

More than 600 customers sue CMP, claiming the company overcharged them, then gave them 'the cold shoulder'

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By J. Craig Anderson

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More than 600 Central Maine Power Co. customers who believe they have been overcharged on their electricity bills have sued the company and are seeking class-action status, according to a law firm representing them.

Lipman & Katz, based in Augusta, filed the lawsuit Thursday in Cumberland County Superior Court. Napoli Shkolnik, a New York City law office, and Trafton, Matzen, Belleau and Frenette of Auburn are joining Lipman & Katz in the case.

"In order to bring relief for these customers and compensation for their overpayment, the law firms have joined resources to bring a class action on behalf of customers of Central Maine Power Co., who have been overcharged," Lipman & Katz said in a prepared statement announcing the lawsuit.

As of Tuesday, there were about 200 CMP customers signed onto the legal complaint. Lipman & Katz said about 400 more customers had joined by Thursday.

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About 97,000 CMP customers saw their monthly bills increase by 50 percent or more in December, January or February over the same month a year earlier, according to information that the company provided to the state Public Utilities Commission in April. The law firms contend that another 200,000 customers have been overcharged by up to 50 percent.

CMP has acknowledged that new billing software introduced last October created issues for some customers, but the company attributed the spike in bills to an 18 percent increase in the standard-offer electricity cost, along with higher electricity consumption during an extreme cold snap in December and January.

CMP has more than 600,000 customer accounts in its 11,000-square-mile service area in central and southern Maine, according to the company's website.

SUIT CRITICIZES CMP'S RESPONSE

The complaint lists CMP customer Mark Levesque of Scarborough as the lead plaintiff in the lawsuit. Lipman & Katz said Thursday that Levesque was in Florida and was unavailable for comment.

The complaint alleges that CMP's transition to a new billing system led to dramatic increases in customer bills that were "financially devastating for many customers." It also accuses CMP of doing little to address the problem despite knowing early on that there were issues with its billing and metering systems.

"In addition to giving customers the cold shoulder, CMP intentionally misrepresented to customers and the public that the new billing system and meters were not the cause of the outrageously high bills," the complaint says.

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It alleges that Levesque's monthly CMP bill jumped from a typical amount of about \$300 to \$406 in December and \$487 in January – nearly \$200 more than it had been a year earlier.

"Levesque knew that his family was being overcharged because there was a sudden, drastic increase in the amount of their bill and recorded kilowatt hours after CMP started using the new billing system, without a corresponding reason," the complaint says.

It goes on to say that when the Levesque family contacted CMP about the sudden increase, the company told them it was "somehow their fault," and that the family either had faulty appliances or was using more heat than normal.

The lawsuit seeks class-action status with Levesque as the class representative, an award of damages to be determined at trial, attorney's fees and other legal costs.

CMP QUESTIONS USE OF COURT

Another plaintiff in the case is Pownal resident Judith Hopkins, who said her bill in January was the highest she has ever seen. Hopkins said she tried repeatedly to get CMP to correct it but the

"It was like it was all my fault," she said.

Hopkins said she joined a Facebook group for dissatisfied customers of the utility called CMP Ratepayers Unite, which is how she learned about the lawsuit. Hopkins said she has read many horror stories from other group members online about their recent experiences with CMP.

"People are suffering here," she said. "They can't pay their bills. Their bills are astronomical."

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Hopkins said she hopes the outcome of the lawsuit is that CMP will be held responsible for fixing its metering and billing systems and will improve its customer service.

CMP issued a statement Thursday saying the PUC – not the court – is the proper venue for dealing with customers' complaints about their bills.

"The timing of this litigation certainly is peculiar given that the Maine Public Utilities Commission is undergoing an extensive investigation and has yet to issue its findings and recommendations," CMP said in the statement. "We continue to cooperate fully with the PUC and the independent auditor.

"While we understand class-action lawyers are motivated to aggressively pursue claims and related legal fees, we hope all of our customers understand the PUC's role. Under Maine law, the PUC is the body specifically charged with ensuring fair, accurate electric bills for all customers."

MULTITUDE OF INVESTIGATIONS

This month, the PUC authorized Liberty Consulting Group of Pennsylvania to expand its audit of CMP's customer service and communications as well as its billing and metering systems.

Auditors will examine whether CMP adequately responded to customer calls within a reasonable time frame, as well as its reaction to complaints about high bills. The PUC also is conducting its own investigation of CMP's metering, billing and customer service performance.

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On Wednesday, the PUC voted to launch a separate investigation into whether CMP has been overcharging its customers, which is scheduled to begin in mid-October.

CMP parent company Avangrid is the U.S. subsidiary of Iberdrola, a multinational utility company headquartered in Spain.

No hearing dates have been set for the lawsuit. Typically the defendant has 30 days to respond to the initial complaint.

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