

## POLICY BULLETIN NO. 92

### SUBJECT: CONSUMER COMPLAINT PROCEDURES

#### I. OBJECTIVE

By this Policy, Grand Valley Power, sets forth a procedure for its consumers to register complaints and be given an opportunity to be heard by the Board of Directors, or its designee, regarding the rates charged by GVP, the manner in which the electric service is provided, or proposed changes in the rates or regulations, in compliance with § 40-9.5-109, C.R.S., as the same may be amended, superseded, or replaced.

This Policy is promulgated in the best interests of GVP and its consumers. This Policy shall be liberally construed to secure the just, speedy, and inexpensive determination of matters presented under the foregoing statute and this Policy.

This Policy does not limit the consumers ability to attend board meetings and address the Board. All comments and concerns raised during the Guests and Public Comment period will be heard and considered by the Board, but no formal action will be taken by the Board without following the processes identified in this Policy.

#### II. DEFINITIONS

As used in this Policy, the following words shall have the meanings indicated unless the context otherwise requires:

- a. "Board" shall mean the Board of Directors of Grand Valley Rural Power Lines, Inc.
- b. "Board Decision" means the decision made by the Board on a Formal Complaint.
- c. "Board's Review" means the Board's review of the CEO's Response in the Informal Complaint process.
- d. "GVP" shall mean Grand Valley Power or Grand Valley Rural Power Lines, Inc.
- e. "Complainant" shall mean a Person who files a Complaint under this Policy, to file a Complaint, the Complainant must be a recognized consumer of GVP.
- f. "Formal Complaint" means a complaint filed by a Complainant after the Informal Complaint and pursuant to this Policy.
- g. "CEO" means the Chief Executive Officer of GVP.
- h. "CEO's Response" means the response of the CEO to an Informal Complaint.
- i. "Informal Complaint" means a complaint filed by a Complainant pursuant to this Policy.
- j. "Party" shall mean any Person named in the formal complaint, including the Complainant and GVP.
- k. "Person" shall mean any natural person, firm, partnership, corporation, company, cooperative, joint venture, or any other legal entity.
- l. "President" shall mean the President of the Board.

#### III. REGULATION

##### a. INFORMAL COMPLAINT PROCESS

- i. CEO Review. Any Complainant may file a complaint with GVP. To begin the complaint process, the Complainant must file an Informal Complaint with the CEO. The Informal Complaint must be in some form of legible writing, include the Complainant's name and service address, be signed or delivered electronically from a valid email address, and state that it is being filed pursuant to GVP's Consumer Complaint Procedure

Policy. The Informal Complaint must set forth the facts and other information forming the basis for the complaint and set forth the relief the Complainant seeks. The Informal Complaint must be addressed to the CEO. The CEO must notify the Complainant of the receipt of the Informal Complaint within seven (7) days of receipt. The CEO may request additional information from the Complainant. The CEO will notify the Board when an informal complaint has been received. The CEO will provide the Complainant with a written or electronic response to the Informal Complaint within fourteen (14) days of receiving all information necessary for the CEO to decide the Informal Complaint. If the Complainant is not satisfied with the CEO's Response, then the Complainant may ask for a Board review.

- ii. Board Review. No later than fourteen (14) days after receiving the CEO's Response, the Complainant shall notify the CEO that the Complainant wishes to seek Board review of the Response. If the Complainant fails to notify the CEO within this fourteen (14) day time period, the matter will be deemed satisfied and the CEO will close the file and take no further action. If a Board Review is requested, the CEO will include the Informal Complaint in the agenda for the next available Board meeting that satisfies all statutory notice requirements. At the meeting, the Board will consider the Informal Complaint and direct the CEO or GVP's attorney regarding a response. The CEO or attorney will present the Board's Review to the Complainant within a reasonable time following the Board meeting. If the Complainant is not satisfied with the Board's Review, then the Complaint may file a Formal Complaint. The Formal Complaint will only be reviewed if the Complainant has completed the Informal Complaint process as set forth above.

#### b. FORMAL COMPLAINT PROCESS

- i. Time Limit to File. No later than fourteen (14) days after receiving the Board's Review, the Complainant may file a Formal Complaint with GVP. If the Complainant fails to file the Formal Complaint within this fourteen (14) day time period, the matter will be deemed satisfied and the file will be closed with no further action taken.
- ii. Formal Complaint Requirements. The Formal Complaint must be addressed to the Board. The Formal Complaint shall be in legible writing and shall be signed by the Complainant. The Formal Complaint shall include the Informal Complaint and all responses as supplemental documents. The Formal Complaint shall state the name and address of the Complainant, set forth a clear and concise statement of the facts supporting the Formal Complaint, and set forth the relief the Complainant seeks. The Formal Complaint may be dismissed by the Complainant at any time during the Formal Complaint Process. If the Complainant is a business entity of any type, it may be represented by its owner or any officer, manager, or duly-authorized employee. The Complainant may be represented by an attorney. If the Complainant is represented by an attorney, the Formal Complaint shall be signed by the attorney and set forth his/her registration number, address, and telephone number. The signature of the attorney certifies that he/she has read the Formal Complaint; that to the best of his/her knowledge, information, and belief there are good grounds to support it; and that it is not interposed for purposes of delay. An attorney of record may withdraw from a proceeding only upon motion and notice to all Parties, including the Party represented by such attorney.
- iii. Hearing.
  1. Hearing Date. Upon receipt of a Formal Complaint, the CEO will include the Formal Complaint in the agenda for the next available Board meeting that satisfies all statutory notice requirements. At the meeting, the Board will set a Hearing date to decide the matter. The Board President shall be responsible for setting the Hearing date and shall preside in all matters related thereto.
  2. Notice of Hearing. GVP shall deliver written notice of the Hearing, setting forth the time, place, and date of the Hearing, to (i) each Party, (ii) any other person

who, in the opinion of the President, would be interested in or affected by the proceeding involved in the Hearing, and (iii) any member or consumer of GVP who has asked to receive notice of the Hearing. The Notice shall be delivered no later than ten (10) days before the Hearing.

3. Pre-Hearing Conference. At any time before the commencement of the Hearing, the President may order that a pre-hearing conference be held to expedite the Hearing or settle issues, or both.
  4. Hearing. The Hearing shall be conducted by the President, at the time and date set forth in the Notice of Hearing. The Hearing shall be open to the public, but the Board, upon motion may go into executive session as authorized by statute. Any person who is disruptive, abusive, or disorderly at a Hearing may be excluded from the Hearing by the President. Any Hearing shall be recorded at the request of any Party; the cost of such recording shall be borne by the Party who requested that the Hearing be recorded. The Hearing will be conducted, as nearly as practicable, in accordance with the Colorado Rules of Procedure and the Colorado Rules of Evidence. The President shall decide all issues related to the conduct of the Hearing, the admission of evidence, and the management of the Parties and the hearing room, and his/her decision shall be conclusive on the issue.
  5. Burden of Proof. The burden of proving the claims in the Formal Complaint shall be on the Complainant.
- iv. Board Decision. Following the Hearing, the Board will issue a written decision on the Formal Complaint. Such decision shall be delivered to all Parties who participated in the Hearing within fourteen (14) days of the conclusion of the Hearing. The Board's Decision on the Formal Complaint shall be final.
- c. NOTIFICATION REQUIREMENTS. All notices, responses, decisions, or any other documents provided to a Party in furtherance of the Complaint process set forth above shall be delivered via email. The Complainant shall provide their name, a valid email address, and the electrical service address within the content of the Informal Complaint and the Formal Complaint. GVP shall provide the Complainant with a valid email address to use during the pendency of the Complaint process when the CEO acknowledges receipt of the Informal Complaint. Any items delivered to these email addresses shall be deemed delivered when sent.

#### IV. EXHAUSTION OF REMEDIES

- a. No Complainant may make a complaint to any agency or court about any matter within the scope of this Regulation without first following the procedures and exhausting the Complainant's remedies as set forth in this Regulation, except where permitted by law.

#### V. RESPONSIBILITY

- a. The Board shall be responsible for administration applicable to their responsibility and for any change or revision of this Policy.
- b. The CEO is responsible for administering those portions applicable to his/her responsibility and for making recommendations for changes.

Date Adopted: October 19, 1983  
Date Revised: June 19, 1985  
Date Revised: July 21, 1993  
Date Revised: December 14, 2022

Attest: Jesse Mease,  
Secretary