

## **How to Get Started**

If you have a complaint about your utility bill or services, and speaking with your utility company does not resolve the problem, Kansas law allows you to file a complaint with the Kansas Corporation Commission (KCC), the state agency responsible for regulating public utilities in Kansas.

The KCC has established an informal and formal complaint procedure to assist ratepayers seeking to resolve a utility problem.

This two-step procedure only applies to utilities under our authority. It is important to note that we do not regulate most electric and water cooperatives, municipalities, wireless, or long distance telephone service providers, cable companies, or the internet.

### **Step 1: The Informal Complaint Procedure**

Contact the Public Affairs and Consumer Protection Division to start the process. Most of our complaints can be resolved through our informal procedure. Problems such as billing errors, pending disconnection of service, deposit disputes, and other service issues are often informally resolved.

No special form is required, but we will need this basic information to start our investigation and your consent to start our investigation.

- Your name as the customer of record;
- Mailing address or service address;
- Home and/or daytime phone numbers (e-mail, optional);
- Name of the utility;
- Your account number;
- The facts about what the utility did or did not do. Include dates, times, location and persons involved; and
- The resolution you expect.

Note: By providing the foregoing information and requesting the KCC's investigation of your complaint, you thereby consent to the utility's release of information regarding your account that is requested by the KCC.

If the informal complaint procedure does not produce a satisfactory resolution, or if you are dissatisfied with the outcome, you have the right to file a formal complaint. (See Step 2)

### **Step 2: The Formal Complaint Procedure**

The formal complaint is different from the informal complaint in that it:

- Requires formal processing and filing under KCC administrative rules;

- Is sent in written form to the utility for response;
- Requires the utility to file a written answer within 10 days;
- Requires the KCC to issue a written order, even if the matter is resolved without hearing;
- May result in a formal, quasi-judicial evidentiary hearing; and
- Allows either you or the utility to appeal the KCC decision to District Court.

The procedure for filing a formal complaint is found in the Kansas Administrative Regulations, K.A.R. 82-1-220. Any proceedings which follow the filing are governed by the KCC's rules of practice and procedures, K.A.R. 82-1-201 et seq.

## **Your formal complaint must be in writing**

You are required to submit your formal complaint in writing with a signed verification. You may use the complaint form provided by the KCC or you may draft your own written complaint providing required information. Please contact the KCC Public Affairs and Consumer Protection Division to obtain the formal complaint form.



## **How to file it**

The formal complaint may be filed in person at the KCC or by mail. When filed by mail, the formal complaint should be mailed to the attention of the Secretary, 1500 SW Arrowhead Road, Topeka, Kansas 66604. To expedite processing, do not direct your formal complaint to other KCC personnel. At this time, we do not accept formal complaints by e-mail or through our website.

## **More about the formal complaint procedure**

1. **Establishing the Facts:** When the complaint is received, it is assigned a docket number for identification purposes and is then reviewed by the KCC legal staff to determine whether the complaint provides the facts needed to establish a complaint against the company. The facts, if true, must amount to a violation for which the Commission may order relief. This step is referred to as establishing a prima facie case. If you meet the legal requirements to establish a prima facie case, a copy of the complaint is served on the utility (respondent) by the KCC. If it is determined that you (the complainant) have not established a prima facie case, the complaint will be returned to you and you will be given an opportunity to amend the complaint.
2. The utility, after receiving the complaint, must either answer or satisfy the complainant within 10 days.
3. KCC Staff reviews the complaint and answer and recommends action to the Commission. The parties may reply to the Staff's recommendation within 10 days after service.
4. After reviewing the complaint, company answer, KCC staff recommendations, and other evidence, the Commission has the following options:

- a. Schedule the matter for an evidentiary hearing;
  - b. Issue other orders as appropriate; and
  - c. Issue an order granting, denying, or dismissing the complaint.
5. At any time, and with approval of the Commission, the parties may enter into a voluntary settlement if: (1) the matter in controversy only affects the parties involved (2) the issue has no direct or substantial impact upon the general public.
6. Formal Complaints filed with the KCC become a public record and may be posted on the KCC's website. Therefore, any information you provide in the complaint or other documents related to the complaint, including, but not limited to, your name, address, city, state, zip code, telephone number, email address, and the facts of your case may be available on-line for public viewing.

**To file an informal complaint or request a formal complaint form**

**Contact the KCC Public Affairs & Consumer Protection Division**

- Email: [public.affairs@kcc.ks.gov](mailto:public.affairs@kcc.ks.gov)
- Toll Free Helpline: (800) 662-0027
- Phone: (785) 271-3140
- Fax: (785) 271-3111
- TDD Kansas Relay Center: (800) 766-3777
- Mail: KCC - Public Affairs & Consumer Protection  
1500 SW Arrowhead Rd.  
Topeka, KS 66604-4027