

# Monthly Report on Consumer Complaint Activity



**April 2005**

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# If You Have a Complaint About Your Utility Service

The Office of Consumer Services (OCS) takes all utility consumer matters seriously, including complaints. When you contact our office with a complaint about a utility or other service provider, we take immediate steps through our Quick Response System (QRS) to address your concerns.

## The QRS Process

**We Contact Your Utility** - In an effort to ensure that utilities fulfill their obligation to provide effective customer service, we first ask the utility to contact you and resolve your concerns.

**Your Utility Contacts You** - As directed by OCS, the utility will contact you to:

- Discuss your concerns
- Provide you with the name and telephone number of a utility representative to call if you need further assistance
- Give you a date by which the company will get back to you about your concerns

**You Maintain Contact With Your Utility** - All future correspondence will come directly from the utility. If you have questions regarding your case please call your utility representative.

## The Follow-up

**Contact us if:**

- ◆ The utility does not contact you
- ◆ The utility does not provide its response to you within a reasonable timeframe
- ◆ The matter remains unresolved

If you have any questions regarding the process for addressing your concerns outlined above, please contact us at 1-800-342-3377.

# Customer Service Response Index

## Quick Reference Guide

In order to measure the effectiveness of each service provider's performance concerning issues brought to our attention by their customers the Office of Consumer Services has developed a Customer Service Response Index (CSRI). This index is reported on a monthly basis to compare the level of service and responsiveness delivered by each service provider under the Commission's jurisdiction. The CSRI is determined by measuring the following four metrics:

*The Consumer Satisfaction Metric (CSM)*; a ratio of the number of complaints to the number of QRS cases in the reporting month. All customer contacts begin as QRS cases. A complaint is recorded as a result of the customer being dissatisfied with the service provider's resolution of a case which was handled as a QRS case. A CSM score of 5 points are awarded when a service provider receives no complaints during the reporting month. There is no score awarded if a service provider satisfies less than 50% of the customers that the PSC refers to them.

*The QRS Response Time Metric (QRM)*; the average number of days it took the service provider to respond to QRS cases closed in the reporting month. A QRM score of 2 points is awarded when a provider's average response time for QRS cases is 14 days or less. The response time on each case is calculated by subtracting the response date from the date the case was opened. The average response time for each service provider is calculated by adding all the response times for QRS cases closed in the reporting month and dividing by the number of QRS cases closed that month. No points are earned if the average response time for QRS cases is more than 28 days (twice the acceptable reply standard).

*The SRS Response Time Metric (SRM)*; the average number of days it took to respond to SRS cases closed in the reporting month. An SRM score of 2 points is awarded when a service provider's average response time for SRS cases is 10 days or less. The response time on each case is calculated by subtracting the SRS response date from the date the SRS case was opened. The SRM average response time for each provider is calculated by adding all the response times for SRS cases closed in the reporting month and dividing by the number of SRS cases closed that month. If the case was in rebuttal status (a request by staff for additional information subsequent to a service providers initial reply), the response time will be calculated by subtracting the response date from the date the case was rebutted by staff. No points are earned if the average response time for SRS cases is more than 25 days (two weeks past due).

*The Pending Case Metric (PCM)*; the average age of all cases awaiting response, determined on the last day of the reporting month. A PCM score of 1 point is awarded when a service providers' average age of cases is 14 days or less. The age of each case is determined by subtracting the last day of the reporting month from the date opened on all cases awaiting a utility response. The PCM average is calculated by adding the age of all pending cases at the months end and dividing by the number of open cases. No points are earned if the average age of cases exceeds 70 days (two months delinquent) and a negative score is applied and if the average age is between 70 and 90 days.

The final CSRI score is the sum of the four metrics. Complete CSRI data is posted for those service providers that average 10 or more QRS cases per month. For all other service providers, the performance in each area is reported monthly less the actual CSRI measure. The volume of activity for these companies would result in significant fluctuations on a month to month basis. These fluctuations may result in the reader reaching an inaccurate conclusion as to a service providers performance.

# COMPLAINT RATES\* OF MAJOR NEW YORK UTILITIES

## April 2005

Utility	Mar-05		Apr-05		Annual Complaint Volume			Y-T-D Complaint Volume			12 Month Compl. Rate* Apr-05
	Rate*	No.	Rate*	No.	12 mos ending		%	Year-to-date		%	
					Apr-04	Apr-05		Change	2004		
Central Hudson	1.7	5	1.7	5	25	35	40.0	6	14	133.3	1.1
Con Edison	1.7	64	1.6	59	790	734	-7.1	194	243	25.3	1.8
KeySpan of L.I.	0.6	3	0.2	1	61	40	-34.4	14	16	14.3	0.7
NYSEG	0.2	2	0.3	3	58	36	-37.9	8	8	0.0	0.3
Niagara Mohawk	1.1	18	0.9	15	411	257	-37.5	67	72	7.5	1.4
Orange & Rockland	0.5	1	0.5	1	28	27	-3.6	4	5	25.0	1.2
RG & E	0.8	3	0.0	0	102	49	-52.0	23	13	-43.5	1.2
KeySpan of NY	1.8	22	1.2	15	116	187	61.2	22	64	190.9	1.4
National Fuel Gas	0.4	2	1.4	7	96	64	-33.3	15	15	0.0	1.2
Other Energy Utilities	N/A	2	N/A	4	32	197	515.6	9	29	222.2	N/A
ESCO's	N/A	51	N/A	34	588	467	-20.6	174	183	5.2	N/A
Verizon	0.3	24	0.3	27	942	402	-57.3	161	121	-24.8	0.4
Citizens Telcom	0.7	3	0.0	0	19	16	-15.8	5	7	40.0	0.4
Frontier of NY	1.4	3	0.0	0	6	12	100.0	5	5	0.0	1.4
Alltel	1.2	0	0.0	0	6	2	-66.7	2	1	-50.0	0.2
Frontier Tel of Roch.	0.4	2	0.4	2	31	21	-32.3	6	7	16.7	0.4
Other LEC's, CLEC's, IXC's	N/A	138	N/A	135	1951	2486	27.4	623	478	-23.3	N/A
DSL Providers	N/A	4	N/A	1	44	33	-25.0	11	13	18.2	N/A
Adelphia	N/A	3	N/A	1	19	21	10.5	12	7	-41.7	N/A
Cablevision Systems	N/A	13	N/A	8	114	146	28.1	48	40	-16.7	N/A
Time-Warner	N/A	20	N/A	7	84	154	83.3	49	58	18.4	N/A
Other Cable Cos.	N/A	11	N/A	0	86	13	-84.9	5	15	200.0	N/A
Long Island Water	2.7	0	0.0	0	11	3	-72.7	0	2	#DIV/0!	0.3
UW - New Rochelle	0.0	0	3.3	1	3	7	133.3	3	1	-66.7	1.9
New York Water	0.0	0	2.3	1	2	2	0.0	3	1	-66.7	0.4
New York American	0.0	0	0.0	0	1	0	0.0	0	0	0.0	0.0
UW - New York	0.0	0	0.0	0	9	2	-77.8	1	1	0.0	0.2
Other Water Utilities	N/A	2	N/A	0	14	18	28.6	3	3	0.0	N/A

All complaint rates are based on 2004 customer populations.

\* - Complaints per 100,000 customer accounts

The reduction in the number of complaints is attributed to the method in which complaints are now processed.

Please refer to the July and August 2002 Month Report which describes the Quick Response System and the process by which cases are now handled.

## CREDIT COMPLAINTS vs. TOTAL COMPLAINTS

### Major New York Energy Utilities

#### April 2005

Utility	April 2005			Last 12 Months			12 mos. Total C/Rate	12 mos. Credit C/Rate
	Total	Credit	% Credit	Total	Credit	% Credit		
Central Hudson	5	1	20%	35	17	49%	1.1	0.5
Con Edison	59	11	19%	734	149	20%	1.8	0.3
KeySpan - LI	1	0	0%	40	10	25%	0.7	0.2
NYSEG	3	1	33%	36	14	39%	0.3	0.1
Niagara Mohawk	15	5	33%	257	88	34%	1.4	0.4
Orange & Rockland	1	1	100%	27	9	33%	1.2	0.3
RG & E	0	0	#DIV/0!	49	30	61%	1.2	0.6
KeySpan - NY	15	6	40%	187	51	27%	1.4	0.3
National Fuel Gas	7	4	57%	64	27	42%	1.2	0.4

Note: This chart shows the correlation between all complaints received and cases concerning credit related issues such as: Deferred payment agreements, extensions for payment, threatened termination of service and termination of service to non-payment.

## **Informal Hearings, Shared Meter Cases, Appeals and Rehearings April 2005**

### **Informal Hearing Cases**

At the end of March, there were 112 cases in the Informal Hearing Unit. During this month, 5 complaints were resolved with pre-hearing mediation, 13 informal hearings were scheduled, 4 hearings were postponed, 9 hearings were held and 9 informal hearing complaints were closed by either a written decision or a settlement agreement.

### **Shared Meter Designee Cases**

Under Section 52 of the PSL (Shared Meter Law) only the Commission or its Designee can decide certain complaints. The majority of these cases concern the 12-month charge assessed to owners for failure to find and correct instances of shared metering. At the end of April there were 249 shared meter complaints pending. Forty (40) new complaints were received in April and 36 cases<sup>1</sup> were closed. Further information on the closed cases follows.

The designee reduced the 12-month assessment to the minimum of 25% in 27 cases, between 26% to 50% in 3 cases and between 51% to 75% in 5 cases. The twelve-month assessment was cancelled in 1 case due to minimal use.

### **Appeals and Rehearings**

At its April 15, 2005 session, the Commission approved OCS's recommended determinations of 4 appeals. A single determination resolved 2 separate appeals concerning the same issue; each appeal involved the same state agency but a different utility (Niagara Mohawk in one case and O&R in the other). This determination holds that neither utility was required, under Commission regulations or the utility's tariff, to pay interest on unsolicited overpayments. Each of the remaining 2 determinations upholds utility billing of a residential customer; one case involved NYSEG electric service and the other Con Edison gas service.

Four appeals were accepted for review in April. In the first, a commercial customer receiving electric service from Con Edison objects to the denial of an informal hearing. In the second, a residential Con Edison customer disputes responsibility for gas space and water heating service to her apartment. In the third, a residential Niagara Mohawk customer disputes electric bills. In the fourth a residential RG&E customer disputes responsibility for charges for electric service previously provided at her current address as well as at other addresses.

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<sup>1</sup> In addition to the 36, five cases were returned to TCR due to the landlords' claiming that shared meter conditions did not exist. This resulted in the SMD backlog being reduced by a total of 41 cases.

**Number of Customer Contacts related to Energy Service Companies  
(ESCO's)**

**Table of Consumer Contacts filed against ESCO's**

CODE	FULL NAME	2002	2003	2004	2005	Apr-05	Mar-05	Feb-05	Jan-05	Dec-04	Nov-04	Oct-04	Sep-04	Aug-04	Jul-04	Jun-04	May-04	Apr-04
D108	1st Rochdale Coop Group	1	1	2	0							1						
D105	ACN Energy, Inc.	1	4	3	8	2	6			1					1		1	
	Accent Energy			3	0						3							
D078	Advantage Energy Inc.	3	0	0	0													
D084	Constellation NewEnergy	0	0	0	0													
D001	Agway Energy Services Inc.	17	18	12	7	1	1	2	3	4				2				2
D036	All Energy Marketing Co.	1	2	1	0													
D002	Amerada Hess	0	0	0	0													
D113	Brown Fuel, Inc	0	0	0	1			1										
D005	Castle Power Corporatoin	2	0	1	0													
D040	Columbia Energy Services Co.		1	10	6		4	1	1					2	1			2
D086	Con Edison Solutions	55	43	18	2		1	1		3		1		5		2	1	
D046	Econnergy	123	133	221	99	21	26	18	34	21	6	13	11	24	16	29	19	35
D047	Empire Natural Gas Corp	0	0	0	0													
D087	Energetix, Inc.	17	25	71	14	1	2	5	6	5	1	3	3	2	2	2	15	34
D054	Enron Energy Services	9	1	0	0													
D023	Federal Electric & Gas Co.	0	0	0	0													
	FFC Energy	0	0	1	0						1							
	Fortuna Energy	0	0	1	0						1							
D104	Great Eastern Energy	3	3	4	3	1		2							1			1
D013	Interstate Energy Resources Inc.	2	4	0	0													
D015	Keyspan Energy Services, Inc.	154	194	50	0					1	3	11	0	5	6	3	2	3
	Liberty Power	0	0	2	0						2							
D060	Main-Care Energy	0	1	0	0													
D107	Metro Energy Group	0	8	1	0										1			
D098	Metromedia Energy	1	0	0	1				1									
D018	Mirabito Fuel Group Inc.	3	9	3	0							2						
D020	Mitchell-Supreme Energy	3	2	5	0						1		1					3
D021	National Fuel Resources, Inc.	76	18	4	0							1	1	1	1			
D023	New York Gas Co, Inc.	4	0	0	0													
D024	North American Energy	20	25	3	5			2	3					1				1
D026	North Atlantic Utilities Inc.	0	0	0	0													
D103	NYSEG Solutions	20	32	8	15	6	5	2	2	2	1				1		1	
D067	PG&E Energy Trading	0	0	1	0									1				
D114	PRO-ENERGY RESOURCES	2	0	1	1		1			1								
D093	Robison Energy of Westchester	2	9	1	0											1		
D068	Select Energy of New York (aka Plub St)	2	0	0	0													
D112	Smart Energy Services	1249	129	0	0													
D102	Telecon Energy Services Corp.	0	0	0	0													
D032	Total Gas & Electric (Energy)	116	46	23	12	1	5	3	3	2	3	1	1	1	3	4	5	
D052	TXU Energy	2	1	0	0													
	US Energy Partners	0	0	1	0						1							
D888	Unassigned Customer Contacts	30	8	7	9	1		3	5	6		0	1					
	<b>Total</b>	<b>1918</b>	<b>717</b>	<b>458</b>	<b>183</b>	<b>34</b>	<b>51</b>	<b>40</b>	<b>58</b>	<b>46</b>	<b>23</b>	<b>33</b>	<b>18</b>	<b>44</b>	<b>33</b>	<b>41</b>	<b>46</b>	<b>79</b>

Not all ESCO's listed above are currently operating in New York.