a timely manner. Should you have any questions regarding the informal complaint process, please feel free to contact one of our CATs.

West Virginia CWSRF Program Status Report

By Katheryn Emery, P.E., CWSRF Program Manager, Division of Water & Waste Management, West Virginia Department of Environmental Protection

It's that time of year again. The 2017 state fiscal year is behind us and we have issued our FY 2018 Intended Use Plan (IUP). There have been several changes since last year and I want to cover some of those as well as the status of funds within the Clean Water State Revolving Loan Fund (CWSRF).

This year’s capitalization grant from EPA is $20,668,000 and the state match is $4,133,600. The repayment of principal and interest coming into the fund annually is approximately $32 million. The CWSRF will allocate an additional $4,133,600 in principal forgiveness, and the program is still required to fund green projects. As always, our funds are issued on a first come, first served basis, and a binding commitment for funds will not be issued until the project is within six months of construction and has an approved facility plan and plans and specifications.

The major change in this year's IUP is the adjustment of the loan terms and the move to the 2015 Census data. This year’s IUP moved the program to four tiers of potential loan terms rather than three tiers.
What You Need to Know about Unaccounted for Water
By Stephen Edens, Utilities Analyst, Water and Wastewater Division, Public Service Commission of West Virginia

Water utilities are consistently faced with the issue of water accountability and what is referred to as unaccounted for water. The level or amount of unaccounted for water can have a detrimental cost effect on a water utility, especially if it is a resale water utility.

The primary cause of excessive unaccounted for water is leaks. Other causes may include malfunctioning or dead meters, accounting errors and even water theft. Thus, utilities should consider establishing a leak detection program to prioritize system repairs and replacements. The utility should also test meters in compliance with Commission requirements to ensure they are operating within the Commission’s established parameters. Water Rule 6.4.a. requires meters be tested as follows:

- 3/4” or less in size, at least once every 10 years
- 1” in size, at least once every 7 years
- 1-1/4”, 1-1/2”, 2” in size, at least once every 5 years
- 3” in size, at least once every 3 years
- 4” and larger in size, at least once each year
When considering unaccounted for water, please take into consideration the following Water Rules.

**Water Rule 1.7.q. states:**
“Unaccounted for Water” – The volume of water introduced into the distribution system less all metered usage and all known non-metered usage, which can be estimated with reasonable accuracy.

**Water Rule 5.6.a. states:**
Each utility shall determine either by actual measurement or by estimate the amount of “Unaccounted for Water” as defined in 1.7.q. of these Rules in each division of its system and report, separately, to the Commission in its annual report. Said report shall contain the proposed remedial actions to be taken if unaccounted for water is in excess of fifteen percent (15%) of the gross production on an annual basis. A utility may seek assistance from the Commission regarding remediation of unaccounted for water in excess of fifteen percent (15%).

Remember that all known non-metered usage (flushing, fire fighting, etc.) that can be estimated with reasonable accuracy should be taken into consideration when calculating unaccounted for water. Should you have any questions regarding unaccounted for water, please feel free to contact a member of the Water and Wastewater Division or Engineering Division of the Public Service Commission.

---

**Hot Weather Reminder: Never Leave a Child in a Hot Car**
By Kimberly Hensley, Loss Control Specialist, West Virginia Board of Risk and Insurance Management

With summer in full swing, it is time to reflect upon safety practices and environmental circumstances that can increase the likelihood or help prevent the likelihood of heat-related child deaths. With warmer ambient temperatures, we have to be cognizant of a child sitting unattended in the back of a hot car.

The inside of a vehicle heats up very rapidly. Even when the windows are cracked, the temperature can reach 125 degrees in minutes. A child’s body is more sensitive to heat and can increase three to five times faster than an adult’s. Unfortunately, there have been many tragedies in which a child was left in an unattended car during hot weather. The average number of child heat stroke fatalities between 1990 and 2016 is 37 each year. That is one child dying every nine days, with the majority of those children being less than one year old.

Heatstroke begins when the core body temperature is around 104 degrees. When it reaches 107 degrees, it is lethal. Even when the outside temperature is 60 degrees, the temperature in your car can reach 110 degrees. Pets and the elderly are also sensitive to heat.
Please note the following warning signs of heat related stress/illness:

- Red, hot, moist or dry skin
- No sweating
- Headache
- Rapid or slow pulse
- Dizziness
- Confusion
- Nausea
- Grouchy or acting out of the ordinary

All too often, adults get distracted and leave their child in a hot car. Fatigue, stress, lack of sleep, or changes in a daily routine can be contributing factors. Many good parents or caretakers can forget that a child is in the car when they are distracted. Here are some ideas to prevent this from occurring:

- Put something important, such as your purse or wallet, in the back seat so that you don’t forget to look there before leaving the car.
- Leave a stuffed animal in the child seat and when you put the child in the seat, put the stuffed animal up front with you as a visual reminder.
- Make it a habit to look in the back seat when you get out of your car, even if you think the child isn’t back there.
- There are now alarm systems that can be installed in the car to remind you to look when your child is in the back seat.

References:
Kidsandcars.org, www.kidsandcars.org

---

**Tapper Says**

**Public Service Districts …**

There is now a fast and convenient way to make the Public Service Commission aware of any changes in your board members’ status. Just click this link and follow the instructions:

http://www.psc.state.wv.us/scripts/WWW_Board_Members/default.cfm
Record and Attach Utility Agreements to Avoid Trouble

By Craig Miller, Utilities Inspector, Engineering Division, Public Service Commission of West Virginia

Over the years I have dealt with many situations that could have been easily resolved if the utility or, in some cases, the customer had filed the correct paper work with the appropriate County Clerk’s office, which in turn recorded and attached that information to the property deed. Many squabbles concerning utility service and the old handshake method of recording easements could have been easily and cheaply resolved if this had been done. Although not required in many situations, I strongly recommend that this be considered when normal service cannot be achieved or when a long service line is used. Also easements for mains, associated utility facilities (e.g.: electric power and telecommunication service for pumping facilities and storage tanks) installed on private lands, and access or ingress/egress rights-of-way to utility facilities where private land must be traveled should require a formal record to eliminate possible future problems in case the property changes ownership and those arrangements are not disclosed at settlement.

Service by means of a long service line or unperfected service (Water Rule 5.4.), which I do not like and rarely recommend, should be by written agreement. This agreement should contain language that informs the customer of the requirements and responsibilities associated with their service line. The easement or utility service right-of-way for the customer service line that crosses property other than that being served requires recording and attachment to the deed of the property being served, and is the responsibility of the customer.

The utility should request proof of recording prior to installation of the service (i.e.: metering equipment). The long service line agreement, although not required, should be recorded and attached to the deed of the property being served in order to disclose the method of service. This will eliminate potential problems if the dwelling is sold because it will inform the new owner of the agreement. In instances where a potential long service line customer intends to use an existing right-of-way across an adjoining property to lay the long service line, verify that the right-of-way addresses the right of utility service prior to acceptance. In most cases a standard right-of-way only allows ingress/egress or right of travel, and the right of utility service is negotiated at the time of need, meaning that a separate utility service right-of-way/easement will be required and also needs to be recorded by the party requesting service.

Water Rule 5.8.b., with regard to low pressure waivers, is not required, but if the utility intends for the waiver to be binding on future customers served at the same location, it must be recorded and attached to the deed. I recommend in all cases of low or high pressure, where waivers exist as a condition of service, that the waiver be recorded and attached in order to disclose the existence of such a waiver if the property is ever sold.

In instances requiring a utility to extend a main in order to serve, a line extension agreement, along with the new service user agreement(s), should be recorded in order to be binding and prevent a possible complaint if the dwelling is sold while the agreement is still in effect.
Sewer service, on the other hand, is somewhat different from water service with regard to utility responsibility. Over the years, I have addressed many complaints in which a utility has allowed a customer to install sewer service via a long service line over an adjoining property, then attempting to avoid responsibility when a problem occurs. Being that there are no provisions within the sewer rules that allow a utility to provide service by means of a long service line, such as is the case with water, there is only perfected service, meaning that the utility takes responsibility at the customer’s property line. With sewer service there are only utility mains of a minimum line size of six inches for gravity service, \(i.e.:\) utility service/lateral pipe and gravity lines serving 15 dwellings or 30 mobile homes; see Health Dept. Design Standards 4.2.f.). For the most part, utility gravity mains are eight inches or larger.

Where sewer service is concerned, when a dwelling cannot be served by gravity flow, but the property owner will agree to install and maintain a pump station at their cost as a condition of service, I recommend that this be done in the form of an agreement and that the agreement be recorded and attached to the property deed so that this is disclosed if the property is ever sold.

I am sure there are additional situations that should be recorded and attached to property deeds, but these are the ones I see most often from a field perspective. In essence, the goal is to prevent future complaints, which can be costly to resolve and could have been easily prevented. It is also recommended that the utility consult with its attorney for guidance in this situation.

See You in the Fall!
Public Service Commission of West Virginia

Water and Wastewater Division

Dave Acord, Director  
dacord@psc.state.wv.us  
340-0366

Lisa Coleman, Administrative Secretary  
icoleman@psc.state.wv.us  
340-0459

Nancy Tincher, Secretary  
ntincher@psc.state.wv.us  
340-0440

Grants & Funding, Finance, Administrative, Office Operations

Bill Nelson, Manager  
bnelson@psc.state.wv.us  
340-0445

Bonnie Boston, Utilities Analyst  
bboston@psc.state.wv.us  
340-0479

Steve Edens, Utilities Analyst  
sedens@psc.state.wv.us  
340-0769

Versie Hill, Utilities Analyst  
vhill@psc.state.wv.us  
340-0870

Alex Kovarik, Utilities Analyst  
akovarik@psc.state.wv.us  
340-0358

Laura Leport, Utilities Analyst  
lleport@psc.state.wv.us  
340-0473

Informal Complaints

Tammy Tabor, Supervisor  
ttabor@psc.state.wv.us  
340-0826

Markita Black, Consumer Affairs Tech  
mblack@psc.state.wv.us  
340-0321

Rhonda Boothe, Consumer Affairs Tech  
rboothe@psc.state.wv.us  
340-0467

Robert Cramer, Consumer Affairs Tech  
rcramer@psc.state.wv.us  
340-0494

Vicki Lemley, Consumer Affairs Tech  
vlemley@psc.state.wv.us  
340-0379

Fax 304-340-3759
Engineering Division

Earl Melton, Director  
emelton@psc.state.wv.us  
340-0392

Victoria Trent, Secretary  
vtrent@psc.state.wv.us  
340-0370

Case Control

Dave Dove, Manager  
ddove@psc.state.wv.us  
340-0436

Lisa Bailey, Technical Analyst  
lbailey@psc.state.wv.us  
340-0499

Jonathan Fowler, Engineer  
jfowler@psc.state.wv.us  
340-0491

David Holley, Technical Analyst  
dholley@psc.state.wv.us  
340-0328

Kristopher Huff, Technical Trainee  
khuff@psc.state.wv.us  
340-0443

Mansour Mashayekhi, Technical Analyst  
mmashayekhi@psc.state.wv.us  
340-0428

Jim Spurlock, Technical Analyst  
jspurlock@psc.state.wv.us  
340-0357

Sylvie Steranka, Technical Analyst  
ssteranka@psc.state.wv.us  
340-0466

Jim Weimer, Engineer  
jweimer@psc.state.wv.us  
340-0476

Case Assistance

Ralph Clark, Engineer  
rcClark@psc.state.wv.us  
340-0455

Eric DeGruyter, Technical Analyst  
edegruyter@psc.state.wv.us  
340-0388

John Harper, Engineering Technician  
jharper@psc.state.wv.us  
340-0465

Karen McClure, Technical Analyst  
kmclure@psc.state.wv.us  
340-0335

Craig Miller, Utility Inspector  
cmiller@psc.state.wv.us  
340-0353

Wayne Perdue, Technical Analyst  
wperdue@psc.state.wv.us  
340-0493

Don Walker, Technical Analyst  
dwalker@psc.state.wv.us  
340-0434

Fax: 304-340-0452
## Utilities Division

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director</td>
<td>Terry Eads</td>
<td><a href="mailto:teads@psc.state.wv.us">teads@psc.state.wv.us</a></td>
<td>340-0421</td>
</tr>
<tr>
<td>Administrative Secretary</td>
<td>Lynn Scott</td>
<td><a href="mailto:lscott@psc.state.wv.us">lscott@psc.state.wv.us</a></td>
<td>340-0350</td>
</tr>
<tr>
<td></td>
<td>Margaret Robinson</td>
<td><a href="mailto:mrobinson@psc.state.wv.us">mrobinson@psc.state.wv.us</a></td>
<td>340-0365</td>
</tr>
<tr>
<td>Analyst</td>
<td>Mike Dailey</td>
<td><a href="mailto:mdailey@psc.state.wv.us">mdailey@psc.state.wv.us</a></td>
<td>340-0495</td>
</tr>
</tbody>
</table>

### Carrier & Consumer Operations

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Director</td>
<td>Randy Short</td>
<td><a href="mailto:rshort@psc.state.wv.us">rshort@psc.state.wv.us</a></td>
<td>340-0446</td>
</tr>
<tr>
<td>Supervisor</td>
<td>Carla Nelson</td>
<td><a href="mailto:cnelson@psc.state.wv.us">cnelson@psc.state.wv.us</a></td>
<td>340-0424</td>
</tr>
<tr>
<td>Secretary</td>
<td>Mandy VanMeter</td>
<td><a href="mailto:mvanmeter@psc.state.wv.us">mvanmeter@psc.state.wv.us</a></td>
<td>340-0833</td>
</tr>
<tr>
<td>Office Assistant</td>
<td>Tabitha Parsons</td>
<td><a href="mailto:tparsons@psc.state.wv.us">tparsons@psc.state.wv.us</a></td>
<td>340-0415</td>
</tr>
</tbody>
</table>

### Motor Carrier & Formal Complaints

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervisor</td>
<td>Steve Kaz</td>
<td><a href="mailto:skaz@psc.state.wv.us">skaz@psc.state.wv.us</a></td>
<td>340-0760</td>
</tr>
<tr>
<td>Analyst</td>
<td>Stacy Beller</td>
<td><a href="mailto:sbeller@psc.state.wv.us">sbeller@psc.state.wv.us</a></td>
<td>340-0444</td>
</tr>
<tr>
<td>Inspector</td>
<td>Dwayne Bevins</td>
<td><a href="mailto:dbevins@psc.state.wv.us">dbevins@psc.state.wv.us</a></td>
<td>340-0449</td>
</tr>
<tr>
<td>Analyst</td>
<td>Bob Cadle</td>
<td><a href="mailto:rcadle@psc.state.wv.us">rcadle@psc.state.wv.us</a></td>
<td>340-0419</td>
</tr>
<tr>
<td>Analyst</td>
<td>Bill Flenner</td>
<td><a href="mailto:bflenner@psc.state.wv.us">bflenner@psc.state.wv.us</a></td>
<td>340-0496</td>
</tr>
<tr>
<td>Analyst</td>
<td>Jennifer Moore</td>
<td><a href="mailto:jmoore@psc.state.wv.us">jmoore@psc.state.wv.us</a></td>
<td>340-0837</td>
</tr>
</tbody>
</table>

### Audits, Finance & Rates

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Director</td>
<td>Diane Davis</td>
<td><a href="mailto:ddavis@psc.state.wv.us">ddavis@psc.state.wv.us</a></td>
<td>340-0369</td>
</tr>
</tbody>
</table>

### Case Processing 1

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager</td>
<td>Ed Oxley</td>
<td><a href="mailto:eoxley@psc.state.wv.us">eoxley@psc.state.wv.us</a></td>
<td>340-0360</td>
</tr>
<tr>
<td>Analyst</td>
<td>Ronald Ash</td>
<td><a href="mailto:rash@psc.state.wv.us">rash@psc.state.wv.us</a></td>
<td>340-0869</td>
</tr>
<tr>
<td>Analyst</td>
<td>Karen Buckley</td>
<td>k <a href="mailto:buckley@psc.state.wv.us">buckley@psc.state.wv.us</a></td>
<td>340-0470</td>
</tr>
<tr>
<td>Analyst</td>
<td>Erin Deegan</td>
<td><a href="mailto:edeegan@psc.state.wv.us">edeegan@psc.state.wv.us</a></td>
<td>340-0768</td>
</tr>
<tr>
<td>Analyst</td>
<td>Nathan Mills</td>
<td><a href="mailto:nmills@psc.state.wv.us">nmills@psc.state.wv.us</a></td>
<td>340-0773</td>
</tr>
<tr>
<td>Analyst</td>
<td>Kaitlyn Shamblin</td>
<td><a href="mailto:kshamblin@psc.state.wv.us">kshamblin@psc.state.wv.us</a></td>
<td>340-0345</td>
</tr>
</tbody>
</table>

### Case Processing 2

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager</td>
<td>Dave Pauley</td>
<td><a href="mailto:dpauley@psc.state.wv.us">dpauley@psc.state.wv.us</a></td>
<td>340-0439</td>
</tr>
<tr>
<td>Analyst</td>
<td>Tara Gilkey</td>
<td><a href="mailto:tgilkey@psc.state.wv.us">tgilkey@psc.state.wv.us</a></td>
<td>340-0365</td>
</tr>
<tr>
<td>Analyst</td>
<td>Pete Lopez</td>
<td><a href="mailto:plopez@psc.state.wv.us">plopez@psc.state.wv.us</a></td>
<td>340-0823</td>
</tr>
</tbody>
</table>

Fax: 340-340-0326