

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>ALVIN HAAS,</p> <p style="padding-left: 100px;">Complainant,</p> <p style="padding-left: 100px;">vs.</p> <p>AQUILA, INC., d/b/a AQUILA NETWORKS,</p> <p style="padding-left: 100px;">Respondent.</p>	<p>DOCKET NO. C-06-460</p>
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ORDER DENYING REQUEST TO OPEN FORMAL COMPLAINT PROCEEDING

(Issued April 26, 2007)

PROCEDURAL HISTORY

On February 20, 2007, the Utilities Board (Board) received a request for formal complaint proceedings from Alvin Haas against Aquila, Inc., d/b/a Aquila Networks (Aquila), pursuant to Iowa Code § 476.3 and 199 IAC 6.5. Mr. Haas requested the formal proceeding to address allegations that Aquila either should not have billed him for moving a natural gas meter at 614 7th Street S.E. in Dyersville, Iowa, or had billed him more than originally indicated. Mr. Haas alleges that the meter and riser were unsafe and Aquila should have moved the meter without charge and that Aquila billed him \$800 plus reconnect charges when he was originally told it

would cost \$750 to move the meter. The request for a formal complaint proceeding has been identified as Docket No. C-06-460.

On February 5, 2007, Board staff sent Mr. Haas and Aquila a proposed resolution of the informal complaint. The proposed resolution stated that Aquila had followed its tariffs in charging Mr. Haas to move the meter, that the meter appeared to have been next to a porch that had been removed and was not constructed in an unsafe manner, and that Aquila had credited Mr. Haas's account for one of the reconnection charges. The proposed resolution indicated that Mr. Haas could submit additional information about the complaint. On February 9, 2007, Mr. Haas sent pictures of the meter before it was moved. The pictures were forwarded to Aquila and were returned to the Board on February 19, 2007, without comment.

Subrule 199 IAC 6.5(2) requires a request for formal complaint proceeding be filed within 14 days of the date the proposed resolution is issued. The request for a formal proceeding shall be considered filed on the date postmarked by the United States Postal Service, the date personal service is made, or the date received in the Board's Records and Information Center. The postmark on Mr. Haas's letter is February 19, 2007; therefore, the request was made within 14 days as required.

The Board has reviewed the information provided by Mr. Haas and Aquila and finds that there are no reasonable grounds for investigating the matter further. The information from Mr. Haas indicates he bought the house and property at 614 7th Street S.E. in Dyersville, Iowa, in 2006 and, after cleaning up the back yard, requested that Aquila move the meter that was found above the ground

approximately 12 feet from the edge of the house. Aquila at that time indicated to Mr. Haas that the cost to move the meter was estimated at \$750 and according to Mr. Haas he was not told about any reconnection charges.

Aquila's Iowa Natural Gas Tariff, Original Sheet Number GT-51 provides that a person requesting existing facilities be moved must pay the cost of removing and relocating the facilities. Aquila charged Mr. Haas \$800 as the actual cost of moving the facilities and two reconnection charges, a seasonal reconnect charge of \$21.54 and a reconnect charge of \$20.40. Mr. Haas paid the \$800 in October 2006, and Aquila agreed not to charge Mr. Haas for the seasonal reconnect charge of \$21.54.

The \$800 charge for moving and relocating the meter appears to be reasonable based upon the estimated cost given to Mr. Haas by Aquila. It also appears reasonable that Mr. Haas should pay the \$20.40 reconnect fee. Aquila and Board staff looked at the pictures of the location of the meter and the house and concluded that a porch or some other structure was removed from the side of the house, leaving the meter exposed some distance from the house. The Board considers this a reasonable conclusion and considers it the responsibility of Mr. Haas to pay for the relocation of the meter under these circumstances. Based upon these considerations, there are no reasonable grounds shown for further investigation of this matter and, the Board will deny the request for a formal complaint proceeding.

IT IS THEREFORE ORDERED:

The request for a formal complaint proceeding made by Alvin Haas on February 5, 2007, is denied.

UTILITIES BOARD

/s/ John R. Norris

/s/ Curtis W. Stamp

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 26th day of April, 2007.