

3. The Informal Appeal

How can I appeal an informal hearing decision ?

If you lose the informal hearing, you can file an “informal appeal” with the Michigan Public Service Commission (MPSC) staff. You must do this within 7 business days after you get the hearing decision. You can file by phone, e-mail, fax, mail, or in person at the MPSC office.

Michigan Public Service Commission
P.O. Box 30221
Lansing, Mi, 48909
(800) 292-9555

The MPSC staff is available to answer questions and take complaints Monday through Friday 8:30 a.m. to 4:30 p.m.

What Happens at the Informal Appeal?

Your appeal is assigned to a “Regulation Officer” who works for the MPSC. This Officer will review the papers from your informal hearing. The Officer may decide that you have to pay more of your bill or deposit to keep your utilities on while you appeal. The Officer may ask you to attend an informal appeal conference. You or your representative must go to this conference or your hearing will be dismissed. You can present new evidence. You can explain what you want orally or in writing. The Officer must make a decision within 30 days after he or she gets the records from the informal hearing.

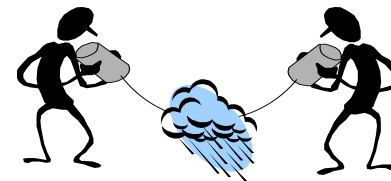
4. The Formal Appeal

If you want to appeal the Officer’s decision, you must send a written request to the MPSC. A request for a formal appeal must be filed in a special way so you should try to have a lawyer help you with a formal appeal. Formal hearings are held in Lansing. The utility company will be represented by lawyers. If you cannot afford a lawyer, contact Legal Services of Eastern Michigan (810)234-2621. They may be able to help you or give you information on how to represent yourself.



Resolving a Dispute With Your Utility Company

How to file informal and formal complaints



If you disagree with a utility bill or a utility deposit, this pamphlet will tell you when and how you can appeal.

The rules described in this pamphlet apply only to “regulated” utilities that provide natural gas and electricity. This includes Consumers Energy and Detroit Edison. **These rules do not cover propane or heating oil, water or telephone service.**

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General Information

The Process

If you disagree with a utility bill or deposit, you can appeal. This pamphlet talks about each step along the way. You must go through each step in order. The steps are:

1. Informal complaint
2. Informal Hearing before Hearing Officer
3. Informal Appeal
4. Formal Appeal

Keep Good Records

Every time you talk to the utility or DHS, write down the date and time of your call, and the name of each person you talk to. This information may be important. You can write this on a calendar or date book, or on any paper that you will not lose. Keep copies of all bills, notices, or other papers you receive from the utility company.

Keep your “Cool”

You are more likely to resolve a complaint informally if you are calm and polite. You can be firm about your position, but don't lose your temper. You can also ask to talk to a supervisor.

1. The Informal Complaint—Where to Start

If you disagree with some (or all) of your bill or deposit, tell your utility company right away. You can do this in person or by using the phone number on your bill. You can also write the utility company or the Michigan Public Service Commission (see the back page). You should write down when you make your complaint and the names of who you talk to. Explain what part of the bill or deposit you think is too high and why. The company must look into your complaint and get back to you. They may work with you on the phone or schedule a meeting.

2. Informal Hearing

What happens if I don't resolve the dispute ?

The utility company must offer you an informal hearing. You have 5 business days to accept this offer in writing or by phone. The informal hearing must be held within 30 business days. The utility company will send you a notice with the date, place and time for the hearing.

How much of my bill do I have to pay to keep my utilities on?

You must pay any amount that you do not dispute when it is due. If you and the utility company can't agree on what's in dispute you will have to pay one half of the disputed amount up to \$100.

Example: Your total bill is \$1000. You agree you owe the current bill (\$400) but dispute the rest (\$600) which was in another person's name. You must pay the \$400 plus \$100 of the disputed amount .

Can the utility company shut off my service while I am appealing?

If you pay what is required on the disputed amount within 10 days of the hearing notice date, the utility company may not try to collect the bill or shut off your service until your appeals are done. If you do not pay your regular bills when due, including any amount you agree you owe, the utility company can shut off your service.

What happens at an informal hearing?

At the hearing you show a “hearing officer” why you think the utility company made a mistake. You can bring papers, notes, and witnesses to support what you say. You have a right to see your account records on file with the utility company. You can represent yourself, or bring a lawyer or anyone else to help you. If you have a health problem that makes it hard for you to go in person, tell the utility company so they can help you be there by phone. The hearing officer may try to settle the case. If that doesn't work, he or she must decide your case within 7 business days. If you lose and you do not appeal, you must pay any amount the hearing officer says you owe by the due date in the decision. If you do not pay this, your utilities can be shut off.