

Seyfried, Loraine

Subject: FW: Appeal of Decision in Complaint #120014

FILED

December 15, 2017

INDIANA UTILITY

REGULATORY COMMISSION

From: Audrey Wessel [<mailto:audrey@cmgworldwide.com>]
Sent: Thursday, December 07, 2017 4:01 PM
To: Becerra, Mary <mbecerra@urc.IN.gov>
Cc: Mark Roesler <mark@cmgworldwide.com>
Subject: Fwd: Appeal of Decision in Complaint #120014

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Ms. Becerra,

Pursuant to the email below from Beth Heline, I am writing to you on behalf of Mark Roesler (copied herein) to request that the Indiana Utility Regulatory Commission review the decision of the Consumer Affairs Division director in Complaint #120014.

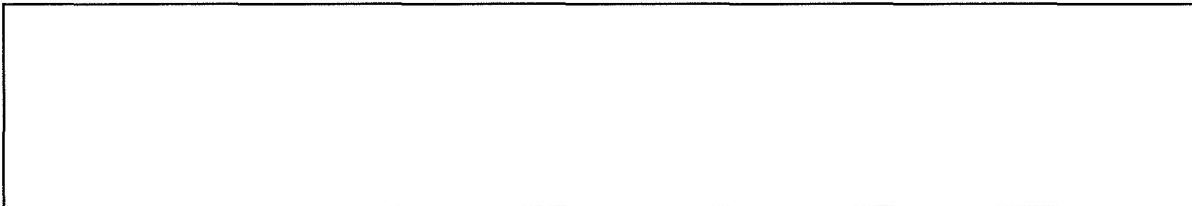
Please let us know if you need any additional details from us in this process. I look forward to hearing back from you regarding the next step.

Best,
 Audrey

Audrey Wessel *In-House Counsel*

317.570.5000 ext. 12

CMGWorldwide.com | CelebrityValuations.com | 60 MINUTES



----- Forwarded message -----

From: Heline, Beth E. <BHeline@urc.in.gov>
Date: Thu, Dec 7, 2017 at 3:55 PM
Subject: RE: Appeal of Decision in Complaint #120014
To: Audrey Wessel <audrey@cmgworldwide.com>
Cc: "McMillin, Kenya" <KMcmillin@urc.in.gov>

Dear Ms. Wessel,

To appeal the decision of the Consumer Affairs Division (CAD) director, Mr. Roesler needs to send an email (or other writing) requesting that the Indiana Utility Regulatory Commission review the CAD decision. The request must be made within twenty (20) days of the receipt of the decision from the CAD director, and it may be sent via email to Mary Becerra, the Secretary of the Commission, at mbecerra@urc.in.gov.

Please feel free to contact me if you or Mr. Roesler has an additional questions.

Thank you.

Beth E. Heline

General Counsel

Indiana Utility Regulatory Commission

101 W. Washington St., Suite 1500 East

Indianapolis, IN 46204

Direct line: (317) 232-2092

Fax #: (317) 232-6758

Email: bheline@urc.in.gov

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If you have received this e-mail transmission in error, please reply to the sender, so that the Indiana Utility Regulatory Commission's Office of General Counsel can arrange for proper delivery, and then please delete the message from your inbox. Thank you.

From: Audrey Wessel [<mailto:audrey@cmgworldwide.com>]

Sent: Thursday, December 7, 2017 10:25 AM

To: Heline, Beth E.

Cc: Mark Roesler

Subject: Re: Appeal of Decision in Complaint #120014

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Dear Ms. Helene,

I am writing to you pursuant to Kenya McMillin's note below. Mark Roesler would like to appeal Ms. McMillin's decision in Complaint #120014.

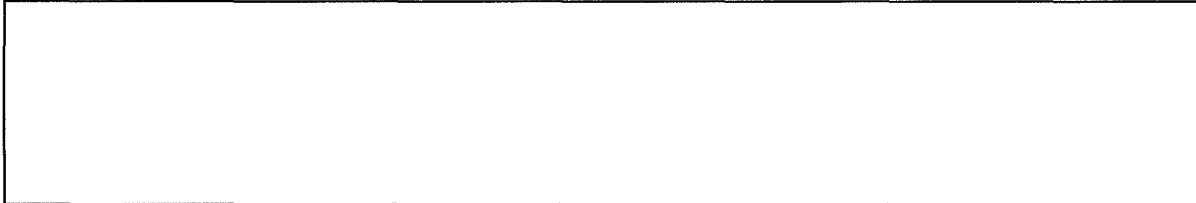
Are you the person with whom to file this appeal? If not, could you let me know the correct party? Thank you in advance - I appreciate your assistance.

Best,
Audrey

Audrey Wessel *In-House Counsel*

317.570.5000 ext. 12

CMGWorldwide.com | CelebrityValuations.com | 60 MINUTES



From: McMillin, Kenya <KMcmillin@urc.in.gov>

Date: Wed, Nov 29, 2017 at 4:29 PM

Subject: Director Review for 120014

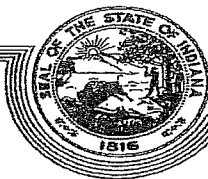
To: "Mark@cmgworldwide.com" <Mark@cmgworldwide.com>, Audrey Wessel <audrey@cmgworldwide.com>

Dear Mr. Roesler, Thank you for contacting the Indiana Utility Regulatory Commission's (Commission), Consumer Affairs Division (CAD) regarding Citizens Water. As you requested an appeal to the CAD Director, I have reviewed Complaint # 120014 and have made a determination based on the facts presented in the complaint. A copy of my decision is attached for your records.

If you do not agree with my decision, you may appeal in writing directly to the Indiana Utility Regulatory Commission within twenty (20) days of receipt of my decision. An Administrative Law Judge from the IURC will mail you the date and time of a hearing regarding the appeal. As the appealing party, you may attend and participate in this hearing. Any subsequent dates to appear will be discussed at the initial hearing. If you do not attend the hearing, the case may be

dismissed, unless you have communicated to the Commission that you prefer to submit a written statement detailing your complaint. If you have any questions about this process, please contact our General Counsel, Beth E. Heline, at 317-232-2092 or BHeline@urc.in.gov. Best Regards, Kenya McMillin

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 W. WASHINGTON STREET, SUITE 1500E
INDIANAPOLIS, INDIANA 46204-3407

<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

November 29, 2017

Mark Roesler
9165 Admirals Bay Drive
Indianapolis, IN 46236

Dear Mr. Roesler,

Thank you for contacting the Indiana Utility Regulatory Commission's (Commission), Consumer Affairs Division (CAD) regarding Citizens Water. As you requested an appeal to the CAD Director, I have reviewed Complaint # 120014 and have made a determination based on the facts presented in the complaint. A copy of my decision is included with this letter for your records.

If you do not agree with my decision, you may appeal in writing directly to the Indiana Utility Regulatory Commission within twenty (20) days of receipt of my decision. An Administrative Law Judge from the IURC will mail you the date and time of a hearing regarding the appeal. As the appealing party, you may attend and participate in this hearing. Any subsequent dates to appear will be discussed at the initial hearing. If you do not attend the hearing, the case may be dismissed, unless you have communicated to the Commission that you prefer to submit a written statement detailing your complaint.

If you have any questions about this process, please contact our General Counsel, Beth E. Heline, at 317-232-2092 or BHeline@urc.in.gov.

Best Regards,

Kenya McMillin

Director, Consumer Affairs
Indiana Utility Regulatory Commission
101 W. Washington Street, Suite 1500 E
Indianapolis, IN 46204
1-800-851-4268 ext. 291
kmcmillin@urc.in.gov

INDIANA UTILITY REGULATORY COMMISSION

DIRECTOR REVIEW OF CONSUMER AFFAIRS DIVISION ANALYST'S RESOLUTION

Director Review# 2017-09

To: Mark Roesler
9165 Admirals Bay Drive
Indianapolis, IN 46236

From: Kenya McMillin
Indiana Utility Regulatory Commission
101 West Washington St., Suite 1500 E.
Indianapolis, IN 46204

Copy: Citizens Energy Group
Attn: Terri Williams & Rhonda Harper
2020 N. Meridian St.
Indianapolis, IN 46202

Complaint 120014; Mark Roesler vs. Citizens Water (Citizens)

Pursuant to 170 IAC 16-1-5, the Director of the Consumer Affairs Division of the Indiana Utility Regulatory Commission has fully reviewed the Consumer Affairs Analyst's resolution regarding this complaint, and hereby affirms this resolution for the following reason:

☒ That, pursuant to the facts alleged in the complaint, the complaint is unsubstantiated regarding the utility's compliance with a statute, administrative rule or Commission Order governing the provision of utility services in the State of Indiana.

☐ That, pursuant to the facts alleged in the complaint, the complaint is substantiated regarding the utility's compliance with (cite statute, rule or Order) in that it _____

☐ Other _____

Conclusion:

Based on the information provided, the analyst's decision is affirmed. Mr. Mark Roesler contacted Citizen on September 9, 2016 and stated he had a water leak based on the high bills received. Citizens made a field visit to check for a leak on September 7, 2016. There was no leak found at the property. In addition to Citizens visit, Mr. Roesler hired a plumber and consulted his irrigation company and stated neither reported a leak at the property.

Prior to Mr. Roesler contacting Citizens, the utility initiated "Read Checks" on July 26, 2016 and August 26, 2016 that confirmed the high readings. The meter was tested on January 12, 2017 and the Commission conducted a supervised meter test on November 1, 2017 at the customer's request. Both tests results confirm the meter was working properly. A copy of the tests results are included in this letter.

Mr. Roesler was billed correctly and is responsible for the current water charges and sales tax billed on the August 22, 2016 and September 22, 2016 billing statements for a total of \$12,566.45. Citizens offered

Mr. Roesler an extended payment arrangement; he declined the offer. A copy of the billing statements are included in this letter.

Kenya McMillin
Kenya McMillin
Director, Consumer Affairs Division

Date: 11/29/17

McMillin, Kenya

From: CaseManagement <CaseManagement@citizensenergygroup.com>
Sent: Friday, January 13, 2017 4:25 PM
To: audrey@cmgworldwide.com
Subject: Rule 11 Meter Test Results for Mark Roesler/9165 Admirals Bay Dr

Good afternoon, Ms. Wessel:

The test results are back for water meter number 13060275. The meter passed the testing at 100% registration.

Because the meter tested within 2% of 100% accuracy, it is considered to have passed the testing. Therefore, the billed charges from this meter are accurate and do not qualify for an adjustment. A written notification of these results have been mailed today via U.S. Postal Service to Mr. Roesler's service address.

Any questions regarding the testing may be answered by reviewing our Water Terms and Conditions, section 5.9, *Adjustments Due to Meter Error*, which I have included below for your reference:

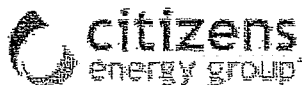
5.9 Adjustments Due to Meter Error. If a Meter is found to have a percentage of error greater than two percent during a test conducted by the Utility or the Commission at the request of the Customer, in accordance with these rules, the following adjustments of bills shall be made:

5.9.1 Fast Meters. When a Meter is found to have a positive average error – i.e., is fast, in excess of two percent, the Utility will refund or credit to the Customer's account the amount in excess of that determined to be an average charge for one-half of the time elapsed since the previous test, or one year, whichever is shorter. This average charge shall be calculated on the basis of units registered on the Meter over corresponding periods, either prior to or subsequent to the period for which the Meter is determined to be fast. No part of a monthly service charge will be refunded.

5.9.2 Slow Meters. When a Meter is stopped or found to have a negative average error – i.e., is slow, in excess of two percent, the Utility will charge the Customer an amount estimated to be the average charge for one-half of the time elapsed since the previous test, or one year, whichever period is shorter. This average charge shall be calculated on the basis of units registered on the Meter over corresponding periods, either prior to or subsequent to the period for which the Meter is determined to be slow or stopped. Such charge will be made only in cases where the Utility is not at fault for allowing the stopped or slow Meter to remain in service.

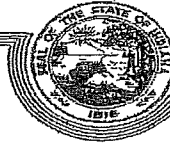
Thank you,

Tye Baker
Customer Case Manager
Citizens Energy Group



STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION
101 W. WASHINGTON STREET, SUITE 1500E
INDIANAPOLIS, INDIANA 46204-5407



<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

MEMORANDUM

To: Curt Gassert, Water/Sewer Division Director

From: Marcus Turner, Senior Utility Analyst

Date: November 1, 2017

Re: IURC Supervised Meter Test #120014 – Mark Roesler, Indianapolis, IN

On November 1, 2017, I supervised the 3/4-inch meter test conducted by Citizens Water on meter 13060275 as requested by Mark Roesler on October 24, 2017. The test was conducted at Citizens meter shop located at 2150 Dr. Martin Luther King Jr St, Building #2, Indianapolis, Indiana. Testing was conducted by Mr. Wayne Runyan, Technician at Citizens and was witnessed by Kyle Bowling (Citizens), George Reners (Citizens), Christina Nigh (Citizens) and myself. Mr. Runyan commenced testing at 1:07 pm EDT and concluded at 1:34 pm EDT.

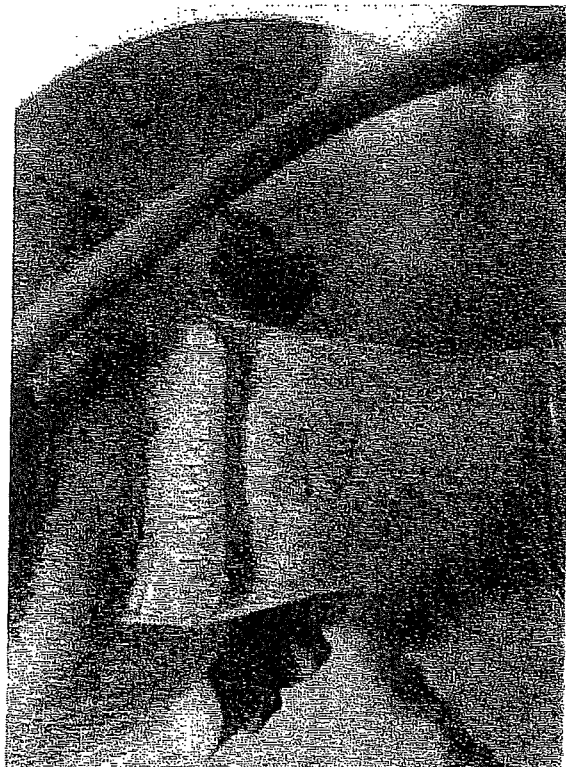
The test was conducted per the specifications of 170 IAC 6-1-8 and 170 IAC 6-1-9, referring to the AWWA M6 manual (*Water Meters – Selection, Installation, Testing, and Maintenance*, 5th Edition). Three tests were conducted as required for a 3/4-inch meter:

1. At more than 35% of the normal test flow limit (25 gpm).
2. At 10% of the normal test flow (2 gpm).
3. At the minimum test flow (.5 gpm)

The results of the tests are as follows:

Flow Test Classification	Flow Rate (gpm)	% Accuracy Observed	AWWA M6 Accuracy Guidelines	Result
Maximum	25	100.0%	+/- 1.5%	Pass
Intermediate	2	101.0%	+/- 1.5%	Pass
Minimum	.5	98.9%	+ 1.5% or -5.0%	Pass

The Meter Test Report (Testing Tag) is attached. Results of the testing are within acceptable limits for all flows.



Form DT-20

METER TAG

METER NO.

13060275

MAKE

TERT

SIZE

3/4

SERVICEMAN

RATE OF FLOW AND ACCURACY

GPM	25		2		1/2
BEFORE REPAIR	98.9		101		100
AFTER REPAIR					

REPAIR REMARKS

READING

373280

DATE

11-1-17

CAUSE

Rule 12

Form DT-20

METER TAG

Address: 9165 Admirals Bay Dr.

81.85

82.85

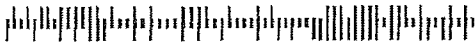
83.86

93.75



PO Box 7056 | Indianapolis, IN | 46207-7056

MARK ROESLER
9165 ADMIRALS BAY DR
INDIANAPOLIS IN 46236-9331



Account Number 733297-245460 Payment Due Date 09/09/16

Amount to be paid by 09/09/16 7,931.41
Amount to be paid after 09/09/16 8,154.50

CUSTOMER MESSAGES

As a participant in the Automatic Bank Deduction program, \$7,931.41 will be automatically deducted from your financial institution on 09/09/16.

O11 CONS

Account Summary

Billing for: 9165 ADMIRALS BAY DR

Service Class: Residential

Date Billed: 08/22/16

Account Balance of Last Bill.....

\$1,460.63

Payment(s) Received.....Thank You

1,460.63 CR

Total Balance from Previous Bill.....

0.00

Current Period Charges

Gas Charges 84.22

Sales Tax 5.90

Water Charges 7,292.87

Sales Tax 510.50

Sewer Charges..... 37.92

Total Current Charges 7,931.41

Account Balance as of 08/22/16.....

\$7,931.41

TOTAL DUE

Historical Information

Gas Consumption Information

Current Period

86

Previous Period

43

Same Period Last Year

27

Meter Number	Days of Service	Previous Read	Current Read	Consumption CCF	Therms
551596	30	07/20/16 75843 Actual	08/19/16 75927 Actual	84	86

Next Meter Read Date: 09/20/16 BTU Factor: 1.027

Water Consumption Information

Current Period

1980.85

Previous Period

346.40

Same Period Last Year

161

Indianapolis area rainfall total for the current period was 0003.95"

Indianapolis area rainfall total for the previous period was 0006.67

Meter Number	Days of Service	Previous Read	Current Read	Consumption CCF
13060275	30	07/20/16 52480 Actual	08/19/16 250565 Actual	1980.85

Next Meter Read Date: 09/20/16

Your Average Daily Utility Cost is \$247.17

Citizens Serving You

See reverse side for phone numbers, office location, hours, and definition of terms.

Energy Tip: Install low-flow faucets and shower heads.

Citizens offers Budget Billing to smooth out the highs and lows of seasonal fluctuation by providing a fixed monthly payment for all of our services. August is the last month of the year to enroll in Budget Billing, so sign up today by visiting CitizensEnergyGroup.com.

Retain this portion for your records.

Please detach and return this portion with your payment. Please do not fold, staple or paper clip payment to bill.



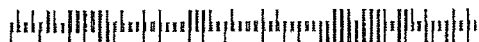
PO Box 7056 | Indianapolis, IN | 46207-7056

MARK ROESLER
9165 ADMIRALS BAY DR
INDIANAPOLIS IN 46236-9331

Account Number
733297-245460

Payment Due Date
10/10/16

Amount to be paid by 10/10/16	12,999.26
Amount to be paid after 10/10/16	13,135.80



L11 CONS

Account Summary		Historical Information																							
Billing for: 9165 ADMIRALS BAY DR Service Class: Residential Date Billed: 09/22/16 Account Balance of Last Bill..... \$7,931.41 Payment(s) Received..... 0.00 Total Balance from Previous Bill..... 7,931.41 Current Period Charges Gas Charges 40.89 Sales Tax 2.87 Water Charges 4,451.48 Sales Tax 311.60 Sewer Charges..... 37.92 Late Pay Charge 223.09 Total Current Charges 5,067.85 Account Balance as of 09/22/16..... \$12,999.26 <div style="text-align: center; border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;"> TOTAL DUE </div>		Gas Consumption Information Current Period: 35 Previous Period: 86 Same Period Last Year: 7.41 <table border="1"> <thead> <tr> <th>Meter Number</th> <th>Days of Service</th> <th>Previous Read</th> <th>Current Read</th> <th>Consumption CCF</th> <th>Therms</th> </tr> </thead> <tbody> <tr> <td>551596</td> <td>32</td> <td>08/19/16 75927 Actual</td> <td>09/20/16 75961 Actual</td> <td>34</td> <td>35</td> </tr> </tbody> </table> Next Meter Read Date: 10/19/16 BTU Factor: 1.024 Water Consumption Information Current Period: 1209.05 Previous Period: 1980.85 Same Period Last Year: 0.45 Indianapolis area rainfall total for the current period was 0006.71" Indianapolis area rainfall total for the previous period was 0003.95" <table border="1"> <thead> <tr> <th>Meter Number</th> <th>Days of Service</th> <th>Previous Read</th> <th>Current Read</th> <th>Consumption CCF</th> </tr> </thead> <tbody> <tr> <td>13060275</td> <td>32</td> <td>08/19/16 250565 Actual</td> <td>09/20/16 371470 Actual</td> <td>1209.05</td> </tr> </tbody> </table> Next Meter Read Date: 10/19/16 Your Average Daily Utility Cost is \$141.57		Meter Number	Days of Service	Previous Read	Current Read	Consumption CCF	Therms	551596	32	08/19/16 75927 Actual	09/20/16 75961 Actual	34	35	Meter Number	Days of Service	Previous Read	Current Read	Consumption CCF	13060275	32	08/19/16 250565 Actual	09/20/16 371470 Actual	1209.05
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Citizens Serving You

See reverse side for phone numbers, office location, hours, and definition of terms.

Energy Tip: Keep your heating/cooling equipment well-tuned with periodic maintenance by a professional.

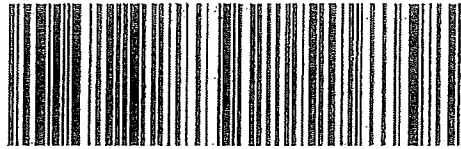
A new bill format is coming soon! After receiving customer input, we made improvements to our bill to make it easier to read and understand. We are excited to show off all of the bill's new features, so be on the lookout for our new and improved bill format.

Retain this portion for your records.

Please detach and return this portion with your payment. Please do not fold, staple or paper clip payment to bill.

12090505

INDIANA UTILITY REGULATORY COM
101 W WASHINGTON ST
INDIANAPOLIS, IN 46204-2764



9214 8901 0661 5400 0116 2633 40

RETURN RECEIPT (ELECTRONIC)

120014

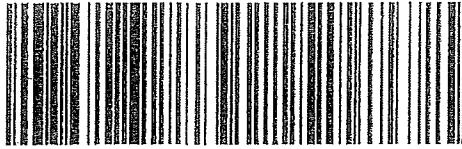
MARK ROESLER
9165 ADMIRALS BAY DRIVE
INDIANAPOLIS, IN 46236

CUT / FOLD HERE

6"X9" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

INDIANA UTILITY REGULATORY COM
101 W WASHINGTON ST
INDIANAPOLIS, IN 46204-2764



9214 8901 0661 5400 0116 2633 71

RETURN RECEIPT (ELECTRONIC)

120014

TERRI WILLIAMS & RHONDA HARPER
CITIZENS ENERGY GROUP
2020 NORTH MERIDIAN STREET
INDIANAPOLIS, IN 46202

CUT / FOLD HERE

6"x9" ENVELOPE

CUT / FOLD HERE

CUT / FOLD HERE