

2/26 AM

The Energy And Technology Committee

February 26, 2008

**House Bill No. 5328, AAC UTILITY CUSTOMER SERVICE
COMPLAINTS**

Testimony of

The Office of Consumer Counsel

Mary J. Healey, Consumer Counsel

The Office of Consumer Counsel (OCC) has carefully reviewed and is supportive of House Bill No. 5328, AAC UTILITY CUSTOMER SERVICE COMPLAINTS, which seeks to charge the Office of Consumer Counsel with addressing utility customer service complaints.

The OCC has long advocated for an expanded focus on utility consumer issues in dockets before the DPUC. Some of the initiatives OCC would like to see implemented include Service Quality Plans with measurable benchmarks and enforceable penalties for missing those benchmarks; periodic status reports from the utilities on customer service issues; and proceedings to enable OCC, in addition to DPUC, to receive adequate and reliable information in a more formal and public manner.

With respect to the DPUC's Customer Service Unit ("CSU"), which is currently charged under statute and regulation with handling individual customer inquiries, OCC is aware that the CSU handled nearly 7,000 customer inquiries, including over 3,000 complaints in 2006, as well as participating in DPUC proceedings dealing with customer service, enforcing utility company rules and regulations, and service quality issues. OCC, however, currently has no specific statutory or regulatory authority with respect to participation in, or notification of, issues handled by the CSU outside of pending DPUC dockets. OCC agrees that this is a disconnect that needs to be remedied.

This bill, as proposed, specifically relates to services or bills rendered by electric suppliers or cellular mobile telephone carriers or resellers of service provided by a cellular mobile telephone carrier. The bill also revises Section 16-20, a seldom used statute allowing ratepayers to petition DPUC (amended to OCC by this bill) where a private water company or public service company fails to furnish adequate service at a reasonable rate. The bill does not address the handling of general customer service and billing issues with respect to public service companies. Thus, the bill as proposed does not address the entire function of the current CSU as defined in DPUC Regulation 16-2-18(d),

and does not effect a "transfer" of the Consumer Services Unit as it currently stands. In order to cover all consumer complaints regarding regulated utilities, further statutory initiatives would be necessary.

There are possible alternatives to a wholesale transfer of the CSU to OCC. These alternatives would avoid any possible conflict between OCC's advocacy role as anticipated in its enabling statute and the adjudicatory functions performed by the CSU, while also enabling OCC to know about, and be proactive with respect to, customer complaints and concerns. Such alternatives, some of which have been implemented in other states, include: requiring monthly tracking reports from CSU to OCC and other interested parties; instituting a requirement for a mid-year and year end uncontested case with public hearings, with OCC as a statutory party; creating a division at OCC to handle the initial stages of complaints, then refer same to the DPUC if not resolved; and/or creating a division at OCC to track any cases that are not resolved at the initial stages. These alternatives would also require increased staffing and resources at OCC.

In sum, the proposed bill does not presently provide detailed information on the proposed functions to be transferred to the OCC from the DPUC, including staffing complement (e.g., the DPUC currently has 15 customer service representatives, with the supervisory position unfilled), and funding of Other Expenses in order to thoroughly respond to the new initiatives contained in H.B. No. 5328. OCC stands ready to work with all interested parties to effectuate change to ensure better customer service protections for Connecticut's utility ratepayers.



STATE OF CONNECTICUT

OFFICE OF CONSUMER COUNSEL

Ten Franklin Square
New Britain, Connecticut 06051

TELEPHONE
(860) 827-2900
Voice & TDD
FAX
(860) 827-2929

Email: occ.info@CT.gov

Internet: <http://www.ct.gov/occ>

SURVEY OF CONSUMER ASSISTANCE FUNCTION IN CONSUMER COUNSEL OFFICES NATIONALLY – February, 2008

OCC recently sent the question below to members of NASUCA (National Association of State Utility Consumer Advocates), our fellow consumer counsel offices across the country:

“Our legislature has proposed a bill which could move the Consumer Assistance/Customer Service function from our state PUC to OCC. We’d like to know how many of you have this function as part of your administrative structure. If you do provide information & referral and other consumer assistance to individual ratepayers, how is this unit set up in your office? Most importantly, does your enabling statute give you enforcement powers so that you have authority to make utility companies responsive to ratepayers’ problems, or do you have to refer cases to your PUC for their orders?”

17 consumer counsel offices responded, plus tabulation includes Connecticut:

Consumer Counsel Offices Which Handle Individual Complaints But Have No Adjudicatory/Enforcement Authority – 5 (Ohio, Vermont, Maine, Pennsylvania, North Carolina)

Consumer Counsel Offices Which Do Not Handle Individual Complaints, But Refer Complaints to the PUC for Enforcement – 13 (Alaska, Arizona, Connecticut, Iowa, Massachusetts, Wyoming, New Hampshire, Virginia, Kansas, Florida, Montana, Maryland, West Virginia)

Consumer Counsel Offices Which Track/Monitor Consumer Complaints to the PUC – 3 (Ohio, Maine, Iowa - Iowa Consumer Counsel also has statutory authority to intervene if agency disagrees with proposed PUC resolution of a consumer complaint). Please note: respondents were not asked to address whether they track/monitor the Consumer Assistance Units of their state PUCs. It is possible that more than 3 states have a monitoring function within the consumer counsel office.