

**Utility Dispute Resolution Board
Meeting Minutes**

Council Chambers 2:00pm

Tuesday, April 24, 2018

CALL TO ORDER

The meeting was called to order at 2:00 P.M.

ROLL CALL

Utility Dispute Resolution Board members present were citizen members Dino Pallotta and Jane Scott, and Village Superintendent of Electric and Water Distribution Johnnie Burns. Nathalee Hutchins, Utility Billing Clerk, was present as an information resource, but did not participate as a Board member. Council Clerk Judy Kintner was present as Secretary. Village Manager Patti Bates was present in the audience.

REVIEW OF MINUTES

Minutes of November 8, 2017 were approved. Scott MOVED and Burns SECONDED a MOTION TO APPROVE. The MOTION PASSED 3-0 on a voice vote.

REVIEW OF AGENDA

There were no changes made.

COMMUNICATIONS

There were no communications.

HEARINGS

1. **313 Pleasant Street, Matthew Carson, Petitioner.** Hutchins outlined the nature of the disputed charge, noting that in February 2018, the Utility Office received a request for a re-read of the meter for 313 Pleasant Street. The office had billed the previous month's amount based upon the customer's card, and had estimated February's charge based upon the card.

Carson stated that he had changed out the workings of a toilet in that time, and opined that the Village's estimate was therefore probably too high.

Hutchins stated that the re-read had confirmed the accuracy of the initial read made by Carson and turned in to the Village on his read-card.

Hutchins noted that the bill in question was a "catch up" bill because the prior read had been an estimate.

In response to a query from Scott, Carson stated that the reads from 4/13/18 on seemed off to him, particularly given that he had had the toilet repaired. The jump from 5-8 thousand to 13 thousand seemed strange, he noted.

Carson stated that his family had lived in the unit since 2011.

Carson addressed a question from Pallotta, stating that the Utility office had contacted him to flag higher usage, and that he had used a dye kit and changed out the toilet workings in early January.

Hutchins noted that the January bill had been estimated, and may have been estimated high because of the December leak.

Scott asked when the rate had increased, and was informed by Hutchins that the increase occurred January 1, which means the "catch up" would have been at the higher rate.

Hutchins stated that Carson had been offered a payment plan.

Burns commented that a toilet leak goes to the sewer and is billed, given the need to treat the water.

Pallotta noted that the "leak plus the straddle bill plus the rate increase" were combining for a high amount and asked whether the leak could be billed at the old rates.

Burns suggested taking the difference between the estimate and the actual amounts.

Hutchins ran a quick calculation and determined that this would be about \$30.00.

Burns noted that the estimate had been accurate except that it had not accounted for the leak, which made the high bill fall into the new rate structure.

Scott MOVED TO FORGIVE THE DIFFERENCE BETWEEN THE BILL AT THE OLD RATES AND THE BILL AT THE NEW RATES AT AN ESTIMATED \$30.00. Burns SECONDED, and the MOTION PASSED 3-0 ON A ROLL CALL VOTE.

306 Dayton St.: Joe Cook/Leslie Lippert Petitioners. Hutchins outlined the matter, noting that the bill in dispute had a due date of February 15, 2018, and that the bill shows a Readiness for Service charge (RFS) and no rate increase, with some power cost adjustment (PCA).

Hutchins noted that January was extremely cold and that the Utility Billing Department had noted that month as the highest number billed-out in three years.

Hutchins noted that AMP had advised municipalities that their bills were running 30% higher for January as well.

Cook stated that he was not contesting the rate, but was arguing that the meter reading was significantly higher than it had ever been. He stated that the property has geothermal with gas stove and water heater, and that he could not account for the increased electric bill.

Cook commented that the meter stores data in a chip, and could have been affected by a power surge. He commented that the meter had tested fine. Cook asserted that the amount he is purported to have used “is equal to 6,000 watts of load 24/7 for 33 days.”

Cook stated that the “house stayed at about 60 degrees.”

He asked that the bill be reduced to the highest charge in the five-year period.

Pallotta asked where the strike occurred.

Burns stated that it had occurred near Antioch Midwest at East Enon Road. He noted that the outage affected the Wes circuit and that Cook is on the East circuit, and any “glitches” that occurred were the station resetting.

Burns stated that he had had Cooks meter tested two days after the lightning strike and there was no evidence found of an occurrence.

Cook asked if any other customer had experienced a similar anomaly, and was told there were none with a meter issue, but a number with high bills due to the cold snap.

Scott noted that the proposal was to look at the highest reading in the past three years.

Burns commented that the history is still in the meter, and has showed a 99.8% accuracy. Burns confirmed that the electric flowed through the meter.

Burns noted an anomaly in 2014 and asked whether Cook had replaced any appliances, and was told no.

Scott noted that the difference between the highest reading prior to January 2018 and that read with an increase of 30% results in a read of about 4,000.

Hutchins noted fluctuation in the PCA.

Bates commented that if Cook used 30% more electric it would be about 975 KWh, which “is close.”

Pallotta noted that no other Village customer had identified an issue with their equipment or appliances in that time frame.

Cook stated that he did not think that he had utilized the resistance heat.

Scott asked whether the board would consider the difference between the highest historical reading and this reading and average them, since Cook was contesting the use, not the cost.

Pallotta commented that “every customer was up in January,” presenting him a dilemma with this case.

Pallotta commented that there is no evidence as to whether energy was or was not consumed.

Cook asserted that he “did nothing different during that period” and continues to believe the matter is due to an equipment error.

Burns commented that it is possible the backup heat system kicked in when they were asleep or out. He commented again that the meter “tested great.”

Scott commented that it is difficult to determine which side is correct.

Pallotta MOVED TO PROCEED WITH THE ORIGINAL AMOUNT BILLED. Burns SECONDED and the MOTION PASSED 3-0 ON A ROLL CALL VOTE.

ADJOURNMENT

At 3:16pm, Burns MOVED and Scott SECONDED a MOTION TO ADJOURN. The MOTION PASSED 3-0 ON A VOICE VOTE.

Dino Pallotta, Acting Chair

Attest: Judy Kintner, Council Clerk