



Public Utilities Commission

Case Number

Public Utilities Commission of Ohio
Attn: Docketing
180 E. Broad St.
Columbus, OH 43215

Formal Complaint Form

13-1638-GE-CSS

James & Rene Boyer
Customer Name (Please Print)

8198 Wind Dancer Dr.
Customer Address

Germantown OH 45327
City State Zip

Against

6767410513 1
Account Number

Same as above
Customer Service Address (if different from above)

Dayton Power & Light
Utility Company Name

City State Zip

Please describe your complaint. (Attach additional sheets if necessary)

See attached

RECEIVED-DOCKETING DIV

2013 JUL 15 PM 3:08

PUCO

Rene Boyer 7/11/13
Signature

937-689-5314
Customer Telephone Number

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business
technician ASW Date Processed 7/15/13

July 11, 2013

Public Utilities Commission of Ohio

Docketing Division

180 E. Broad Street

Columbus, OH 43215-3793

RE: Formal Complaint Against Dayton Power & Light (DP&L)

My husband and I have lived in our home for approximately 17 years (original owners – built home in 1996). Recently, we discovered DP&L (Dayton Power & Light) has been overcharging us the Gas Rate instead of Electric Rate the entire time we have lived there. Apparently, the Electric Rate is cheaper. We do not have natural gas.

Jim called and requested a credit and DP&L refused. To change the rate going forward, they scheduled an appointment on June 14, 2013, at our home to prove we don't have gas heat. They have stated they will correct and lower our rate going forward but will not provide a refund for all those years they overcharged us.

Ohio Consumers' Council

I contacted the Ohio Consumers' Counsel on 6/14/13 for assistance. They responded on the same day and advised the following: In a recent law, the Public Utilities Commission of Ohio (PUCO) was designated as the sole state agency to operate a call center for handling consumer complaints about utility services. I asked why this change was made and they advised only the legislators would be able to answer. I would like an answer from Ohio Legislation representatives.

Informal Complaint - PUCO I – 6/14/13.

I contacted PUCO and filed an informal complaint on 6/14/13 (RBOY0614137G). On 7/2/13, Kelly Mabra, Customer Service Investigator for PUCO advised DP&L will not provide a credit to our account for the past overcharges.

The DP&L reason is as follows:

Dayton Power & Light Tariff D05 (8) states the following.

8. Choice of Service Option

Copies of this Schedule including all available Service Options are available at the Company's business offices and are open to public inspection during business hours. Where the Customer meets the requirements of more than one Service Option, the Customer shall select the Tariff Sheet upon which his application or contract for service shall be based. The Company, at the request of the Customer, will make a reasonable effort to determine the most favorable rate for any Customer who qualifies for more than one rate schedule. However, the Company does not and cannot guarantee that the Customer will be served under the least expensive Service Option at all times, will not be responsible for notifying the Customer of potentially less expensive Service Options, and shall not be liable to the Customer for any price difference resulting from the Customer not being served under a less expensive Service Option. The Company's policies concerning disclosure of prices shall conform to Section 4901:1-1-03, Ohio Administrative Code.

They also provided information on how to file a formal complaint .

Formal Complaint – PUCO

The purpose of this letter is to formally file a complaint with the Public Utilities Commission of Ohio.

Detail is listed below:

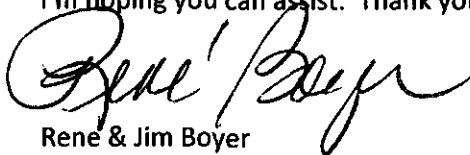
Account # for DP&L	6767410513 1
Service Address	8198 Wind Dancer Dr., Germantown, OH 45327
Statement	Yes, We are a customer of Dayton Power &Light.
Name of Utility Company	Dayton Power & Light
Facts/Reason for Complaint	DP&L Overcharged us the wrong rate since 1996. They failed to set up our account appropriately when the house was built and our account was established. A consumer would not have any way of knowing the rate was in error as the invoice doesn't include this information. Consumers must rely on the utility company to accurately access and apply the correct rate. Overcharges must be refunded to us for the entire timeperiod we were charged the wrong rate.
Timeperiod of Overcharges	1996 when account was first opened, through 6/30/13.
Request of PUCO Commission	Please assist in obtaining a credit for the overcharges that occurred from 1996 to 6/30/13 with interest of 3%.

Rule, Tariff, Rate, Charge or Practice Affecting the Service of the Public Utility is unjust and unreasonable that the public utility has: violated the law, failed to follow the rules and regulations on file with the PUCO, Discriminated against you, provided you with inadequate service, failed to provide you with service.

Up until October 31, 2001 - DP&L billed consumers for both electric and gas usage. Since they never billed us for natural gas, it was evident we did not have natural gas as a heating source. There is a propane tank (120 gallon PIG) right next to our home which pipes to our fireplace only. Since there is no other piping to this tank, it is evident it is only used for the fireplace and not a household heat source. Also, initial building permits showed "electric" as our heat source. DP&L has provided inadequate service by 1) initial error in establishing our account as electric heat source when all other records show electric heat (Montgomery County Building Permits) identified as our heat source, 2) not providing a clear and concise bill which showed we were being billed a gas/electric rate versus an all electric rate. The BBB lists complaints and resolutions online for public viewing. DP&L responded to a complaint regarding billing errors associated with North American Power. DP&L's response stated that North American Power has the responsibility to ensure its customers are being billed correctly as part of their billing services agreement with DP&L. In their response, DP&L issued a credit to customer for the overcharges. DP&L has refused to refund overcharges which is discriminatory.

Attached: Montgomery County Records from Building Regulation Department (6 pages).

I'm hoping you can assist. Thank you in advance for your consideration.



Rene & Jim Boyer

8198 Wind Dancer Dr.

Germantown, OH 45327

PHONE: 937-689-5314



MONTGOMERY COUNTY

BUILDING REGULATION DEPARTMENT MONTGOMERY COUNTY
ADMINISTRATION BUILDING
451 WEST THIRD STREET
DAYTON, OHIO 45422

513-225-4622

J.O.B. - JWC ELECTRICAL PERMIT

APPROVED

VALUED UNDER \$22,000/96

PERMIT #: 9513475

LOT #:24

Issue Date: 12/12/95

TOWNSHIP: GERMAN TOWNSHIP
Address: 8198 WIND DANCER DR.

, MEADOWVIEW ESTATES

Comments:

Owner: GILBERT HOMES
6810 BRIGANTINE
DAYTON, OH 45415

Contractor: JIM MILLER ELECTRIC
3474 SOUTH SHILOH RD.
LAURA, OH 45337

Telephone#: 513/ -

Telephone#: 513/698-4877

Construction: NEW CONSTRUCTION

Type of Occupancy: SINGLE FAMILY DWELLING (R-4)

Description: NEW RESIDENCE
BLDG. # 9504186

Nature of Work:

Construction Type: SB

Use Group:

Estimated Value of Work
By Building Official: \$

0

Permit Fee:	\$	100.00
Total Fees:	\$	100.00

WORK TO BE DONE ACCORDING TO APPROVED PLANS AND SPECIFICATIONS FILED WITH THE MONTGOMERY COUNTY BUILDING REGULATION DEPARTMENT.
BUILDING SHALL COMPLY WITH ALL LOCAL/STATE BUILDING REGULATIONS AND LAWS.

BEFORE OCCUPANCY THIS BUILDING OR REMODELING YOU MUST SCHEDULE A FINAL INSPECTION FOR WORK COVERED BY THIS PERMIT PURSUANT TO
THE MONTGOMERY COUNTY RESIDENTIAL CODE AND THE STATE BUILDING CODE.

MAURICE D. WYCKOFF
CHIEF BUILDING OFFICIAL

temp OK 1-18-96
final OK 5-31-96

GILBERT

APPLICATION FOR CABO REGULATED PLAN APPROVAL (FOR 1, 2, & 3 FAMILY RESIDENTIAL)

SUBMIT ONE APPLICATION FOR EACH BUILDING OR STRUCTURE. PLEASE PRINT OR TYPE. SEE REVERSE SIDE FOR INFORMATION.

1. APPLICATION MADE FOR WHICH TYPE OF PERMIT(S)?

- ☒ Building/Structural
☒ HVAC
☐ Swimming Pool
☐ Repair
☐ Demolition
☐ Special Inspection
☐ Other _____

FOOTER
9503765

2. OCCUPANCY CLASSIFICATION

- ☒ One Family ☐ Two Family ☐ Three Family ☐ Detached

3. TYPE OF IMPROVEMENT (check all that apply)

- ☒ NEW STRUCTURE ☐ ADDITION
☐ REMODELING/REPAIR

4. PROJECT LOCATION

Address 8198 Wind Dancer Pr.
 Closest Intersecting Street Jamaica Rd.
Bermantown
 Lot # 24
 Township German
 Subdivision Meadow View Estates

5. BUILDING OWNER

Phone No. 866-1526
 Name James Boyer
 Address 1846 Robin Hood Dr.
 City, State, Zip Miamisburg 45342

6. PLANS BY

Phone No. 454-1242
 Contact Person Bob Gilbert
 Company Gilbert Homes
 Address 6810 Brigantine
 City, State, Zip Dayton, Ohio 45414

7. GENERAL CONTRACTOR

Phone No. 454-1242
 Contact Person Bob Gilbert
 Company Gilbert Homes, Inc.
 Address _____
 City, State, Zip _____

8. MECHANICAL CONTRACTOR

Phone No. 258-2171
 Contact Person Hirton
 Company James Tobias
 Address Plainfield
 City, State, Zip Dayton
 County Registration No. _____



MONTGOMERY COUNTY BUILDING REGULATIONS DIVISION

451 W. THIRD STREET DAYTON, OHIO 45422

(513) 225-4622

PERMIT NO

9504186

9. ESTIMATED VALUE OF WORK \$ 120,000

(Includes market value of materials and labor. See Reverse Side)

10. Is project in a FEMA Flood Prone area? ☐ Y ☒ N

If yes, a separate Flood Prevention Permit is required.

11. BUILDING/CODE INFORMATION

Project Description: (check all that apply)

- ☒ House ☒ Garage ☐ Pole Barn ☐ Shed
☐ Patio Enclosure ☐ Patio Cover ☐ Carport ☐ Deck
☐ Other _____

- ☐ Finished Basement ☒ Unfinished Basement ☐ Slab ☒ Crawl Space

No. of Bedrooms 4 No. of Bathrooms 2 1/2 No. of Fireplaces 1Sewer: ☐ Public ☒ Private Water: ☐ Public ☒ Private

12. GROSS FLOOR AREA IN SQ. FT.

Basement 1200 Enclosed Porches _____
 Garage 500 Remaining Occup. Spaces 2500
 Other _____

13. HEATING SYSTEM (New Bldg. & Additions Only) others see Mechanical (HVAC) Application

Description

Heat Source	Type	No. of Units
<input type="checkbox"/> Gas	<input checked="" type="checkbox"/> Warm Air	<u>1</u>
<input type="checkbox"/> Oil	<input type="checkbox"/> Hot Water	_____
<input checked="" type="checkbox"/> Electric	<input type="checkbox"/> Radiant	_____
<input type="checkbox"/> LP	<input checked="" type="checkbox"/> A/C	<u>1</u>
<input type="checkbox"/> Geothermal (Plans and calculations required)		
<input type="checkbox"/> Duct Extension Only		

15. APPLICANT INFORMATION (If other than owner)

Name Barbara Gilbert
 Company Gilbert Homes, Inc.
 Address 6810 Brigantine
 City, State, Zip Dayton, O 45414

I hereby certify that the proposed work is authorized by the Owner of Record, that I have been authorized by the Owner to make this application as his Agent, and that we agree to conform to ALL applicable laws of the County and State.

Barbara Gilbert 9/12/95
 Applicant Signature Date

CABO

OFFICE USE ONLY

CABO

Intake Person Approval

Date received

9-12-95

Plan Examiner Approval

Date reviewed

10/6/95

Comments

C.O.? ☐ Y ☐ N

Date Applicant Notified Permit Ready

10/6/95

☐ Phone ☒ Mail

Rev. 7/11/95

FEES

OFFICE USE ONLY

CABO

Construction Application Fee	=	<u>18.00</u>
Construction Base Fee	=	<u>467.00</u>
HVAC Application Fee	=	<u>10.00</u>
HVAC Base Fee	=	<u>25.00</u>
Duct Work	=	<u>15.00</u>
Cert. of Occupancy	=	<u>11.00</u>
Other (see fee schedule)	=	_____
Penalty Fee	=	_____
Total	=	<u>543.00</u>
Date Pd.	<u>12/6/95</u>	Method# <u>1436.2</u>



MONTGOMERY COUNTY

BUILDING REGULATION DEPARTMENT MONTGOMERY COUNTY
ADMINISTRATION BUILDING
451 WEST THIRD STREET
DAYTON, OHIO 45422

513-225-4622

BUILDING PERMIT

APPROVED
NOT APPROVED
VALID UNTIL: 09/30/95
E.C.C.

29572 PROJECT #: 9504186

LOT #124

Issue Date: 10/06/95

TOWNSHIP: GERMAN TOWNSHIP
Address: 5198 WIND DANCER DR.

, MEADOWVIEW ESTATES

OWNER:

JAMES BEYER
46 ROBIN HOOD
HAMSBURG, OH 45142

Contractor: GILBERT RUPES
P.O. BOX 428
MADILL, OH 54377

Telephone: 513/866-1026

Fax: 513/454-1242

Elevation: NEW CONSTRUCTION

Type of Occupancy: SINGLE FAMILY DWELLING

Description: GARAGE, 3 BEDRMS., 2.5 BATHS, CRAWL SPACE, 3-FIREPLACE

See: form 95 03765

Nature of Work: NEW RES.

Construction Type: 5B

Use Group: R

Estimated Value of Work

By Building Official: \$ 120,000

Permit Fee:	\$	478.00
HVAC/BUILDING	\$	40.00
APPLICATION FEE	\$	25.00
Total Fees:	\$	543.00

ALL WORK SHALL CONFORM TO APPROVED AND/OR ADOPTED CODES FILED WITH THE MONTGOMERY COUNTY BUILDING REGULATION DEPARTMENT. BUILDING SHALL COMPLY WITH ALL LOCAL/STATE BUILDING REGULATIONS AND LAWS.

BEFORE COMMENCING ANY BUILDING OR RENOVATION WORK, THE OWNER SHALL SCHEDULE A FINAL INSPECTION FOR WORK COVERED BY THIS PERMIT PURSUANT TO THE MONTGOMERY COUNTY RESIDENTIAL CODE AND THE STATE BUILDING CODE.

MAURICE D. WYCKOFF
CHIEF BUILDING OFFICIAL

10-11-95 FOOTER YR 2007/11/11

11/10/96 Frame TL

5-24-96 - FINAL - N/A - E.C.L.

✓ ① BARRICADE REAR DOOR OR PROPER STEPS

✓ ② INSULATE BASEMENT & CRAWL SPACE

5-30-96 - FINAL - APPROVED - E.C.L.

Bldg. Inspections

1-2-96 ROUGH - APPROVED - E.C.C.

1-17-96 Temp. SERV. ok. gas
200A 1¢ under

5-24-96 FINAL - APPROVED - E.C.C.

Elect Inspection

Form No. B. L-7

PERMIT#9504186

CERTIFICATE OF OCCUPANCY**COUNTY OF MONTGOMERY****DIVISION OF BUILDING INSPECTION**

Dayton, Ohio May 31 19 96

This is to certify That the _____ story _____ Residential _____ Building
8198 Wind Dancer Dr. located at No. _____ Street, Lot. No. 24 Meadowview Estates Subdivision,

Sect. No. _____ German Township, Zone _____ has been inspected and is
approved for occupancy as _____ Single Family Residence

in accordance with the provisions of the Montgomery County Building Code.

Type of Construction _____ 5B Permitted No. of persons per story _____ Max. live load unif. distrib. _____ lbs./sq. ft.

Property owner James Boyer Address 1846 Robin Hood

Any Addition or Alteration Subject to the Date Hereof Renders this Certificate Void

County Building Inspector