



## Ohio Administrative Code

### Rule 4901:1-29-08 Customer access and complaint handling.

Effective: December 1, 2014

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#### (A) Customer access

(1) Each retail natural gas supplier or governmental aggregator shall ensure customers reasonable access to its service representatives to make inquiries and complaints, discuss charges on customer bills, terminate competitive service, and transact any other pertinent business.

(2) Telephone access shall be toll free or local and afford customers prompt answer times during normal business hours.

(3) Each retail natural gas supplier or governmental aggregator shall provide a twenty-four hour automated telephone message instructing callers to report any service interruptions or natural gas emergencies to the incumbent natural gas company.

#### (B) Customer complaints

(1) Each retail natural gas supplier or governmental aggregator (and/or its agent) shall investigate customer complaints (including customer complaints referred by the natural gas company) and provide a status report within three business days following receipt of the complaint to:

(a) The customer, when the complaint is made directly to the retail natural gas supplier or governmental aggregator.

(b) The staff, when a complaint is referred to the retail natural gas supplier or governmental aggregator by the staff.

(2) If an investigation is not completed within ten business days, the retail natural gas supplier or governmental aggregator (and/or its agent) shall provide status reports to the customer, or if applicable, to the staff. Such status reports shall be provided at three business day intervals until the



investigation is complete, unless the action that must be taken will require more than three business days and the customer has been so notified.

(3) The retail natural gas supplier or governmental aggregator (and/or its agent) shall inform the customer, or the staff, of the results of the investigation, orally or in writing, no later than three business days after completion of the investigation. The customer or staff may request the report in writing.

(4) If a customer disputes the retail natural gas supplier's or governmental aggregator's (and/or its agent's) report, the retail natural gas supplier or governmental aggregator shall inform the customer that the staff is available to mediate complaints. The retail natural gas supplier or governmental aggregator (and/or its agent) shall provide the customer with the address, local/toll-free telephone numbers, and Ohio relay service telephone number of the commission's call center.

(5) Each retail natural gas supplier or governmental aggregator shall retain records of customer complaints, investigations, and complaint resolutions for two years after the occurrence of such complaints and shall provide such records to the staff within three business days of request.

(6) Each retail natural gas supplier or governmental aggregator shall make good faith efforts to resolve disputes and cooperate with the resolution of any joint issues with the incumbent natural gas company.

(C) If a customer contacts the incumbent natural gas company concerning competitive retail natural gas service issues, the incumbent natural gas company shall:

(1) Review the issue with the customer to determine whether it also involves the incumbent natural gas company.

(2) Cooperate with the resolution of any joint issues with the retail natural gas supplier or governmental aggregator.

(3) Refer the customer to the appropriate retail natural gas supplier or governmental aggregator in those instances where the issue lacks incumbent natural gas company involvement.



(D) Slamming complaints

(1) A slamming complaint is a customer's allegation that the customer's retail natural gas supplier or governmental aggregator has been switched without the customer's authorization.

(2) If a customer contacts a natural gas company, retail natural gas supplier, or governmental aggregator alleging that the customer's supplier has been switched without the customer's authorization, the natural gas company, retail natural gas supplier, or governmental aggregator shall:

(a) Provide the customer any evidence relating to the customer's enrollment.

(b) Refer the customer to the commission's call center.

(c) Provide the customer with the local/toll-free telephone numbers of the commission's call center.

(d) Cooperate with the staff in any subsequent investigations of the slamming complaint.

(3) If a customer initiates a slamming complaint with 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 natural gas supplier was authorized. This rule does not apply to governmental aggregation customers whose remedies are found in paragraph (E) of rule 4901:1-28-04 of the Administrative Code.

(4) Except as otherwise provided in Chapter 4901:1-28 of the Administrative Code or a commission-approved exemption pursuant to division (A) of section 4929.04 of the Revised Code, if the retail natural gas supplier or governmental aggregator cannot produce valid documentation confirming that the customer authorized the switch, there shall be a rebuttable presumption that the customer was switched without authorization. Such documentation includes one of the following, in conformance with the requirements of rule 4901:1-29-06 of the Administrative Code:

(a) A signed contract, in the case of direct enrollment.



(b) An audio recording, in the case of telephonic enrollment.

(c) Electronic consent, in the case of internet enrollment.

(5) In the event that the customer was switched from one retail natural gas supplier or governmental aggregator to a different retail natural gas supplier or governmental aggregator without authorization, the customer's previous retail natural gas supplier or governmental aggregator shall re-enroll the customer without penalty under such customer's original contract price for the duration of the original term and send the incumbent natural gas company an electronic enrollment request. If the original retail natural gas supplier or governmental aggregator is unable to return the customer to the original contract price, the original retail natural gas supplier or governmental aggregator may enroll the customer in a new contract pursuant to the provisions of rule 4901:1-29-06 of the Administrative Code, or the customer may select a new retail natural gas supplier or return to the incumbent natural gas company's regulated sales service.

(6) In the event that a customer was switched from a natural gas company regulated sales service commodity service to a retail natural gas supplier or governmental aggregator without authorization, the natural gas company shall switch the customer back to the natural gas company's regulated sales service without penalty.