

Indiana Utility Regulatory Commission



The Role of the Commission in Ensuring Consumer Protection

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Consumer Affairs Division vs. OUCC



- Indiana law has created a state agency that is the statutory representative of consumers, the Office of the Utility Consumer Counselor.
 - There are differences between them:
 - More extensive rules
 - Docketed cases vs. Informal review process
 - Located within the regulatory body
 - Larger staff
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Duties of IURC's Consumer Affairs Division



- Record and investigate complaints
 - Various topics
 - Letter, e-mail, referral from Legislator or Governor, walk-in, fax, phone call
 - Approximately 2000 complaints and inquiries per month
 - Log all complaints into a comprehensive database
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Duties of IURC's Consumer Affairs Division



- Mediate disputes between consumers and utilities
 - All utilities have their own staff of customer service representatives that take complaints directly from consumers and that handle referral complaints from the IURC
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Duties of IURC's Consumer Affairs Division



- Consumer affairs make decisions ensuring that customers receive adequate and reliable service at reasonable prices and balance that with the State's interest in having solvent, viable electric utilities to serve citizens of Indiana.
 - Complaint analysts must be impartial, but can advocate on behalf of either the customer or the company when there has been a violation of a rule or a customer payment obligation.
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Make Up of Indiana's Consumer Affairs Division



- **Receptionist** – responsible for answering all calls to the Commission's general phone line and fielding customer questions and inquiries
 - **Four Complaint Analysts** – responsible for resolving customer complaints with the various Indiana utilities based on our laws and rules.
 - **Director and Assistant Director** – both responsible for resolving customer disputes, managing the staff, and handling any appeals to the Analysts' resolutions.
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IURC's Complaint Process



- Request that consumers seek assistance from the utility before complaining to the Commission.
 - If customer does not receive a response within a reasonable amount of time or if the customer is not pleased with the utility's response, that is when they should call the IURC.
 - A complaint analyst will request certain information before beginning work on resolving the complaint
 - The name of the utility and any personnel talked with.
 - Account number
 - The customer's name, phone number, mailing/service address
 - Nature of the complaint, as specific as possible.
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IURC's Complaint Process



- Formal vs. Informal
 - Ind. Code 8-1-2-54
 - 170 IAC 1-1.1-5
 - Appeal process
 - Review by Director
 - Appeal to full Commission (becomes a docketed case)
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Role of the Attorney General



- Consumer Affairs Division can refer complainants to the Attorney General's Office Consumer Protection Division for further assistance - depending on the nature of the problem or issues outside our jurisdiction, the Attorney General may be better equipped to help customers.
 - Attorney General has a particular interest in consumer rights and protections, particularly in guarding against fraud and deceptive practices. However, these are issues the Commission would be entitled to investigate on its own motion.
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Dispute Resolution in Consumer Complaints



- The IURC has a rule on the books (170 IAC 1-4-1 et. seq.) which provides that the parties to any proceeding pending before the commission may select someone to act as mediator as a means to resolving an ongoing dispute.
 - The rule is really geared toward the formal proceedings, but a customer and utility could agree to use an outside mediator to resolve an informal dispute being heard by the Consumer Affairs Division and to agree to split the costs of the mediator.
 - It is more likely that the Director will schedule a meeting of the parties and mediate the parties' dispute informally.
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