RECEIVED-DOCKETING DIV

08-976-GE-CSS



2008 AUG | 4 AM | 1:51

Case Number

Public Utilities Commission of Ohio

Attn: Docketing 180 E. Broad St. Columbus, OH 43215

Formal Complaint Form

PUCO

Deanna	Chaffins
Customer Name	

3354 Bechtel Dr.

Against

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

(See Attached.)

Wlanna Chaffins

ature
(937) 743-9648

amer Telephone Number
Cell (513) 509-8376

The Public Utilities Commission of Ohio Ted Strickland, Governor * Alan R. Schriber, Chairman Commissioners: Ronda Hartman Fergus, Donald L. Mason, Valerte A. Lemmie, Paul Centolella 180 E. Broad Street, Columbus, Ohio 43215-3793 + An Equal Opportunity Employer and Service Provider

rechnician

This letter is to request your assistance concerning the unfair gas and electric rates that were charged to me (by CG&E, now Duke Electric) when I occupied the home of 111 Holly Drive, Franklin, OH from 5/22/97 to 7/5/05. I called Duke Electric at least two occasions throughout the time that I lived at this location to inquire why my utility bills were so high. They told me that I must be using a lot of electricity/gas. I also inquired one time why my rate was much higher than my boyfriend (at that time). He lived in Loveland, OH and I lived in Franklin, OH, but we both had the same electric and gas company, Duke Energy. I was told that there must be a rate difference between the two cities.

I sold the home on 7/5/05 to Billy and Debra Long. They also experienced high utility bills. Later, they discovered that Duke Energy charged "Commercial" rates, rather than "Residential" rates. They were told that when I, Deanna Chaffins, (the first owner of the home) originally purchased the model home from Ryan Homes, the rate was never changed to "Residential" and both parties were charged the "Commercial" rates. Billy and Debra Long were issued a refund of approximately \$2,000 for the approximate to three years that they were also overcharged for the Commercial rates. Through mutual friends, I was informed of the Longs findings and refund. They encouraged me to contact Duke Energy for a refund during the time that I lived at the location and was incorrectly charged the premium Commercial rates.

I did contact Duke Energy and I spoke with Amy at extension 4829. She told me that there was no way for them to know if I was operating a business from this location at the time that I lived there since it was so long ago. I explained to her that the home was never zoned for a business, it was in the middle of a subdivision. Furthermore; I could provide certified affidavits from the next door neighbors on each side of me to verify that I was not operating a business. I could also provide copies of my tax filings to show that I worked outside the home and did not operate a home business, etc... She then explained that since I no longer lived at the location, then I was not eligible for a refund.

I contacted PUCO and filed an informal complaint with Steve. He issued informal complaint # DCHA042108S8. He was not able to resolve the dispute. He recommended that I pursue filing a formal complaint.

There was no way that a consumer would have known that they were being charged the Commercial rate verses the Residential rate. Throughout the entire time that I lived at this location, none of the bills showed any indication that Commercial rates were being charged. If they would have, I would have immediately contacted Duke Energy to inquire about the charges and have them charge the correct Residential rate.

I am requesting two things:

1.) A refund of the difference from the Residential rate that should have been charged verses the Commercial rate that was charged during the entire time that I lived at this location.

2.) Request that Duke Energy indicate on the bills if they are charging rates higher than the Residential rates to protect other consumers from experiencing this type of situation.

In closing, it is obvious that Duke Energy incorrectly charged me rates much higher than everyone else in the neighborhood, due to their clerical error. I did question the rates several times (when I lived at the location), but they either were unwilling or unable to determine that they had made an error. Now, they are saying that it has been too long to issue a refund, even if they did make a mistake. That excuse is unacceptable. I believe that I am entitled to a refund to rectify the overpayment. If Duke Energy is not required to issue a refund, there is nothing to protect the average consumer from utility companies charging whatever rates they want to, as long as they get away with it and the consumer doesn't find out about it in a timely manner.

Attached is a copy of the Warren County Auditor's report showing the sale dates of the property and the State Use Code 0510-Single Family Dwelling to prove that it was always zoned as a residential property. Also attached, is a letter from Ryan Homes telling me to change the utility services to my name, a copy of the property survey, a copy of my home owners policy that was paid.

Some last things worth mentioning, I had previous services with CG&E in my home before living at this location. At the time that I added services, I canceled services from my previous home of 6641 Heller Road, Greenville, OH 45331, which was a residential home. I also told the person how excited that I was for purchasing a brand new model home. I am sure it was initially a clerical mistake on her part, however; I should not have to be the one to pay for the utility companies mistakes all of the years since there was no way I could have known I was being overcharged. All I am asking is to be charged the fair residential amount. I feel that is the least that the utility company should offer the consumer.

I would appreciate any help that you can provide.

Sincerely,

Deanna Chaffins

Warren County Ohio Property Search

Nick Nelson, Auditor ~ Beth Deckard, Recorder ~ Jim Aumann, Treasurer
Administration Building 406 Justice Dr., Lebanon, Oh. 513-695-1235

Property Search Home | Recorder Search | Auditor's Office | Warren County | Feedback

Search by: Map / Owner's Name / Property Address / Parcel ID / Account Number / Subdivision or Lot / Advanced Search

<u>Summary Building Details Tax Info Sales History Value History Land Records Outbuildings Yard Items Memos Recorder Data</u> **Sales History**

Parcel ID	04261930040	Current Owner	LONG DEBRA & BILLY	Property Value As Of	01-01- 2007
Account Number	2138268	Property Address	111 HOLLY DR FRANKLIN 45005	Ownership As Of Tax Data As Of	07-11- 2008 07-11- 2008
Legal Description	HARPLAND ESTATES 1 LOT: 22 0 acres	State Use Code	0510 - SINGLE FAMILY DWG (PLATTED)	Census Tract	303.00
Tax District	21 - FRANKLIN CITY FCSD	School District	FRANKLIN C.S.D.	Ohio Public School District Number	8304
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Date	Grantor	Grantee	Consideration
07-06-2005	CHAFFINS, DEANNA	LONG, DEBRA & BILLY	\$175,000.00
05-22-1997	NVR HOMES, INC.	CHAFFINS, DEANNA	\$154,900.00
04-15-1996	HENDERSON CONSTRUCTION,	NVR HOMES, INC.	\$25,000.00
06-21-1995	HENDERSON CONSTRUCTION,	HENDERSON CONSTRUCTION,	\$0.00



April 25, 1997

Ms. Deagns J. Chaffins 6641 Heller Rd. Greenville, OH 45331

RE: LOT # 0022, HARPLAND ESTATES (HE)

Dear Deagna:

We are happy to advise you that your new Ryan Home is maring completion.

The date for your presettlement is Wednesday, May 14, 1997, at 10:00 a.m. At this time you will meet with our construction supervisor at your new home. The purpose of this meeting is to familiarize you with the operation of all equipment and to hold an inspection of the home to see that it meets with your satisfaction. Homeowner's maintenance responsibilities are also reviewed together with valuable tips on the proper care of your home.

Following your presettlement inspection, the closing of your new bonne will take place at 8:00 a.m. on Thursday, May 15, 1997 at Pirst Title Agency, Inc., 6239 Witnington Pk., Centerville, OH 45439 with Ann Riegel who may be reached at \$13772-1140. NVR will telephone you prior to closing to inform you of the amount needed to close. Please obtain this amount in the form of a Certified or Cashiers check made payable to you. You will receive your keys at closing and then you may move in any time following the closing.

Our Service Manager will make a final inspection with you six months after the closing to go through the house with you and list any items that may need attention as indicated under the terms of our warranty.

We have been informed that your new address is the following:

111 Helly Dr., Franklin, OH 45005

Listed below are the utility companies you are responsible for notifying before you close;

City of Franklin @ 513/746-9921 for water, sewer and trash CG & E (Middletown) @ 513/425-4555 for gas and electric Ameritech @ 800/660-1000 for telephone TCI Cablevision @ 513/424-2408 for cable television

Please notify me if you have any other concerns. We hope that you will spend many happy years in your new home. We are well aware that Ryan Homeowners are our best sales people; therefore, we will do our best to make this the finest home you have ever owned.

Sincerely

Sales and Settlement Secretary

Homeowner's File, Sales Representative. Ann Ringel via fax @ 513/435-3999, Donna Nation via fax @ 513/771-5368 pa3/17/95

734 Plans on Valley Drive · Springhoro, Ohio 45066 · 513-746-0073 · FAX 513-746-0887

We are precised to the legal time of 1.5, policy by the aphamement of equal bouring system of the propriet of a patent, the necessary and support on affirmative educations and marketing program or after these 219 to become to obtaining housing because of date, differ dispos, date, filtrifield, lattiful status or makes on pulsars or pulsars or pulsars or pulsars.

OCCUPANCY AGREEMENT

DATE:

MAY 15, 1997

BORROWER:

DEANNA CHAFFINS

LOAN#: DC0567

PROPERTY ADDRESS:

111 HOLLY DRIVE, FRANKLIN, OH 45005

The undersigned Borrower(s) of the above captioned property understand that one of the conditions of the loan is that Borrower(s) occupy the subject property and Borrower(s) do hereby certify as follows:

- 1. Borrower intends to occupy the property as Borrower's primary residence.
- 2. Borrower intends to occupy the property during the 12 month period immediately (not more than 60 days) following the loan closing as the primary residence of the Borrower (i.e., the property will be "owner occupied").
- 3. If Borrower's intention changes prior to the loan closing, Borrower agrees to notify Lender immediately of that fact.
- 4. Borrower understands that Lender may not make the loan in connection with subject property without this Occupancy Agreement.
- 5. Borrower acknowledges Lender has relied upon the Borrower's representation of occupancy in securing said loan, the interest rate or funding said loan.

THE UNDERSIGNED BORROWER(S) ACKNOWLEDGES AND AGREES THAT:

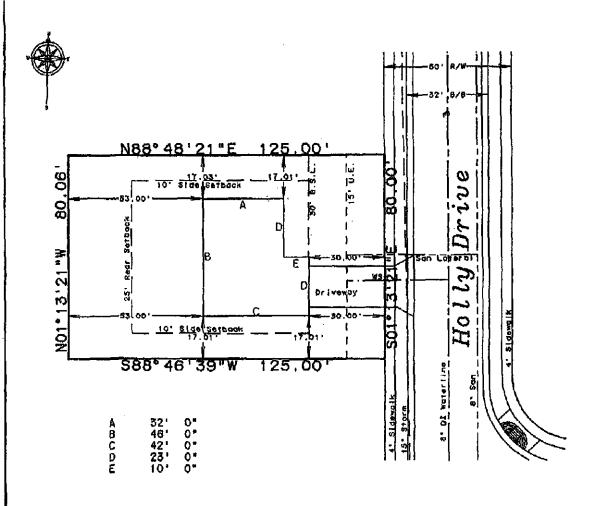
- 1. ANY MISREPRESENTATION OF OCCUPANCY BY BORROWER(S);
- 2. BORROWER(S) FAILURE TO OCCUPY THE PROPERTY AS THE PRIMARY RESIDENCE (i.e. OWNER-OCCUPIED) DURING THE 12 MONTH PERIOD FOLLOWING THE LOAN CLOSING;

SHALL CONSTITUTE A DEFAULT UNDER THE NOTE AND SECURITY INSTRUMENT EXECUTED IN CONNECTION WITH SAID LOAN AND, UPON THE OCCURRENCE OF SAID DEFAULT, THE WHOLE SUM OF PRINCIPAL AND INTEREST PAYABLE PURSUANT TO SAID NOTE PLUS COSTS AND FEES SHALL BECOME IMMEDIATELY DUE AT THE OPTION OF THE HOLDER THEREOF AND/OR LENDER MAY ADJUST THE INTEREST RATE TO BE EQUIVALENT TO THAT OF A NON-OWNER OCCUPIED L OAN.

Borrower(s) understand that it is a Federal Crime punishable by fine or imprisonment or both to knowingly make any false statement concerning any of the above facts, as applicable under the provisions of Title 18 U.S.C., See 1014.

I declare that the foregoing Agreement is true and correct and agree to said terms of Agreement allowing Lender discretion to call loan due and/or adjust the interest rate based upon any misrepresentation of occupancy.

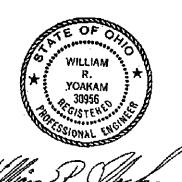
			05/15/97		
Borrower	DEANNA	CHAFFINS	Date	Horrower	Date
			<u> </u>		
Borrower			Date	Borrower	Date



Lot Size: 10004 Sq. Ft.

Sewer Min. = 807.66 (At Tap)

Minimum Bosement Finished Floor Elevation = 810.22



HARPLAND ESTATES, SECTION 1 LOT 22, 111 HOLLY DRIVE, CITY OF FRANKLIN, OHIO

WYCO ENGINEERING AND SURVEYING 8401 CLAUDE THOMAS RD., FRANKLIN, OH

SCALE : 1' = 30' DRAWN BY JSM REVISED :

APPROVED

DATE : 3/21/96

DRW. NO. HE-22

QUICK CLOSE DECLARATIONS

WHEN USED AS A DECLARATIONS, ATTACHMENT OF POLICY PROVISIONS AND FORMS AND ENDORSEMENTS COMPLETE THIS POLICY

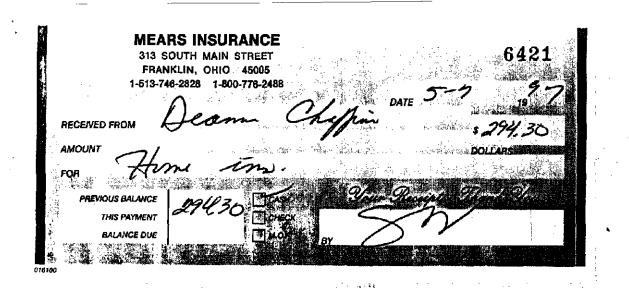
AND FORMS AND ENDORSEMENTS COMPLETED FOLICY NUMBER 6601982		CENTRAL MUTUAL INSURANCE CO. ALL AMERICA INSURANCE CO.			
Named Insured and Mailing Address (Number, Street, City, County, State, Zip Code) DEANNA CHAFFINS 111 HOLLY DR. FRANKLIN, OH 45005		Billing Statement To: Insured Mortgagee Other (If other, show name & address below.)			
Agency	Code: 5489	If required: S.S. No.	Loan No.		
MEARS INSURANCE 313 S. MAIN ST FRANKLIN, OH 45005		First Mortgages: (Name, Street, City, S NVR MORTGAGE FINANCI 111 RYAN CT. PITTSBURGH, PA. 1520:	E INC. ISAA		
Location of Dwelling (if other than insured's mailing ad	dressi	Second Mortgagee: (Name, Street, City,	State, Zip)		

Coverage provided by:

Policy Period	From: 5-15-97			.5-98 £	12:01 a.m.	□ 12:00	Noon Star	ndard Time at residence premi	ses
	e the insurance describ	ed in this policy in							!
Section 1				,		· · · · · · · · · · · · · · · · · · ·		ion II	
Coverages - and Limit of	A. Dwelling	B. Other Structures	C. Personal Property	D. Loss of Use		sonal Liability Occurrence	F	. Medical Payments to Others Each Person	7.
Liability	\$ 155,000	\$ 15,000	\$ 116,250	\$ 155,000	\$ 300	0,000	\$	1,000	
Premium	Basic Policy Premium \$507		al Premium 2.70 cm	Sched. Prop. Premiun		lotal Bramium		Payment Received with a \$ 294.30	application
	ndorsements made pa	rt of this policy at	time of issue (Numbe	· ;		action I, we cov	er only that	part of the loss over the	
Deduct	\$ 0	20	\$	deductible stat				ा । अन्य का मुस्तियाँ पर्	
☐ Within C	ity Limits 🔲 Withi	in Fire District—Spe	cify Fire Dept.			C) With	in Protected	SuburbanNo. of Dwellings	
Section II —	 Other insured location 	ONS (No., Street, City,	County, State, Zip Code)	. 1	-			1 2	
application for i		y felse information,	or conceals, for the pur	pose of mislespling, or which is a crime.	This po	officy shall not be		s countersigned by our authori	zed agent.
/ In	sured's Signature	i <i>li</i> "	Date (Authorized Agent				Countersignature Date	,

ATTENTION APPLICANT AS PART OF OUR ROUTINE PROCEDURE, AN INQUIRY MAY BE OBTAINED FROM TIME TO TIME. THIS MAY INCLUDE INFORMATION AS TO CHARACTER, GENERAL REPUTATION, PERSONAL CHARACTERISTICS AND MODE OF LIVING. UPON YOUR WRITTEN REQUEST, ADDITIONAL INFORMATION AS TO THE NATURE AND SCOPE OF THE REPORT, IF ONE IS OBTAINED WILL BE PROVIDED. WE ARE BRINGING THIS TO YOUR ATTENTION IN COMPLIANCE WITH THE PUBLIC LAW 81-506.

14-1523 (10/92)





The Public Utilities Commission of Ohio

Monitoring marketplaces and enforcing rules to

assure safe, adequate, and reliable utility services

Ted Strickland, Governor Alan R. Schriber, Chairman

Commissioners

Ronda Heriman Fergus

Valerie A. Lemmie

Paul A. Centolella

Cheryl Roborto

June 26, 2008

Deanna Chaffins 111 Holly Dr Franklin, OH 45005

CASE ID: DCHA042108S8

Dear Ms. Chaffins:

Thank you for contacting the Public Utilities Commission of Ohio (PUCO). Enclosed is the necessary information for filing a formal complaint.

Please note that all filings must be made on 8-1/2 by 11 inch paper. You must provide one original and 10 copies of the complaint.

If you have any questions about this or any other regulated utility-related matter, please contact the PUCO Consumer Hotline at 1-800-686-PUCO (7826). For more information regarding the PUCO, visit us on the web at www.PUCO.ohio.gov.

Sincerely,

Stephen Watson
Customer Service Investigator
Service Monitoring and Enforcement Department

Chaffins, Deanna (PPI)

From: ContactThePUCO@puc.state.oh.us

Sent: Tuesday, July 22, 2008 7:54 AM

To: dchaffins1@cinci.rr.com
Cc: Chaffins, Deanna (PPI)

Subject: Follow-up E-mail. Case: DCHA042108S8

Public Utilities Commission of Ohio Investigation and Audit Division

Memorandum

Re: Deanna Chaffins

3354 Bechtel Dr

Franklin, OH 45005 (937) 743-9648

CASE ID: DCHA042108S8

Notes:

Hi Ms. Chaffins,

The account number was 05002084-02 Good luck.

Steve

From: Stephen Watson

Compliance Investigator PUCO/SMED/IAD