

FILE

18-1561-EL-CSS

6

Ohio

**Public Utilities
Commission**

00213282

Case Number

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

Formal Complaint Form

Christine Summers & Larry Moore
Customer Name (Please Print)

560 E. Kessler Cowlesville Rd
Customer Address

Tipp City OH 45371
City State Zip

Against

009382217
Account Number

Customer Service Address (if different from above)

Dayton Power and Light
Utility Company Name

City State Zip

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

RECEIVED-SOCKETING DIV

2018 OCT 17 PM 12:29

PUCO

Christine N. Summers
Signature

937-475-3811
Customer Telephone Number

This is to certify that the images appearing are an accurate and complete reproduction of a true file document delivered in the regular course of business.

Technician LGN Date Processed 10/18/18

Christine Summers

937-475-3811

560 E. Kessler Cowlesville Road • Tipp City, OH 45371

October 12, 2018

PUCO

Attn.: Complaints Investigation Department

FORMAL COMPLAINT Against

Dayton Power & Light (DP&L)

Account #: 009382217

Service address: 560 E. Kessler Cowlesville Road, Tipp City, OH 45371

Subject: **PUCO CASE ID: 00213282**

Dear Complaint Investigator:

This formal complaint against Dayton Power & Light Public Utility Company was forced by this organization's customer service and management's continued hard line stance against a fair and reasonable refund for materials, services, and electricity they never provided at any time during our entire occupancy of our residence for 11+ consecutive years.

At the end of May 2018, we called DP&L inquiring about a night light charge on our bill. We previously in ignorance believed this charge was somehow for interior night lights in the house and/ or the meager outside wall lights on the house and garage. That's when we were informed by a DP&L customer service representative that the charge was actually for an *exterior* night light on a pole.

This puzzled us because an exterior night light never worked at our residence since our occupancy inception. When starting service with DP&L in 2007, nor any time thereafter, were we ever informed:

- There is a night light pole,
- The pole & light are DP&L property,
- We were being charged a monthly fee for this light despite its failure to ever work.

Had we ever been informed of these details, we would have promptly curtailed the service, or discussed the relocation of the night security light to the rear of our property between the house and garage, where it would have value to us. DP&L assumed throughout the entire term of our 11+ years customer relationship at this location that their one bulb was still burning after 25 years of continuous operation (explained in detail later)... without any responsibility on their part for explaining their charges to us, nor maintaining the light after initial installation.

Obviously, we were not given our rights as consumers – including the right to refuse or accept these optional DP&L services. This is a violation of the law - Consumer Sales Practice Act, which protects individual consumers from unfair, deceptive, and unconscionable sales practices in connection with consumer transactions. (<http://codes.ohio.gov>) An assumed optional sale of a non-requested service is clearly covered under this law – especially if the service is predicated upon a non-working useless device!

Moreover, our right for clear disclosure of services was thwarted - when we started their services 11+ years ago, their billing of this latent and worthless service was never clearly communicated/ identified on their invoices. For 9 years it was labeled, "NL," copy enclosed. Most of the line items on our utility bill are vague, confusing, and hard to understand items which reflect various lobbying efforts to our state lawmakers.

The discovery of being billed a monthly charge, since 2007 through May 2018, for a service that was not received, deeply disturbed us. We were also billed for June 2018 after my request to desist the invalid charges. I started making inquiries regarding the matter, and attempted to come to a resolution. I was informed the night light had been installed on the property on July 30, 1991 - that is 27 years ago! Furthermore, DP&L records show, it had never been serviced, copy of email from DP&L enclosed.

We inquired as to what type of light bulb is installed in this night light pole fixture, and what the estimated average life of the bulb is. A DP&L night light specialist revealed that it is a mercury vapor bulb with an estimated life of 24,000 hours, which equates to 2-3 years maximum estimated life.

This is a major oversight and dereliction for DP&L to commit. How can a public utility company have such insufficient procedures that it bills customers for services that have not been provided for over 24 years? We made several calls to negotiate a reasonable refund to resolve the issue. I refused the insulting offer of a 2 month to 1 year refund. We then requested to speak with a person in authority, who should have the ability to discuss and negotiate a *fair* refund. After being advised two times by the night light specialist, a supervisor would contact me to discuss the matter. The third time we made contact, we were told no one would speak to us because I requested the help of PUCO, which was nothing more than a simple phone inquiry at that point. We had not yet made an informal complaint with PUCO. The failure of DP&L to be accountable and rational has left us with no choice, but to take this issue to the next level(s).

Billing for a product or service that was never provided/received is fraudulent. After the third refusal of a manager to get on the phone and speak with us, we did indeed file an informal complaint. We also investigated obtaining services from another utility company. We were informed, DP&L owns the power lines of our current residence. Therefore, we are unable to make our own choice as consumers from whom we wish to purchase services.

This makes us question, is this a monopoly like company/ industry? Where are the incentives for doing the right thing when there is no accountability or repercussions? It convinced us DP&L: is a corporate bully, maintains sloppy/ careless business practices, and appears to be motivated by greed.

We have refused to pay the May and June 2018 invalid charges and were told on August 29, 2018 by a DP&L employee in the PUCO department that these charges would not be removed from our bill until DP&L received a written statement from us, freeing DP&L from legal obligation.

Although they admitted services were not provided, DP&L continues to deny these charges are invalid and refuses to process a reasonable reimbursement. Since we were/ are forced to spend an inordinate amount of time disputing for our money to be returned to us, we are now seeking the full refund of 11+ years of invalid and fraudulent charges, and the removal of charges for May and June from our bill.

We also recommend a regulation or standard be put in place for DP&L employees to have standardized procedures, such as looking at dates and timing to ensure proper billing and avoid billing customers irresponsibly. Since, this has happened to us for such a lengthy amount of time, it stands to reason there are many other DP&L customers who have been subjected to DP&L's poor and fraudulent practices and unlawful billing with no means to a resolution or fairness. This statement demonstrates DP&L's night light charges and practice of billing for this service are unjust, unreasonable and deceptive. DP&L failed to provide service and violated the law by repeatedly invoicing us for the use of a bulb that burned out 13 to 14 years before we were ever on the premises.

Thank you for your assistance.

Sincerely,

Christine N. Summers
DP&L Customer

Enclosures

Christine Summers - Case ID: 00213282

From: Christine Summers
Sent: Friday, September 07, 2018 12:18 PM
To: Christine Summers
Subject: Fw: NL Information Request

From: DPL Customer Solutions Center <custsolcen@aes.com>
Sent: Wednesday, June 13, 2018 3:09 PM
To:
Subject: NL Information Request

Good Afternoon Christine,

I am able to confirm that the Night Light at 560 E Kessler-Cowl Rd was installed on 07/30/1991. Dayton Power & Light (DP&L) shows no report of an outage or repairs to said Night Light since 1999 (as far back as the record will allow).

Please let me know if you have any further questions.

Michelle 

Customer Billing & Revenue Support - PUCO & Reliability

937-331-3918 local | 800-253-5795 toll free

1900 Dryden Rd. | Dayton, Ohio 45439



The Dayton Power and Light Company

ACCOUNT NUMBER
0009382217 2



Case ID: 00213282

AMOUNT PAID

[Empty box for amount paid]

LATE PAYMENT

176.79

AMOUNT DUE

PROMPT PAYMENT

174.18

MAKE CHECKS PAYABLE TO DAYTON POWER AND LIGHT

000009112 1 FP 0.471 P02 000041 LTR
LARRY D MOORE
560 E KESSLER-COWL RD
TIPP CITY OH 45371

DUE DATE FOR PROMPT PAYMENT

JUL 09 2015



PAGE 1 OF 2

0000000093822172700176790017418

-PLEASE RETURN THIS PORTION WHEN MAILING PAYMENT SO ADDRESS SHOWS THROUGH WINDOW-

NAME/SERVICE USED AT

LARRY D MOORE
560 E KESSLER-COWL RD
TIPP CITY OH 45371

YOUR ACCOUNT NUMBER

0009382217 2

EMERGENCY SERVICE

(877) 40UTAGE
(877) 468-8243

PRESENT ENTIRE BILL WHEN PAYING IN PERSON

ACCOUNT INFORMATION

(800) 433-8500

NEXT METER READING DATE	THIS BILL MAILED	DUE DATE FOR PROMPT PAYMENT	LATE PAYMENT	PROMPT PAYMENT
JUL 16 2015	JUN 18 2015	JUL 09 2015	176.79	174.18

SERV	SERVICE PERIOD			METER READINGS		USAGE	AMOUNT
	FROM	TO	DAYS	PRESENT	PREVIOUS		
EL	MAY 15	JUN 16	32	97954	96778	1,176	162.43
NL	MAY 15	JUN 16	32	1L		75	11.75

YOUR ACCOUNT BALANCE LAST MONTH	130.05
PAYMENT RECEIVED JUN 16	130.05CR
BALANCE FORWARD	0.00
TOTAL AMOUNT BILLED FOR THIS MONTH	174.18
YOUR TOTAL ACCOUNT BALANCE	174.18

THANK YOU FOR YOUR PREVIOUS PAYMENT

PRICE-TO-COMPARE: IN ORDER FOR YOU TO SAVE MONEY, A NEW SUPPLIER MUST OFFER YOU A PRICE LOWER THAN DP&L'S PRICE OF \$101.45, OR 8.1 CENTS PER KWH, FOR THE SAME USAGE THAT APPEARS ON THIS BILL. YOU MAY CONTACT DP&L FOR A WRITTEN EXPLANATION OF THE PRICE-TO-COMPARE MESSAGE.

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