



## Legal Services Advocacy Project

January 2023

### GAP IN LAW PLACES RESIDENTIAL UTILITY CONSUMERS AT RISK OF LOSS OF ESSENTIAL SERVICE

#### Executive Summary

Minnesota statutes – alone in America -- have a hole in them when it comes to providing appeal rights for utility consumers with disputes about violations of law, rule, or tariff.<sup>1</sup> Minnesota residential utility consumers aggrieved by an **informal** determination by the Consumer Affairs Office (“CAO”) of the Minnesota Public Utilities Commission (“PUC” or “the Commission”) have neither a statutory right nor any regulatory procedural path to file an appeal (a **formal** complaint) and receive the opportunity to be heard before the Commission. Thus, Minnesota is a lone outlier. Minnesota utility consumers who wish to appeal an informal staff determination find themselves in a legal cul-de-sac, a procedural dead end.

This gap in Minnesota law prevents the Commission from directly hearing complaints concerning unreasonable, unjust, or unlawful utility acts or practices – acts and practices that the Commission is directed by law to regulate and that injure the complainant (and possibly impact some or all other of the utility’s consumers) and jeopardize the continuity or availability of service. Under current law, there is simply no avenue for a consumer to bring a complaint directly to the Commission. By statute and rule, an individual Minnesota consumer is barred from even seeking, let alone obtaining, a formal PUC ruling on a complaint raising questions of law or challenging the validity or application of a rule, tariff, or order.<sup>2</sup>

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<sup>1</sup> See Appendix A.

<sup>2</sup> Appeal to the Minnesota courts by aggrieved regulated utility consumers is similarly foreclosed under the current statutory construction. An individual seeking judicial relief lacks standing under existing Minnesota law. Again, in this regard, Minnesota has the dubious distinction of being the sole outlier in the country.

## Discussion

Existing law and rule conspire to deny the opportunity to file a formal complaint with and be heard by the Commission on a dispute with the regulated utility company regarding billing, service matters, or challenged acts and practices. Adverse staff determinations where the consumer alleges a violation of law, rule, or tariff, or an improper act or practice can lead to the denial or disconnection of essential utility service. In Minnesota – unlike every other state in the United States -- there is no legal or procedural path to elevate that dispute beyond the informal stage.

### *How Do Minnesota's Law and Rules Conspire to Deny Access to the PUC?*

Minnesota's vexatious uniqueness stems from the construction and interaction of its statutes and rules. By rule, individual consumers may file informal complaints with staff.<sup>3</sup> Staff is then required to "try to help resolve informal complaints by correspondence, mediation, arbitration, and other informal means."<sup>4</sup> But if the dispute is not resolved to the consumer's satisfaction, that is where the trail for individual consumer comes to an abrupt end -- even if the household's utility service is in jeopardy. In this regard, the law is harsh.

Only "*qualified complainants*" are able seek relief directly from the Commission."<sup>5</sup> A "*qualified complainant*" is a person "*authorized by law to make a formal complaint to the commission.*"<sup>6</sup> An individual utility consumer is not, under Minnesota law, a "qualified complainant" and not authorized by law to bring a complaint to the full Commission. Only a group of "any 50 consumers of the particular utility" meets the qualifications and thus has the statutory right to file a formal complaint with the PUC.<sup>7</sup>

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<sup>3</sup> Minn. R. 7829.1500.

<sup>4</sup> Minn. R. 7829.1600.

<sup>5</sup> *Id.* (emphasis added). The rule provides that, to file "a formal complaint," a complainant who "desires formal action by the commission" must be a "qualified complainant." *Id.*

<sup>6</sup> Minn. R. 7829.0100, subp. 20a (emphasis added).

<sup>7</sup> Minn. Stat. § 216B.17, subdivision 1.

Thus, under current law and rule, the Commission's doors are closed to individual consumers who raise important questions about alleged law or tariff violation or disputed acts and practices that will likely lead to the loss of utility service for that consumer and perhaps many like that consumer.

### All Other States

In stark contrast to Minnesota, all 49 other states provide for both informal dispute resolution and a formal complaint procedure. Three states actually *prohibit* the Commission from dismissing a complaint *even if there is no direct harm to the complainant*.<sup>8</sup> Six states *permit* the Commission to hear the matter in those cases.<sup>9</sup> Illinois allows the Commission to hear the complaint even if it has been satisfied by the utility,<sup>10</sup> and New Mexico grants the Commission the authority to "continue or initiate further proceedings if the issues raised in the complaint involve a general matter of public interest."<sup>11</sup>

Some states set thresholds to complain about rates. Fourteen states set minimum thresholds for raising issues and complaining to the Commission regarding rates, but no state precludes an individual consumer from filing a formal complaint about billing, service, or acts and practices and requesting a Commission investigation or hearing.<sup>12</sup>

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<sup>8</sup> Illinois (220 Ill. Comp. Stat. Ann. 5/10-108); Indiana (Ind. Code Ann. § 8-1-2-57); and Wisconsin (Wis. Stat. Ann. § 196.26).

<sup>9</sup> Arizona (Ariz. Rev. Stat. Ann. § 40-246); California (Cal. Pub. Util. Code § 1703); Colorado (Colo. Rev. Stat. Ann. § 40-6-108); Idaho (Idaho Code Ann. § 61-614); Missouri (Mo. Ann. Stat. § 386.390), and Utah (Utah Code Ann. § 54-7-9).

<sup>10</sup> See 220 Ill. Comp. Stat. Ann. 5/10-108.

<sup>11</sup> N.M. Admin. Code 1.2.2.

<sup>12</sup> Indiana requires the Commission to hold a hearing if a minimum of 10 consumers complain about rates. See Ind. Code Ann. § 8-1-2-54). Maine requires the Commission to investigate if a minimum of 10 consumers complain about rates. See Me. Rev. Stat. tit. 35-A, § 1302). The following states require a minimum of 25 consumers filing a complaint to trigger a rate investigation: Arizona (Ariz. Rev. Stat. Ann. § 40-246); California (Cal. Pub. Util. Code § 1702); Colorado (Colo. Rev. Stat. Ann. § 40-6-108); Idaho (Idaho Code Ann. § 61-612); Missouri (Mo. Ann. Stat. § 386.390); South Carolina (S.C. Code Ann. § 58-5-270); South Dakota (S.D. Codified Laws § 49-34A-26); Utah (Utah Code Ann. § 54-7-9); and Washington (Wash. Rev. Code Ann. § 80.04.110). Maryland requires a minimum of 100 consumers for the Commission to hear a complaint about "quality, reliability or price of gas or electricity." See Md. Code Regs. 20.07.03.02. North Dakota requires a minimum of 10% of customers of the particular utility to complain in order to initiate a rate investigation. See N.D. Cent. Code Ann. § 49-05-02.

Some states make it a prerequisite to filing a formal complaint with the Commission that the consumer exhaust the informal dispute resolution process. In fact, 35 states so.<sup>13</sup> Five states do not *require* exhaustion but reserve the right of the Commission to first refer a formal complaint filed for informal resolution.<sup>14</sup>

In Oregon, complaints may be filed by any consumer, even if “the complainant [does not] have a pecuniary interest in the matter in controversy or in the matter....”<sup>15</sup> Four states allow a direct filing of a formal complaint, but recommend or encourage the use of the informal process first.<sup>16</sup> Four states allow a consumer to file a formal complaint without the necessity attempting or completing the informal dispute resolution process.<sup>17</sup>

### Conclusion

Minnesota’s statutory scheme places it alone on an island when it comes to providing appeal rights and a forum for individual residential utility consumers with disputes about billing, service, acts, or practices. Every state except Minnesota gives individual consumers the right to bring complaints before the full Commission and receive a formal determination on questions of law; challenges to the validity or

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<sup>13</sup> Alabama; Alaska; Arizona; Arkansas; Connecticut; Delaware; Florida; Georgia; Indiana; Iowa; Kansas; Kentucky; Maine; Maryland; Massachusetts; Michigan; Mississippi; Montana; Nebraska; Nevada; New Hampshire; New Mexico; New York; Oklahoma; Oregon; Pennsylvania; Rhode Island; South Carolina; South Dakota; Tennessee; Texas; Utah; Virginia; Wisconsin; and Wyoming. (Citations omitted.)

<sup>14</sup> California (Cal. Code Regs. tit. 20, § 4.2); Idaho (Idaho Admin. Code r. 31.01.01.021); Missouri (Mo. Code Regs. Ann. tit. 20, § 4240-2.070); Ohio (Ohio Admin. Code 4901-9-01); and Vermont (18-1 Vt. Code R. § 1).

<sup>15</sup> Or. Rev. Stat. Ann. § 756.500.

<sup>16</sup> New Jersey (N.J. Admin. Code § 14:1-5.13); North Carolina (4 N.C. Admin. Code 11.R1-4); Washington (Wash. Admin. Code 480-07-910); and West Virginia (W. Va. Code R. 150-1-6).

<sup>17</sup> Colorado (4 Colo. Code Regs. § 723-1:1302) (providing that “[a]ny person may file a formal complaint at any time.”); Hawaii (Haw. Code R. 16-601-66) (providing that “[i]f a formal complaint is filed, the processing of the informal complaint shall be discontinued.”); Louisiana (Email from Kathryn Bowman, Executive Counsel, Louisiana Public Service Commission, to Ron Elwood, Supervising Attorney, Legal Services Advocacy Project (Sept. 4, 2020) (indicating that “[c]onsumers do not have to exhaust informal processes before filing a formal complaint.”); and North Dakota (Email from John Schuh, Staff Attorney, North Dakota Public Service Commission, to Ron Elwood, Supervising Attorney, Legal Services Advocacy Project (Nov. 2, 2020) (explaining that “[i]n practice, consumers have been allowed to file a formal complaint with the Commission without exhaustion of an informal hearing.”).

application of a rule, tariff, or order; or objections to an unfair, unreasonable, unjust, or unlawful utility acts or practices.

Statutory reform in this area is imperative. Like every other utility consumer in the country, Minnesota utility consumers deserve the right to be heard by the Commission on these important matters, which invariably could result in denial or disconnection of essential gas and electricity service if not adjudicated. The Commission's hands must be untied so they can: (1) prevent unnecessary and potentially illegal disconnection or denial of essential utility service; and (2) hear and resolve critical complaints and issues which likely affect not just the complaint but all that utility's consumers and perhaps all utility consumers in the state.

## APPENDIX A

### Right to File a Formal Complaint with the PUC

#### Alabama

##### *Alabama Public Service Commission*

- When it appears that complaints cannot be adjusted by informal negotiation, Complainants will be notified and the matter closed. Formal complaints may then be filed if Complainants so desire. *Ala. Admin. Code 770-X-4-.09*

#### Alaska

##### *Regulatory Commission of Alaska*

- If an informal complaint is not resolved by informal action, the complainant may request the commission to take formal action. *Alaska Admin. Code tit. 3, § 48.060*

#### Arizona

##### *Arizona Corporation Commission*

- The Commission's representative will render a written decision [on an informal complaint] to all parties within five working days after the date of the informal hearing. Such written decision of the arbitrator is not binding on any of the parties and the parties will still have the right to make a formal complaint to the Commission.  
*Ariz. Admin. Code R14-2-212*  
*Ariz. Admin. Code R14-2-212 (Electric)*  
*Ariz. Admin. Code R14-2-212*  
*Ariz. Admin. Code R14-2-312 (Gas)*

#### Arkansas

##### *Arkansas Public Service Commission*

- The...complainant may file a formal complaint if not satisfied with the informal complaint results. *Code Ark. R. 126.03.2-2.07*

#### California

##### *California Public Utilities Commission*

- You can file a formal complaint against a CPUC regulated entity, if you find that the informal complaint process cannot help with your utility issue or you find that you disagree with the decision reached at the end of the informal complaint process.  
*California Public Utilities Commission Web Site, Filing A Complaint*

#### Colorado

##### *Colorado Public Utilities Commission*

- Any person may file a formal complaint at any time. *4 Colo. Code Regs. § 723-1:1302*

## **Connecticut**

### *Connecticut Public Utility Regulatory Authority*

- A petition or statement of complaint shall...where applicable, setting forth a plain and concise statement of the material facts on which the petitioner or complainant relies. Where applicable, the petitioner or complainant may set forth acts, events, documents, and other occurrences according to their claimed legal effect. *Conn. Agencies Regs. 16-1-103*
- [In disputes regarding termination specifically]: If the DPUC's Consumer Assistance and Information Division is unable to settle the dispute to the satisfaction of both customer and company, either the customer or the company may appeal in the form of a formal complaint with the DPUC.... *Conn. Agencies Regs. 16-3-100*

## **Delaware**

### *Delaware Public Service Commission*

- If the proposed resolution of the informal complaint by the Division of the Public Advocate or Commission Staff is not deemed satisfactory by the complainant or the utility, then the complainant may institute a formal complaint. *Code Del. Regs. 26 1000 1001*

## **Florida**

### *Florida Public Service Commission*

- A [formal] complaint is appropriate when a person complains of an act or omission by a person subject to Commission jurisdiction which affects the complainant's substantial interests and which is in violation of a statute enforced by the Commission, or of any Commission rule or order. *Fla. Admin. Code Ann. r. 25-22.036.*

## **Georgia**

### *Georgia Public Service Commission*

- A consumer that is not satisfied with the response they have received after speaking before the Commission and working with the utility company can request that a docket be opened and placed on the Committee agenda for discussion.  
*Email from Claudette Willingham, Manager, Office of Consumer Affairs, Georgia Public Service Commission, to Ron Elwood, Supervising Attorney, Legal Services Advocacy Program (Oct. 22, 2020).*

## **Hawaii**

### *Hawaii Public Utilities Commission*

- Any person may file a formal complaint against any public utility, water carrier, motor carrier, or other person subject to commission jurisdiction. *Haw. Code R. 16-601-67*

## **Idaho**

### *Idaho Public Utilities Commission*

- informal proceedings are conducted without prejudice to the right of the parties to present the matter formally to the Commission. The Commission Staff will consider and investigate informal inquiries or complaints without prejudice to the right of the interested persons to present the matter formally to the Commission, unless all affected persons agree in writing to be bound by the informal decision. *Idaho Admin. Code r. 31.01.01.024*

## **Illinois**

### *Illinois Commerce Commission*

- The presentation of an informal complaint shall be without prejudice to the right to file a formal complaint. *Ill. Admin. Code tit. 83, § 200.160*

## **Indiana**

### *Indiana Utility Regulatory Commission*

- Either party may request commission review of the consumer affairs' decision [on an informal complaint]. *170 Ind. Admin. Code 16-1-6*

## **Iowa**

### *Iowa Utilities Board*

- If the complainant...does not agree with the proposed resolution [of an informal complaint], a request for a formal complaint proceeding may be made in writing within 14 days of the issuance of the proposed resolution. *Iowa Admin. Code r. 199-6.5(476)*

## **Kansas**

### *Kansas Corporations Commission*

- If the informal complaint procedure does not produce a satisfactory resolution, or if you are dissatisfied with the outcome, you have the right to file a formal complaint.  
*Kansas Corporation Commission Web Site, Filing a Complaint – How to Get Started*

## **Kentucky**

### *Kentucky Public Service Commission*

- In the event of failure to bring about satisfaction of the complaint because of the inability of the parties to agree as to the facts involved, or from other causes, the proceeding shall be held to be without prejudice to the complainant's right to file and prosecute a formal complaint whereupon the informal proceedings shall be discontinued. *807 Ky. Admin. Regs. 5:001*

## **Louisiana**

### *Louisiana Public Service Commission*

- Consumers do not have to exhaust informal processes before filing a formal complaint with PSC. However, initial complaints are directed to the appropriate Commissioner local office. However, if someone would prefer a formal proceeding at the Commission, that is allowed as well.  
*Email from Kathryn Bowman, Executive Counsel, Louisiana Public Service Commission, to Ron Elwood, Supervising Attorney, Legal Services Advocacy Project (Sept. 4, 2020)*

## **Maine**

### *Maine Public Utilities Commission*

- The customer or the utility may appeal a CASD's [informal] decision to the Commission.<sup>18</sup>  
*Code Me. R. tit. 65-407 Ch. 815, § 13*

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<sup>18</sup> "CASD" (now called the CAD, or Consumer Assistance Division) of the Maine Public Utilities Commission, among other things, "resolves consumer complaints." Maine Public Utilities Commission, *Consumer Services & Information*; <https://www.maine.gov/mpuc/consumer/index.shtml>



## **Maryland**

### *Maryland Public Service Commission*

- Any person may file a complaint with the Commission. *Md. Code Ann., Pub. Util. § 3-102*

## **Massachusetts**

### *Massachusetts Department of Public Utilities*

- If the customer disputes the company's written notice of decision, the customer shall notify the Department of Public Utilities Consumer Division that he wishes to appeal. A representative of the Department shall...conduct an investigation. Such investigation shall include an opportunity for each side in the dispute to be heard and may include a pre-hearing conference. The Department representative shall rule promptly upon the appeal and notify the customer and company of his decision and of the right to appeal the decision to the Department for an adjudicatory proceeding. 220 Mass. Code Regs. 25.02

## **Michigan**

### *Michigan Public Service Commission*

- Either party [to an informal complaint] may appeal before the commission the decision of the regulation officer by filing a formal hearing. *Mich. Admin. Code R 460.168*

## **Mississippi**

### *Mississippi Public Service Commission*

- In the event of failure to bring about satisfaction of the [informal] complaint because of the inability of the parties to agree as to the facts involved, or from other causes, the proceeding is held to be without prejudice to complainant's right to file and prosecute a formal complaint, whereupon the informal proceedings will be discontinued. *39 Code Miss. R. Pt. I, R. 1:11*

## **Missouri**

### *Missouri Public Service Commission*

- If an allegedly aggrieved person initially files an informal complaint and is not satisfied with the outcome, such person may also file a formal or small formal complaint. *Mo. Code Regs. Ann. tit. 20, § 4240-2.070*

## **Montana**

### *Montana Public Service Commission*

- Any person may complain of anything done or omitted to be done by the commission or any person over whom the commission has jurisdiction in violation of any law, rule, regulation or order administered or promulgated by the commission, pertaining to matters over which the commission has jurisdiction. *Mont. Admin. R. 38.2.2101*

## **Nebraska<sup>19</sup>**

### *Nebraska Public Service Commission*

- If a complaint cannot be resolved informally, then the consumer has the option of filing a formal complaint with the Commission. At that point, a filing fee and pleading are required and the Commission may hold a hearing, take evidence, and render a decision on the complaint. *Email from Shana Knutson, General Counsel, Nebraska Public Service Commission, to Ron Elwood, Supervising Attorney, Legal Services Advocacy Project (October 27, 2020)*

## **Nevada**

### *Public Utilities Commission of Nevada*

- If the Division of Consumer Complaint Resolution is unable to resolve the complaint, the Division shall transmit the complaint, the results of its investigation and its recommendation to the Commission. If the Commission determines that probable cause exists for the complaint, it shall order a hearing thereof. *Nev. Rev. Stat. Ann. § 703.310*

## **New Hampshire**

### *New Hampshire Public Utilities Commission*

- If the utility or the customer does not agree with the outcome of the [informal complaint resolution] conference, the party not in agreement may request a hearing before the Commission. *N.H. Code Admin. R. § 17*

## **New Jersey**

### *New Jersey Board of Public Utilities*

- Informal complaints shall be without prejudice to the right of any party to file a petition or of the Board to institute a formal proceeding. *N.J. Admin. Code § 14:1-5.13*

## **New Mexico**

### *New Mexico Public Regulation Commission*

- If staff is unable to resolve an informal complaint to the satisfaction of the parties, either party may within five (5) days after receipt of the results of the investigation...file a formal complaint. *N.M. Admin. Code 1.2.2*

## **New York**

### *New York Public Service Commission*

- If a customer or utility disagrees with the decision rendered in the informal hearing or review, the customer or utility may appeal to the commission. *N.Y. Comp. Codes R. & Regs. tit. 16, § 12.13*

## **North Carolina**

### *North Carolina Utilities Commission*

- The filing of an informal complaint is without prejudice to the right to thereafter file a formal complaint. *4 N.C. Admin. Code 11.R1-4*

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<sup>19</sup> The Nebraska Public Service Commission regulates gas companies only. Electricity in Nebraska is provided by public power.

## **North Dakota**

### *North Dakota Public Service Commission*

- Complaints may be made by any person. Upon the filing of a formal complaint, the commission will determine whether it states a prima facie case and conforms to this article.  
*N.D. Admin. Code 69-02-02-02*

## **Ohio**

### *Public Utilities Commission of Ohio*

- If the PUCO [staff] is unable to resolve your dispute informally, or you are unsatisfied with the resolution, you may file a formal complaint with the PUCO. If you choose to file a formal complaint, the PUCO will open an administrative law case which involves proceedings similar to those held in a court of law. *Ohio.gov Web Site, Utility complaints*

## **Oklahoma**

### *Oklahoma Corporation Commission*

- If CSD is unable to resolve the dispute to the mutual satisfaction of the parties, either party may file a Complaint with the Commission for final determination.<sup>20</sup>  
*Okla. Admin. Code 165:35-21-40 (Electric)*  
*Okla. Admin. Code 165:45-11-20 (Gas)*

## **Oregon**

### *Oregon Public Utility Commission*

- If the Consumer Services Section cannot resolve the dispute the complainant may file a formal written complaint with the Commission under ORS 756.500. The formal complaint must be submitted on an approved form available from the Consumer Services Section.  
*Or. Admin. R. 860-021-0015*

## **Pennsylvania**

### *Pennsylvania Public Utility Commission*

- A request for review of the decision of the Bureau of Consumer Services (BCS) shall be initiated in writing within 20 days of issuance [and] the party requesting review of the decision of the BCS shall file the completed [formal] complaint form with the Secretary [of the Commission].  
*52 Pa. Code § 56.172*

## **Rhode Island**

### *Rhode Island Public Utilities Commission*

- Any party aggrieved by the decision of a reviewing officer after informal review shall have a right to an evidentiary hearing before a hearing officer designated by the Administrator of the Division of Public Utilities and Carriers to conduct hearings under this section.  
*810 R.I. Code R. 10-00-1.14*

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<sup>20</sup> "CSD" is the Consumer Services Division of the Oklahoma Corporation Commission, which, among other things, "serves as the Corporation Commission's liaison to the public on utility regulatory issues [and] investigates and mediates regulated public utility and some telecommunications complaints." Oklahoma Corporation Commission, *Public Utility and Telecommunications Consumer Services*; <http://www.occeweb.com/cs/cs.html>

## **South Carolina**

### *South Carolina Public Service Commission*

- If a complaint is not resolved to the satisfaction of the complainant, the complainant may request a hearing before the commission. *S.C. Code Ann. § 58-5-270*

## **South Dakota**

### *South Dakota Public Utilities Commission*

- If the dispute is not resolved, the utility shall notify the customer that the customer has the right to appeal to the commission for resolution of the dispute within 10 working days after a disconnection notice is sent. *S.D. Admin. R. 20:10:17:12*

## **Tennessee**

### *Tennessee Public Utility Commission*

- In the event the commission employee [assigned to resolve the informal complaint] is unable to effect a satisfactory adjustment of any such complaint, then the commission employee shall certify the same to the commission, with recommendations in the premises, whereupon the commission shall, after hearing, make its final order, which shall be binding upon the parties to any such controversy. *Tenn. Code Ann. § 65-4-119*

## **Texas**

### *Public Utility Commission of Texas*

- If an attempt at informal resolution fails, or is not required under subsection (c) of this section, the complainant may present a formal complaint to the commission.  
*16 Tex. Admin. Code § 22.242*

## **Utah**

### *Public Service Commission of Utah*

- If the utility has proposed that the complaint be dismissed from informal review for lack of merit and the Division<sup>21</sup> concurs in the disposition, if either party has rejected mediation or if mediation efforts are unsuccessful and the Division has not been able to assist the parties in reaching a mutually accepted resolution of the informal dispute, or the dispute is otherwise unresolved between the parties, the Division shall inform the complainant of the right to petition the Commission for a review of the dispute. *Utah Admin. Code r. R746-200-8*

## **Vermont**

### *Vermont Public Utility Commission*

- A consumer complaint may be made against a company subject to Commission supervision based on any claim of an unlawful act or neglect that adversely affects the consumer.  
*Vermont Public Utility Commission Web Site, Consumer Utility Service*

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<sup>21</sup> The Utah Division of Public Utilities is a division of the Utah Department of Commerce that “handles and investigates consumer complaints” and “helps the Public Service Commission regulate electric and natural gas utilities that provide service in Utah.” Utah Department of Commerce, *ABOUT THE DIVISION OF PUBLIC UTILITIES*; <https://dpu.utah.gov/about.html>

## **Virginia**

### *Virginia State Corporation Commission*

- Matters not resolved to the satisfaction of all participating parties by the informal process may be reviewed by the full commission upon the proper filing of a formal proceeding in accordance with the rules by any party to the informal process. *5 Va. Admin. Code 5-20-70*

## **Washington**

### *Washington Utilities and Transportation Commission*

- Complaint may be made by the commission of its own motion or by any person by petition or complaint in writing, setting forth any act or thing done or omitted to be done by any public service corporation in violation, or claimed to be in violation, of any provision of this title, Title 81 RCW, or of any order or rule of the commission. *Wash. Rev. Code Ann. § 80.04.110*

## **West Virginia**

### *Public Service Commission of West Virginia*

- Any person or entity may complain to the Commission by petition substantially in the form of Form No. 1 attached to these Rules of anything done or omitted to be done by the public utility in violation of any of the provisions of the Public Service Commission law of West Virginia. A formal complaint shall fully and completely advise the defendant or defendants and the Commission of the provision or provisions of the law that have been or will be violated. *W. Va. Code R. 150-1-6*

## **Wisconsin**

### *Public Service Commission of Wisconsin*

- After informal review, any party to the dispute may make a written request for a formal review by the commission itself.  
*Wis. Admin. Code PSC § 113.0407 (Electric)*  
*Wis. Admin. Code PSC § 134.064 (Gas)*

## **Wyoming**

### *Wyoming Public Service Commission*

- If the complainant does not agree with the utility response, the complainant may request a formal hearing before the WPSC...requesting a formal hearing, detailing the disagreement with the utility and providing copies of any material/evidence relevant to the disagreement.  
*Wyoming Public Service Commission Web Site, How to File a Complaint with the Wyoming Public Service Commission (WPSC)*