



**City of Seattle**  
**Seattle City Light Department**

**DEPARTMENT POLICY & PROCEDURE**

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**Subject**

**Number**

**DPP 500 P III-425**

**CUSTOMER DISPUTE RESOLUTION –  
UTILITY HEARING OFFICER ROLE  
AND RESPONSIBILITIES**

**Effective**

**January 11, 2012**

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**/s/ by Jorge Carrasco**

**Supersedes**

**June 7, 2002**

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**Approved by Jorge Carrasco**

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**1.0 Purpose**

- 1.1 To establish the general policies and guidelines of the Department concerning customer dispute resolution, the role and responsibilities of Seattle City Light staff regarding customer disputes, and the role and responsibilities of the Utility Hearing Officer concerning the handling of customer appeals.

**2.0 Organization Affected**

- 2.1 Customer Care Division

**3.0 References**

- 3.1 City of Seattle Ordinance 123604, Electric Rates and Provisions – Seattle City Light, or as the same may be amended or superseded.
- 3.2 RCW 35.21.300 Utility services – Enforcement of lien – Limitations on termination of service for residential heating
- 3.3 RCW 35.21.217 Utility services – Deposits – Tenants’ delinquencies – Notice – Lien
- 3.4 RCW 35.21.290 Utility services – Lien for
- 3.5 RCW 80.28.010 Duties as to rates, services and facilities – Limitations on termination of utility service for residential heating

- 3.6 RCW 80.28.080 Published rates to be charged – Exceptions
- 3.7 RCW 80.28.090 Unreasonable preference prohibited
- 3.8 RCW 80.28.100 Rate discrimination prohibited – Exception
- 3.9 DPP 500 P III-302 Credit and Collection
- 3.10 DPP 500 P III-303 Property Damage Claims
- 3.11 DPP 500 P III-404 Residential Vacancy Billing
- 3.12 DPP 500 P III-405 Account Service Charge
- 3.13 DPP 500 P III-407 Customer Service Charge
- 3.14 DPP 500 P III-411 Electric Account Closing Bill Adjustments
- 3.15 DPP 500 P III-414 Electric Service Disconnect/Reconnect – Vacant Premise
- 3.16 DPP 500 P III-418 Residential Rate Assistance
- 3.17 DPP 500 P III-419 Budget Billing Plan

#### **4.0 Definitions**

- 4.1 Alternate Utility Hearing Officer. Appointee of the Customer Care Director to act in the capacity of the Utility Hearing Officer.
- 4.2 Appeal. A written request for the Utility Hearing Officer's decision regarding a dispute between a customer and City Light.
- 4.3 Appeal Decision. The written decision of an appeal rendered by the Utility Hearing Officer.
- 4.4 Department. Seattle City Light.
- 4.5 Customer. Any person, firm, corporation, government agency, property owner, tenant, or other entity that uses, has used, or has contracted for electric service from the Department.
- 4.6 Informal Dispute Conference. A conference between a Customer and Customer Service or Electric Service Representative, Supervisor, or Manager who shall have the authority to make adjustments and/or payment arrangements with the customer.

- 4.7 Utility Hearing Officer. The Utility Hearing Officer or her/his designee is a management-level employee not associated with the Credit and Collections Unit who is authorized to hear and decide appeals.

## **5.0 Policy**

- 5.1 **Right of Appeal Regarding Customer Disputes.** Customers who disagree with the decisions of designated Department employees after an Informal Dispute Conference shall have the further right to file an appeal to the Department's Utility Hearing Officer. Disputes between customers and City Light generally fall into several categories. These include but are not limited to disputes about:
- 5.1.1 Shutting off electricity due to lack of payment;
  - 5.1.2 Estimated meter reads for move in dates and large move in bills;
  - 5.1.3 Estimated meter reads for move out dates and large estimated bills;
  - 5.1.4 Credit/collection actions;
  - 5.1.5 Reversed meter back bills;
  - 5.1.6 Bills resulting from damage by the customer to City Light equipment or property;
  - 5.1.7 Back bills involving faulty meters or other equipment failure;
  - 5.1.8 Estimated bills, not based on meter readings; and
  - 5.1.9 Bills that result from property owner/tenant disagreements.
- 5.2 **Continued Service during Dispute.** Any customer pursuing an appeal hearing shall continue to receive electrical service provided that any undisputed amount or any undisputed payment arrangement amount is paid.
- 5.3 **Time Limits for Appeals.** Appeals should be submitted to the Utility Hearing Officer stating the reasons for the appeal, within five business days following the Step 2 decision. Appeals shall be submitted in writing by the customer or by referral from the employee who conducted the Informal Dispute Conference, the Office of the Superintendent, Mayor's Office, Customer Service Bureau, Attorney General Consumer Affairs Division, or any other senior level manager, provided the customer has completed Steps 1 and 2 of the Dispute Resolution Process as described in DPP 500 P III-302 Credit and Collection.

- 5.3.1 Timely Response. Appeals and resolution of disputes should be completed in as timely a manner, recognizing that there must be adequate time to gather, assess, and review all relevant information, from all parties, about the dispute.

## **6.0 Responsibilities**

- 6.1 The Customer Care Director, Credit Manager, and Utility Hearing Officer are responsible for these policies and procedures.
- 6.2 Alternate Utility Hearing Officer Appointment. The Utility Hearing Officer shall conduct all appeals as provided herein and render all decisions in writing. An alternate Hearing Officer may also be appointed by the Customer Care Director as needed.
- 6.3 Department personnel who are responsible for identifying and correcting the problem that caused the appeal shall provide complete background information about the problem to the Utility Hearing Officer.
- 6.4 Employees acting pursuant to this policy shall use interpreter services when needed, and take into consideration any disparate impacts with the goal of recognizing and mitigating any elements of such impacts on customers.

## **7.0 Procedure**

- 7.1 Step 2 Informal Dispute Conferences. If customers or Department staff submit an appeal request directly to the Utility Hearing Officer without having completed the informal dispute conference, the Utility Hearing Officer shall refer the issue to the appropriate supervisor or manager and inform the customer that s/he has done so. The informal dispute conference will be completed with the goal of resolving the issue before the issue is referred as an appeal to the Utility Hearing Officer.
- 7.2 Initiating the Appeal Process. If the disputed issue is not resolved during an Informal Dispute Conference, then the customer may initiate a formal appeal by submitting a written request for a Hearing Officer review.
- 7.3 Information Gathering. Upon receiving the appeal, the Utility Hearing Officer shall request information about the dispute from the appropriate staff, supervisor, or manager who handled the initial Informal Dispute Conference. This information shall be provided to the Utility Hearing Officer as soon as possible to facilitate the speedy conclusion of the dispute process.
  - 7.3.1 The Utility Hearing Officer may accept for consideration all information provided by the customer or the customer's representative, and City Light staff.
- 7.4 Disputed Information. If the customer disputes information provided by City Light, or if the customer provides information that contradicts City Light's data used to estimate bills, the Utility

Hearing Officer shall make a reasonable determination as to the accuracy and appropriateness of the data in dispute. To do so, the Utility Hearing Officer may have the customer data reviewed by City Light staff or the customer data and City Light data reviewed by outside professionals as appropriate.

- 7.5 Conducting the Hearing. Appeal hearings may be conducted, in person or by telephone, during normal business hours, 8 a.m. to 5 p.m., Monday through Friday at Seattle Municipal Tower or an alternate location or time if requested by the customer. Appeals and resolution of disputes should be completed in as timely a manner as possible, however, recognizing that there must be adequate time to gather, assess, and review all relevant information from both parties about the dispute. The customer, or customer's representative, shall open the hearing with a statement of their position in the matter and a presentation of the appeal. The City of Seattle Language Bank, TTY, or an interpreter chosen by the customer, will be used for cases where a language, speech, or hearing barrier requires an interpreter.
- 7.6 The Appeal Decision. The Utility Hearing Officer shall provide the customer with a written Appeal Decision as soon as possible following the hearing and a review of all relevant facts surrounding the disputed issue. The written Appeal Decision will be mailed to the customer by US Mail or by e-mail, if the customer prefers, promptly following the hearing. The written Appeal Decision will contain a summary of the customer's appeal and supporting evidence, a summary of departmental credit action taken, if applicable, and the Utility Hearing Officer's decision.
- 7.6.1 The Utility Hearing Officer's decision shall be final, and no further review of the account will be made by the Hearing Officer after the ruling is posted to the account. If the customer disagrees with the decision of the Hearing Officer, a City of Seattle Claim for Damages may be filed in the amount of the disputed charge after the charge is paid.
- 7.7 Payment Options. In settling the dispute, the Utility Hearing Officer may consider the circumstances of the dispute in developing payment options. All payment options must be consistent with Department Policies and Procedures. Payment options considered by the Utility Hearing Officer may include, but are not limited to, time payments as negotiated between the customer and the Hearing Officer and consistent with Section 4.16.1 of Seattle City Light Department Policy & Procedure DPP 500 P III-302 Credit and Collection.
- 7.7.1 Time Payment. The Utility Hearing Officer may consider allowing a time payment for customers required to pay back bill charges when Department error, equipment failure, or lack of equipment maintenance contributes to the delay in billing for the correct amount. The customer may be given an amount of time equal to the delay in proper billing to repay the back billed amount.
- 7.8 Unexplainable High Bill Adjustment. The Utility Hearing Officer has the authority to rule a customer's high bill as unexplainable and may make a one-time adjustment to a customer's account based on the following process:

- 7.8.1 Customer initiates contact with Seattle City Light within 30 days of receiving bill showing unexplainable electricity consumption.
- 7.8.2 Customer goes through normal complaint process and if not satisfied with the resolution, submits in writing an appeal to the Utility Hearing Officer; or Seattle City Light management can refer a customer to the Utility Hearing Officer without a written appeal from the customer.
- 7.8.3 The Utility Hearing Officer will put a “credit hold” on the account so that no credit action is taken on the account while it is under investigation.
- 7.8.4 Seattle City Light will conduct a meter test.
- 7.8.5 The Utility Hearing Officer will rule if the meter is malfunctioning.
- 7.8.6 The meter will be replaced if the meter test shows inaccuracy or malfunction of the meter.
- 7.8.7 If the meter is not malfunctioning the Utility Hearing Officer may rule a bill as unexplainable for any other reason, including but not limited to inaccurate read, excessive estimates, or error in multiplier, and one of the following guidelines to adjust an account may be used:
  - 7.8.7.1 Redistributing the known consumption over a set amount of time.
  - 7.8.7.2 Applying a flat rate of the most appropriate rate available during the disputed period of time.
  - 7.8.7.3 Taking the historical average of the billing dates in question from similar dates of time, and applying it to the disputed time.

## 8.0 Appendix

Distribution: Posted online at <http://sclweb.light.ci.seattle.wa.us/dpp/>

## 9.0 Revision History

Version	Date	Changes Made	Author/Key Contact

CUSTOMER DISPUTE RESOLUTION –  
UTILITY HEARING OFFICER ROLE  
AND RESPONSIBILITIES  
DPP 500 P III-425

1.0	11-30-11	Updated to eliminate outdated practices and conform to current business processes, comply with legislative/ordinance changes, and include additional definitions, references, and RSJI considerations.  Update Coordinated By: Jackie Kim	Donna Morse
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