

NH Department of Energy

21 South Fruit Street

Concord, NH 03301

April 15, 2023

RE: Formal Complaint Against Unitil from [REDACTED]

Acc# [REDACTED]

Service/Mailing Address: [REDACTED]

Email [REDACTED]

To Whom It May Concern:

I, [REDACTED], am the complainant, and wish to file a formal complaint against Unitil as well as Consumer Services branch. My account number is [REDACTED]

My main issues are as follows:

- Does an electric utility in New Hampshire have an obligation to inform new customers, when they sign up, that they have the right to avoid the utility's default energy service by purchasing from another supplier, potentially at a more favorable rate?
- Why are new customers forced into an extremely high bill with a third party (that is commercial and unreachable) before they have any options, assuming they are even aware of them?
- Is New Hampshire's "two party consent" requirement, regarding the recording of telephone calls, met via a warning from a utility that your call may be recorded for training purposes, when you have no real opportunity to withhold consent?
- Why is there such a low bar for customer service with both Unitil and Consumer Services? Why is the dispute process so difficult?

I am a new customer from out of state, and have never had service with Unitil before. I initially signed up online on January 23, 2023 (see <https://myaccount.unitil.com/iwr/user/login.seam?cid=9184>, on the bottom is "Start new service request"). I knew of Unitil from my realtor. In the process there was no options for Unitil or any third party to lower my bill, it simply is a request for service to start. After submitting you get this response via email:

"Thank you for submitting your online application for new service with Unitil.

If for any reason we are unable to meet your request or require additional information, one of our Customer Service representatives will contact you promptly.

If you did not initiate this change, or, if this information is not correct, please contact our Customer Service team by clicking the contact link above."

When I did not receive any real confirmation of service or billing options, I called on January 24, 2023. I do not have the representatives name, but I noted the date. She asked me routine questions, and provided an account number, and the service was set to start February 4, 2023. At no point was any pricing or plan options offered. I believe I asked about options within Unitil, as other states I have lived in do not offer third party options, so I was not aware that was a question to ask. Nothing was offered. I was under the impression Unitil was the only choice and the rate is what it is, and that there is nothing to be done.

On March 16, 2023 I saw my first bill which was \$614.35 and was quite shocked. I called again, thinking there must be an error. I spoke to Grace and asked why it was so high. She pointed out it is 25.9 cents a kwh. I then questioned the very high pricing, and the bill over all. She explained I must be on the Unitil plan, and the provider of the electricity was Nextera. I asked to speak to them. She said they are a commercial plan and they will not speak to me. I asked for the meter to be checked, and she refused. She said this was a normal bill and rates are high. Finally, third party options were mentioned for the first

time, but then it would be another 1-2 months for the change to start. She referenced that the bill for prior months was also very high when the unit was just sitting up for sale for about a year. I was very surprised to hear that as this is brand new construction and no one was living here or doing work inside, as it was finished about a year ago. Grace offered no options within Unitil, be it a change in rate plans or a meter read/check. I was just stuck with a huge bill and nothing could be done, and there was no one to talk to about it.

That same day I tried to reach several third party plans. There were issues with accepting Unitil's account number when signing up online, and the plans refused to do it by phone. Eventually the issue was resolved with Think Energy, and the new service was set up. I was told on March 17, 2023 it would take 1-2 months, at a rate of .12900 kwh. I have a confirmation that I set up an account, but have heard nothing further from Think Energy by email or USPS mail since. There service is literally half of Unitil's default when signing up.

Appalled at the extremely high rates, I looked at how to file a complaint through google. I came across both the PUC and Consumer Services, and emailed both. PUC rerouted me right back to Consumer Services with no direct response. Michael Sisto got both complaints. I called when I heard nothing back on March 17, 2023, and his response was that they are not required to disclose any options unless I asked. I explained I asked as I wrote above, and he said that they record all their calls, and if I "asked" they "materially mislead" me then there I an issue. He said then I may be eligible for a credit. He said he would get the recording and respond in a day or two. He stressed they were not obligated to tell me any options, only if I ask. I have requested many times a copy of this call, but Unitil refuses to give it to me without a subpoena. I take issue with this as well, as they are using "my words" (allegedly) against me, and New Hampshire is a two party consent state, and yet they refuse to provide the recording to me. Further, I am not really consenting. They do disclose the call will be recorded for "quality and training", and that is all, but I have no choice but to speak them as they are the only electric provider and ignored my online request. I also did not agree to being recorded to have it used against me falsely. I do not consider this consent. (N.H. Rev. Stat. Ann. § 570-A:2). An FCC complaint was filed.

This issue is now a moot point, as I have since reviewed the PUC 1200 rules.

Sisto did not reply until March 29, 2023, after several demands. Benjamin Beato was the representative he spoke with at Unitil, and in short he just reiterated they feel I did not ask, and therefore they do not have to offer me any options, but they now offered a meter test. Sisto agreed with Unitil's stance and attempted to dismiss the issue. I again demanded the recording. Both Sisto and Ben claim if I did not ask, it is "public information" and they were not required to share this information with me. It is not prominently anywhere posted during the sign up process, and I argue this is not public knowledge.

I told Unitil to have the meter checked. This was done, and I witnessed it, and several neighbors having similar issues came out trying to understand why the bills are so outrageous. The technician was extremely rude, never called to say he arrived I had to go out looking for him, and he repeatedly said "I am here only because you complained, there is nothing wrong with the meter" before he even touched it. I asked questions throughout as he did things, and that was his ongoing answer, dismissive of my actual question. No explanations were ever provided verbally or in writing, they just claim it is working properly.

At this point I looked for another option and found OCA. Donald Kreis has been very informative, as has Michael Krouse, and they see validity in my points. Don provided me with PUC rules (Readopt with amendments Puc 1200, effective 9-16-11 (Document #9990, <https://www.puc.nh.gov/Regulatory/Rules/PUC1200.PDF>.)

Once I knew of these rules, I argued they recording was a moot point, and they failed to provide information.

The rules clearly state:

"Puc 1203.02 Information to Customers. (a) Upon receiving a request for new service, the utility shall provide information as to what might be the most advantageous rate or rates available to that customer. (b) Upon a customer's request, each utility shall provide a written description of the utility's method of reading meters and deriving billing therefrom."

Section (a) says UPON receiving a request for new service, they shall PROVIDE information to what might be the most ADVENTAGIOUS RATE. This was not done. It does not say that if it is posted on a website somewhere and if I know to search for it I will have those options. They are supposed to provide it when I set up new service. This did not happen.

Second, I have requested (in writing) several times to receive in writing how they are reading this meter, how it was tested, and how they bill. I have been ignored.

After the meter check, without any statement or warning, they charged my account \$20 for that check. When I complained via email that the bill was wrong, they explained that this is what it was for, and they will remove it. They still have not.

Recently I got my next bill dated April 10, 2023. This bill is on the same rate plan, and is \$321.82.

The bill dated March 10, 2023 has 1762.00 kWh and cost **\$614.50**. The bill dated April 10, 2023 has 967.00 kWh at the same rate, and cost **\$321.82** (but shows \$341.82 as they are still overcharging me \$20) . **There has been no change in usage that would account for such a dramatic difference of 795 kWh.** I have spoken to OCA about this as well. There is no justification for it almost doubling. Further, I have done absolutely nothing different to account for this change, nor have I added any appliances. I am aware there is a few days difference in the duration of the month, but that is still not enough to account for such a dramatic difference. They have not replied to an email request for an explanation.

Further, Slsto refused to provide clear directions on how to file a complaint with PUC when asked, and I had to contact another person at his office (Clare Howard-Pike) to get these instructions.

I find all of this exploitive and unreasonable. This has been a terrible cumbersome process, and OCA has been the most helpful. Consumer services (Sisto) and Unitil (Beato) have been completely dismissive and refused to acknowledge these concerns.

I believe you should not force people into extremely high rates for two months minimum, and further fail to provide the “advantageous” options and lay the burden on customers who have never had this service before and have no knowledge of their options.

Further, I do not feel if they are going to record calls for a service I must have if I want electricity, I have every right to a complete original copy of those recordings. I have attempted to only communicate via email service requests on their site, and have only once received a reply. The majority of requests in writing are ignored.

My desired outcome is compensation for both the wasted money and time in arguing these points, and hopefully encouraging the PUC to come down on Unitil and Consumer Services for their exploitive and bias practices. I also would like trainings done on how to better service their customers.

Regards,



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Attachments:

March 2023 Unitil Bill

April 2023 Unitil Bill

(2) email Communication threads