

4901:1-10-21

**Customer complaints and complaint-handling procedures.**

- (A) As used in this rule, customer/consumer complaint means a customer/consumer contact when such contact necessitates follow-up by or with the electric utility to resolve a point of contention.
- (B) Each electric utility shall make good faith efforts to settle unresolved disputes, which efforts may include meeting with the customer/consumer at a reasonable time and place.
- (C) Except as ordered by the commission or directed by the staff in disconnection or emergency cases, each electric utility shall investigate ~~customer/consumer~~ complaints and provide a status report within three business days of the date of receipt of the complaint. ~~to:~~
- ~~(1) The customer/consumer, when investigating a complaint made directly to the electric utility.~~
- ~~(2) The customer/consumer and staff, when investigating a complaint referred to the electric utility by the commission or staff.~~
- (D) If an investigation is not completed within ten business days, the electric utility shall provide status reports, either orally or in writing, to update the customer/consumer, or to update the customer/consumer and staff, where appropriate, every three business days until the investigation is complete, unless agreed to otherwise.
- (E) The electric utility shall inform the customer/consumer, or the customer/consumer and staff, where appropriate, of the results of the investigation, orally or in writing, no later than five business days after completion of the investigation. The customer/consumer or staff may request the final report to be in writing.
- (F) If the customer/consumer disputes the electric utility's report(s), the electric utility shall inform the customer/consumer that the commission staff is available to mediate complaints. The company shall provide the customer/consumer with the commission's current address, toll-free and TTY numbers of contact information for the commission, commission's call center, and the commission's website.
- (G) If a customer contacts an electric utility concerning competitive retail electric service (CRES) issues, the electric utility shall take the following actions:
- (1) Review the issue with the customer to determine whether it also involves the electric utility.
- (2) Coordinate the resolution of any joint issues with the CRES provider.

- (3) Refer the customer to the appropriate CRES provider only in those instances where the issue lacks any electric utility involvement.

(H) Slamming complaints.

- (1) A slamming complaint is a customer's allegation that the customer's supplier of electric service has been switched without the customer's authorization.
- (2) If a customer contacts an electric utility with a slamming complaint after the end of the seven-day rescission period for the customer's enrollment with the alleged slamming CRES provider, the electric utility shall take the following actions:
  - (a) Provide the customer with the enrollment information contained in its records.
  - (b) Refer the customer to the commission and provide the customer with the commission's current address, toll-free and TTY numbers of the commission's call center, and the commission's website.
  - (c) Cooperate with the staff in any subsequent investigations of the slamming complaint, including assisting the staff in determining the amount of any restitution owed to the customer pursuant to paragraph (C)(5) of rule 4901:1-21-08 of the Administrative Code if the customer was switched without authorization from the electric utility's standard offer service.
- (3) If a customer initiates a slamming complaint with the staff within thirty calendar days after being issued a bill from the alleged slammer, the customer shall not be required to pay the current charges assessed by the alleged slammer until the staff determines that the change in the customer's electric service provider was authorized.
- (4) If the staff determines that a customer's service was switched without the customer's authorization, ~~the staff shall notify the electric utility of such determination. After such notification,~~ and if the electric utility is not at fault, the electric utility may then seek reimbursement from the CRES provider that improperly initiated the switch for any incremental costs incurred by the electric utility to correct the unauthorized switch including any switching fees. The electric utility shall provide the CRES provider an itemized list of any such incremental costs.
- (5) If correcting an unauthorized switch involves returning the customer to its previous CRES provider, the electric utility shall make the corrective switch at the next regularly scheduled meter reading date following receipt of the enrollment request from the previous CRES provider. Such corrective switch

shall be made in accordance with the electric utility's normal practices and procedures for switching customers, except that the electric utility shall not charge, or shall credit to the customer, any switching fees and the electric utility is not required to issue the customer the notice required by paragraph (F)(1) of rule 4901:1-10-29 of the Administrative Code.

- (6) If correcting an unauthorized switch involves returning the customer to the electric utility's standard offer service, the electric utility shall make the corrective switch at the next regularly scheduled meter reading date in accordance with the electric utility's normal practices and procedures for switching customers, except that the electric utility shall not charge or shall credit to the customer any switching fees and the electric utility is not required to issue the customer the notice required by paragraph (F)(1) of rule 4901:1-10-29 of the Administrative Code.
- (7) If, as part of correcting an unauthorized switch, a customer who was taking standard offer service from the electric utility at the time of the unauthorized switch is returned to standard offer service, the customer shall not be subject to any minimum stay or other commission-approved alternative for returning customers, unless the customer would have been subject to such a requirement had the unauthorized switch not occurred.
- (8) If the electric utility switches the customer served by a CRES provider to the electric utility's standard offer service without authorization by the customer, without authorization by the appropriate CRES provider or pursuant to a commission order, the electric utility shall take the following actions:
  - (a) ~~Not charge, or shall credit~~ Credit or not charge the customer, any switching fees and ~~shall~~ return the customer to the previous CRES provider, making the corrective switch at the next regularly scheduled meter reading date following receipt of the enrollment request from the previous CRES provider.
  - (b) By the next billing cycle, take all three of the following actions:
    - (i) Credit or refund to the customer any fees previously charged for switching the customer to the electric utility.
    - (ii) Either of the two following actions:
      - (a) If reported to staff within thirty calendar days after being issued a bill from the alleged slammer, absolve the customer of any liability for any charges assessed to the customer,

excluding the distribution charges and refund to the customer any charges collected from the customer.

- (b) If reported to the staff more than thirty calendar days after being issued a bill by the alleged slammer, credit the customer any fees the electric utility charged in excess of the amount the customer would have paid its previous CRES provider for the same usage.
- (iii) If the customer can not be returned to the original contract terms with its previous CRES provider, the slamming electric utility shall credit or refund to the customer, the value of the customer's contract with the previous CRES provider for the remaining term of the contract immediately prior to the slam.
- (c) Reimburse the CRES provider for any incremental costs incurred by the CRES provider to correct the unauthorized switch within thirty calendar days of receiving an itemized invoice of the incurred incremental costs.

Effective:

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Certification

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Date

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