

CITIZEN'S CLIFFSIDE COMPLAINTS TO UTILITIES COMMISSION

NC General Statutes allows any person to bring a complaint against a utility that sets forth any act or omission by the utility that is "unjust and unreasonable." The complaint needs to show an interest in the subject matter, such as being a rate payer or downwind of a power plant.

The complaint must contain the following:

- (1) The full name and post office address of each complainant.
- (2) The full name and post office address of each defendant against whom complaint is made.
- (3) A clear, concise statement of the acts or things done or omitted to be done by any public utility, or the respects in which any rule, regulation, or charge fixed by or for any public utility is in violation *of any provision of law* or of any order or rule of the Commission, or the respects in which any rate, charge, schedule, classification, rule, regulation, or practice is unjust and unreasonable. For example: Section 2 of the NC Constitution states "...all political power is vested in and derived from the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for *the good of the whole*". This would allow a citizen, whether a rate payer or not, to claim damage to the public health and welfare by mercury, CO₂, and other pollutants.
- (4) The particular relief desired, such as revocation of permit to build the coal fired power plant.

The Commission sends a copy of the complaint to the utility that has 10 days to answer. If the complainant is satisfied with the answer, the complaint is over; if not satisfied, the Commission can establish a hearing process.

Note that every complaint must be filed with the Commission, **with the original plus 15 copies**. Complaints can be handwritten but for legibility's sake, typed is better.

When the complaint is filed, please notify us at stopcliffside@gmail.com