

Docket: : K.24-08-005
Exhibit Number : CPED-02
Commissioner : _____
Admin Law Judge : Debbie Chiv
Witnesses : Stephanie Wu



**CONSUMERS PROTECTION AND
ENFORCEMENT DIVISION
California Public Utilities Commission**

**TESTIMONY OF STEPHANIE WU
ON APPEAL OF AAA NATURAL GAS
FROM CITATION NO. UEB-003-0197
ISSUED ON JULY 5, 2024**

(PUBLIC VERSION)

K.24-08-005

San Francisco, California
January 24, 2025

1 **I. QUALIFICATIONS**

2 Q1: Please state your name and business address for the record.

3 A1: My name is Stephanie Wu. My business address is 505 Van Ness Avenue, San
4 Francisco, California, 94102.

5
6 Q2: Please state your job title with the California Public Utilities Commission
7 (Commission) and briefly describe your responsibilities.

8 A2: I am a Public Utilities Regulatory Analyst with the Consumer Protection and
9 Enforcement Division's (CPED) Utilities Enforcement Branch (UEB). My primary
10 responsibility is to investigate allegations of utility wrongdoing in order to protect
11 California utility consumers from fraud and abuse and to ensure service providers'
12 compliance with consumer protection laws and regulations. My primary areas of focus
13 are the Core Transportation Agent (CTA) and Resource Adequacy (RA) citation
14 programs. I have also worked on communications and other energy-related issues since
15 joining the Commission in January 2018.

16
17 Q3: What is the purpose of your testimony?

18 A3: The purpose of my testimony is to provide additional factual information in support
19 of citation UEB-003-0197. Specifically, my testimony will provide relevant factual
20 information related to the following:

- 21 1. CPED's process on reviewing alleged CTA unauthorized
22 enrollments.
- 23 2. Deficiencies to AAA Natural Gas' (AAA) quality assurance
24 processes.
- 25 3. [REDACTED] Third Party Verification
26 recording (TPV) on 1/18/2024 15:49:07 is incomplete

27 **II. CPED'S PROCESS ON REVIEWING ALLEGED CTA**
28 **UNAUTHORIZED ENROLLMENTS.**

29 Q4: What is CPED's process for reviewing and investigating allegations of unauthorized
30 enrollment by a CTA?

1 A4: When CPED staff identifies an allegation of unauthorized enrollment by a CTA, they
2 will request proof of enrollment authorization from the CTA to determine whether the
3 CTA complied with the standards for verification of change in provider requirements
4 pursuant Public Utilities (Pub. Util.) Code Section 985 and Commission Decision
5 (D.) 18-02-002. Since customers can be enrolled with a CTA through telemarketing
6 campaign, door to door solicitations, and/or submit an online application, there are
7 different types of proof of enrollment authorizations that CPED reviews.

8
9 Q5: What are the different types of proof of enrollments that CPED receives and
10 reviews?

11 A5: There are TPVs, electronic TPVs (eTPV) and Letter of Authorizations (LOA). A
12 TPV is a recording of a third-party agent asking and the customer verbally answering the
13 questions pertaining to the standards for verification of change in provider requirements
14 pursuant to Pub. Util Code Section 985 and D.18-02-002. An eTPV is an electronic
15 version of a TPV; the customer executes their signature, and checks boxes on an online
16 form answering questions pertaining to the standards for verification of change in
17 provider requirements pursuant to Pub. Util Code Section 985 and D.18-02-002. Some
18 eTPVs have an audit trail attached. A LOA is a written document where the customer
19 signs their signature and answers questions pertaining to the standards for verification of
20 change in provider requirements pursuant to Pub. Util Code Section 985 and
21 D.18-02-002. Both electronic and written enrollments also have a separate signed
22 acknowledgement by the customer that is provided by the CTA that states, “I
23 acknowledge that in signing this contract or agreement, I am voluntarily choosing to
24 change the entity that supplies me with natural gas service.” Along with the proof of
25 enrollments, CPED also requests CTAs to provide additional information such as the date
26 the customer enrolled in CTA service, the method by which the customer enrolled in
27 CTA service, beginning and end date of the customer contract term, if the CTA charged
28 the customer an early termination fee (ETF) and the name and agent ID of the sales
29 agent.

1 Q6: What happens when CPED finds inconsistencies with the data provided?

2 A6: CPED staff reviews all DR response information provided by a CTA, such as TPV
3 recording, eTPV, LOA, signed acknowledgments, timestamps, signatures, and other
4 supporting documents. If CPED finds inconsistencies with the data provided by the CTA
5 or has additional questions, CPED staff will then reach out to the customer to verify and
6 confirm the enrollment.

7
8 Q7: How does CPED review TPVs?

9 A7: CPED listens to the TPV to make sure it complies with the standards for verification
10 of change in provider requirements pursuant to Pub. Util Code Section 985, D.18-02-002
11 and Resolution UEB-003. CPED reviews the additional information requested in the data
12 request as listed in Answer 5 and determines if it matches the information in the TPV
13 recording. CPED also listens to the TPV recording for changes in voice, long pauses,
14 and/or coaching in the background, etc. If CPED encounters the aforementioned issues,
15 CPED reaches out to the customer via phone call to verify and confirm the enrollment.
16 CPED verifies that the voice on the TPV matches the customer's voice on the phone
17 when contacting the customer. CPED will also send the customer a copy of the TPV for
18 the customer to verify and confirm the enrollment. Besides listening to the customer's
19 voice, CPED requests the customer to explain what prompted them to file a complaint
20 with the Commission's Consumer Affairs Branch (CAB) and checks for any
21 inconsistencies with their previous complaint to CAB. In this case, CPED staff and [REDACTED]
22 [REDACTED] verified that only the first portion of the TPV recording was his voice.

23
24 Q8: How does CPED review eTPVs?

25 A8: CPED reviews the eTPV documents to make sure it complies with the standards for
26 verification of change in provider requirements pursuant to Pub. Util Code Section 985
27 and D.18-02-002. CPED reviews the additional information requested in the data request
28 as listed in Answer 5 and determines if it matches the information in the eTPV. CPED
29 also reviews the signature on the signed acknowledgement. If CPED needs more

1 information, CPED reaches out to the customer via phone call. CPED will send the
2 customer a copy of the eTPV to verify and confirm the enrollment. CPED also requests
3 the customers to explain what prompted them to file a complaint with CAB and checks
4 any inconsistencies with their previous complaint to CAB. Some eTPVs have audit trails
5 and CPED will also review those documents.

6
7 Q9: How does CPED review LOAs?

8 A9: CPED reviews the LOA documents to make sure they comply with the standards for
9 verification of change in provider requirements pursuant to Pub. Util Code Section 985
10 and D.18-02-002. CPED reviews the additional information requested in the data request
11 as listed in Answer 5 and checks if it matches the information in the LOA. CPED also
12 reviews the signature on the signed acknowledgement. If CPED needs more information,
13 CPED reaches out to the customer via phone call. CPED will send the customer a copy
14 of the LOA to verify and confirm the enrollment. CPED also requests the customers to
15 explain what prompted them to file a complaint with CAB and checks any
16 inconsistencies with their previous complaint.

17
18 Q10: What happens when a customer verifies that they did not authorize a change in their
19 service provider?

20 A10: If the customer verifies that they did not give permission to change service
21 providers and/or the voice or signature in the proof of enrollment is not theirs, nor a
22 member of their household, then the customer provides CPED with a signed declaration
23 confirming the information they provided to CPED staff. Although CPED staff assist the
24 customers in preparing their declarations, the declarations are entirely based on facts
25 provided by the customer and the customer reviews the declaration before executing it.
26 The signed declaration may be used in place of, or to supplement live testimony.

27
28 Q11: Did CPED follow the same process described above to review and investigate [REDACTED]
29 [REDACTED] complaint?

1 A11: Yes. [REDACTED] sent a complaint letter to CAB on March 19, 2024.
2 In his letter, [REDACTED] states he did not request, approve or authorize a change
3 in his gas utility from Pacific Gas and Electric (PG&E) to AAA. CPED reviewed all
4 documents and comments in CAB's complaint database for [REDACTED]
5 complaint and issued data request DR-CTA-00451-1 to AAA for proof of enrollments.
6

7 Q12: Did [REDACTED] provide CAB with additional information?

8 A12: In the complaint letter, [REDACTED] stated that he "received a call from a
9 company that lied repeatedly during the call representing they were PG&E employees".¹
10 "They started the call by asserting I was eligible to start receiving a 30% discount on my
11 PG&E bill".² The woman on the call "kept telling me to answer "Yes, yes," or No, No".³
12 "When they called back, they continued to defraud and scam me by again claiming
13 several times that "We are PG&E".⁴ "I ended that call without agreeing to anything over
14 the phone, and certainly did not grant them permission to "slam" my gas service to "AAA
15 Energy Services".⁵
16

17 Q13: What happened after CPED received AAA's response to DR-CTA-00451-1?

18 A13: On April 25, 2024, AAA responded to DR-CTA-00451-1 and included what AAA
19 asserts is enrollment information and the proof of enrollment, a TPV recording, for [REDACTED]
20 [REDACTED]. CPED reviewed the TPV recording⁶ for [REDACTED] multiple
21 times and noticed a voice change in the TPV provided by AAA.
22

¹ [REDACTED] CPUC Complaint About AAA Energy Services 24-03-19 (Attached hereto as Attachment 1), p. 2.

² Id.

³ Id.

⁴ Attachment 1, p. 2-3.

⁵ Attachment 1, p. 3.

⁶ [REDACTED].mp3 provided by AAA on April 25, 2024 (Attached hereto as Attachment 2).

1 Q14: Did CPED reach out to [REDACTED]?

2 A14: Yes. On May 3, 2024, CPED called [REDACTED] to verify his voice in the
3 TPV provided by AAA. CPED staff also inquired about his written complaint letter to
4 CAB.

5
6 Q15: Did CPED send [REDACTED] a copy of his TPV recording that was provided
7 by AAA in response to DR-CTA-00451-1?

8 A15: Yes. On May 3, 2023, after the phone call between CPED and [REDACTED],
9 CPED emailed [REDACTED] the TPV recording that was provided by AAA. CPED
10 instructed [REDACTED] to review the TPV recording and confirm the legitimacy of
11 it.⁷

12
13 Q16: Did [REDACTED] review the TPV recording and confirm the legitimacy of the
14 TPV?

15 A16: [REDACTED] did in fact review the TPV recording. On May 3, 2024, after
16 listening to the TPV recording provided by CPED, [REDACTED] sent CPED an
17 email⁸ disputing the TPV recording and confirming it is his voice for only the first 3
18 minutes and 20 seconds of the TPV recording. [REDACTED] stated that after 3
19 minutes and 20 seconds, it is no longer his voice.

20
21 Q17: Did [REDACTED] explain his review of the TPV recording?

22 A17: Yes, [REDACTED] explained that his “really hoarse voice answer[s] “Yes” at
23 0:2:19”.⁹ He stated, “I answered “Yes” again in my hoarse voice at 0:2:41, at 0:2:50, and
24 at [0:03:06], before I whispered “No.” at 0:3:20. My really hoarse voice just barely

⁷ Email thread between [REDACTED] and CPED staff (Attached hereto as Attachment 3).

⁸ Id.

⁹ Id.

1 whispering stopped at 0:03:20 into that TPV call on the transcript. From there, it began
2 to be some other man's voice pretending to be me!"¹⁰

3
4 Q18: Did CPED reach out to AAA for additional information/clarification after
5 identifying the issue with the TPV?

6 A18: Yes, on May 17, 2024, CPED sent AAA data request DR-CTA-00437-2 and asked
7 AAA's quality assurance team to review the TPV recording for [REDACTED].
8 CPED staff also asked AAA for a detailed report summarizing its findings and whether
9 the TPV recording meets AAA's standards for proof of enrollment authorization.

10
11 Q19: What was AAA's response to DR-CTA-00437-2?

12 A19: On May 31, 2024, AAA responded to DR-CTA-00437-2 and stated, "All TPVs are
13 quality reviewed by a third party verification company who validates them before they
14 are submitted to AAA as a valid sale. The third party company nor AAA find anything
15 wrong with the TPV. I have spoken to the customer and can personally validate it is his
16 voice on the phone who answers the questions with yes as well as states all his
17 information is correct".¹¹

18
19 Q20: Was CPED satisfied with AAA's response to DR-CTA-00437-2?

20 A20: No, CPED was not satisfied with AAA's response to DR-CTA-00437-2. AAA's
21 response to DR-CTA-00437-2 was very brief and did not fully address the questions in
22 that data request. Therefore, on the same day, i.e., May 31, 2024, CPED staff sent AAA
23 additional clarifying questions via email regarding AAA's quality assurance practices due
24 to the deficiencies in AAA's response to DR-CTA-00437-2.¹² Specifically, CPED
25 wanted to find out from AAA if they perform any further reviews of TPVs the third party

¹⁰ Id.

¹¹ May 31, 2024, AAA response to DR-CTA-00437-2 (Attached hereto as Attachment 4).

¹² May 31, 2024, CPED email inquiry to AAA from Ke Hao Ouyang (Attached hereto as Attachment 5).

1 verification company submits to AAA, including [REDACTED] TPV, and if it has
2 reviewed the [REDACTED] TPV thoroughly and concluded that all questions were
3 answered by the customer.
4

5 Q21: What was AAA's response to CPED's supplemental request to clarify AAA's
6 quality assurance practices?

7 A21: AAA responded to CPED's email inquiry on June 7, 2024, and stated that "AAA
8 does not listen to every TPV, however, [AAA does] spot checks. When a customer calls
9 in with a question about the enrollment, AAA will play the TPV and listen to it with the
10 customer on the line to verify it was the customer."¹³
11

12 Q22: What did CPED conclude based on all the information provided by [REDACTED]
13 [REDACTED] and AAA?

14 A22: Based on its review of the information [REDACTED] provided to CPED staff
15 and the information AAA provided in its follow-up, CPED staff concluded that there is a
16 definite voice change in the TPV recording of [REDACTED]. [REDACTED]
17 also confirmed that the second voice heard after 3 minutes and 20 seconds into the
18 recording does not belong to him. AAA has so far failed to provide any information to
19 refute his claim. Based on the voice change in the recording, CPED staff determined that
20 AAA failed to provide valid proof of enrollment authorization for [REDACTED].
21 On June 28, 2024, CPED drafted a declaration based on [REDACTED] assertions
22 regarding his interaction with AAA and sent that draft declaration to [REDACTED]
23 for his review. On July 1, 2024, [REDACTED] returned the signed declaration to
24 CPED via email and US mail. CPED issued citation UEB-003-0197 to AAA on July 5,
25 2024.

¹³ June 7, 2024, AAA email response to CPED from Rachel Strealy (Attached hereto as Attachment 6).

1 **III. DEFICIENCIES TO AAA NATURAL GAS' (AAA) QUALITY**
2 **ASSURANCE PROCESSES.**

3 Q23: Does AAA have a quality assurance process?

4 A23: AAA asserts that it has a quality assurance process in place. On October 2, 2024,
5 CPED sent AAA data request DR-CTA-00451-5 and requested AAA to provide a
6 detailed description on AAA's quality assurance processes and to provide supporting
7 documents such as AAA's internal policy/instructions/workbooks etc.¹⁴ On October 23,
8 2024, AAA responded to DR-CTA-00451-5.

9
10 Q24: What is AAA's quality assurance process?

11 A24: AAA stated it "complies with all federal and state laws applicable to the enrollment
12 of customers. AAA contracts with a nationally-recognized, third-party verification
13 service, AnswerNet, to verify and record each enrollment".¹⁵

14
15 Q25: Did AAA include any other information about their quality assurance process?

16 A25: In the same response, AAA stated "At the time [REDACTED] enrolled, AAA
17 downloaded TPVs from AnswerNet's interface each business day. That business day,
18 AAA initiated a live-person telephone call to each enrollee, welcoming them to AAA's
19 service. Where AAA did not receive an answer, AAA left a detailed voice mail message
20 welcoming the enrollee to AAA's service and providing contact information for further
21 questions. In addition, AAA also mailed, via U.S. First Class Mail, its terms and
22 conditions to each enrollee at the service address. Finally, Ms. Strealy or someone at her
23 direction listened to approximately 5-10 TPVs per week".¹⁶ However, CPED notes that
24 AAA did not provide any supporting written documents such as AAA's internal
25 policy/instructions/workbooks etc. as requested in the DR.

26

¹⁴ October 2, 2023, CPED data request DR-CTA-451-5 to AAA (Attached hereto as Attachment 7).

¹⁵ October 23, 2023, AAA response to DR-CTA-451-5, p.3. (Attached hereto as Attachment 8).

¹⁶ Attachment 7, p.3-4.

1 Q26: Are there any shortcomings with AAA’s quality assurance processes?

2 A26: Yes, there are a number of shortcomings with AAA’s quality assurance processes.

3 First, in its response to DR-CTA-00437-2¹⁷ on May 31, 2024, AAA stated that “All TPVs
4 are quality reviewed by the third party verification company who validates them before
5 they are submitted to AAA as a valid sale.”¹⁸ AAA’s quality assurance process is flawed
6 because it does not have internal controls to check the TPVs; AAA relies entirely on the
7 TPV company (AnswerNet) to review the TPV and is shifting the responsibility of
8 quality assurance to AnswerNet. According to AAA’s response to DR-CTA-00451-5,
9 AAA stated “AnswerNet verifies the sale through reading a script containing statements
10 and questions for the customer. AnswerNet charges AAA a fee each time a sales agent
11 connects the customer to AnswerNet. AnswerNet charges the same amount regardless of
12 the outcome of the call”.¹⁹ Based on the DR response, CPED staff believes that
13 AnswerNet has not demonstrated that it undertakes the requested due diligence in
14 verifying the enrollments. AAA also stated that “the third party company nor AAA
15 [found] anything wrong with the TPV”²⁰, and Ms. Strealy stated she spoke to the
16 customer and can personally validate it is the customer’s voice on the phone who answers
17 the questions with “yes” as well as states all his information is correct.²¹ However, based
18 on the [REDACTED] signed declaration and numerous phone conversations with
19 CPED staff, [REDACTED] does not agree that his voice was in the entirety of the
20 “completed” TPV.

21
22 Second, AAA’s response to DR-CTA-00437-2 on June 7, 2024²², stated that “AAA does
23 not listen to every TPV, however, [AAA does] spot checks. When a customer calls in

¹⁷ Attachment 4.

¹⁸ Id.

¹⁹ Attachment 8, p. 6.

²⁰ Attachment 4.

²¹ Attachment 4.

²² Attachment 6.

1 with a question about the enrollment, AAA will play the TPV and listen to it with the
2 customer on the line to verify it was the customer.”²³ Based on this response, AAA is
3 reviewing TPVs *only* when a customer has a question about their enrollment. By then, an
4 unauthorized enrollment may have already occurred. AAA does not have processes in
5 place to prevent unauthorized enrollments from happening. AAA’s dependence on
6 AnswerNet to validate the TPVs and admitting to not listening to every TPV and
7 conducting “spot checks” *only* when a customer has a question about their enrollment
8 highlights AAA’s lack of quality assurance practices.

9
10 Third, AAA’s response to DR-CTA-00451-5 on October 23, 2024 stated it “...contracts
11 with a nationally-recognized, third party verification service, AnswerNet, to verify and
12 record each enrollment.”²⁴ AAA then stated “Ms. Rachel Strealy or someone at her
13 direction listen[s] to approximately 5-10 TPVs per week.”²⁵ However, in response to
14 Question 3 of DR-CTA-00451-5, AAA stated “AnswerNet verifies the sale through
15 reading a script containing statements and questions for the customer.”²⁶
16 CPED has inquired about AAA’s quality assurance processes multiple times, and AAA
17 adds something new with each of its responses regarding its quality assurance process. It
18 should be noted that AAA has still not provided CPED with any additional written
19 internal policy/instructions/workbooks. Since AAA failed to provide written information
20 regarding its internal quality assurance policies and procedures despite the many
21 opportunities CPED provided it, CPED concludes that it is likely AAA does not have any
22 written procedures and processes in place.

23
24 Q27: Did AAA provide additional information regarding its quality assurance processes
25 to other CPED staff?

²³ Id.

²⁴ Attachment 8, p. 3.

²⁵ Attachment 8, p. 4.

²⁶ Attachment 8, p. 6.

1 A27: Yes, AAA provided plans and consideration to improve their quality assurance to
2 other CPED staff for a different and unrelated enrollment investigation.²⁷ On June 19,
3 2024, CPED staff sent AAA data request DR-CTA-00362-6²⁸ requesting AAA to provide
4 formal internal process and procedure guidelines regarding new enrollments. On July 3,
5 2024, AAA responded with “2024-07-03 Ltr to Tan and K. Ouyang re. Compliance
6 Review (504877528.1).pdf”.²⁹

7
8 Q28: What are the contents of the letter?

9 A28: In its letter, AAA stated that it “undertakes measures not required by D.18-02-002,
10 including (now) obtaining the following information from each customer during the
11 sales/TPV process:

- 12 • Dates and times of the components of the transaction,
13 including that for the TPV and that at which the sales agents
14 input the customer’s information during the sales call;
- 15 • The length of the call with the TPV employee, as well as the
16 name of that employee;
- 17 • The customer’s phone number (i.e., the number on the line
18 during the TPV), as well as the customer’s Service ID,
19 authorizer’s name, the billing name, the service address, and
20 the product offered to the customer;
- 21 • GPS data for the transaction.

22 AAA believes the foregoing information permits it to authenticate and investigate the sale
23 to ensure the veracity of each enrollment.”³⁰ AAA also states it will “consider whether
24 additional measures will further increase AAA’s culture of compliance, with AAA’s
25 review to include consideration of the following:

²⁷ 2024-07-03 Ltr to Tan and K. Ouyang re. Compliance Review (504877528.1).pdf (Attached hereto as Attachment 9).

²⁸ June 19, 2024, CPED data request DR-CTA-00362-6 to AAA from Donovan Tan (Attached hereto as Attachment 10).

²⁹ Attachment 9.

³⁰ Attachment 9, p. 2.

- Routine internal review of a statistically significant portion of TPVs on receipt;
- Identifying sales agents with a statistically significant number of sales each week and flagging those sales for further review;
- Identifying new sales agents and undertaking a quality review their sales for the first thirty (30) days;
- Review and further coordinate the training of new sales agents with AAA's telemarketing agencies;
- Consider reorganizing AAA's internal structure to include a compliance officer."³¹

Q29: What is CPED's main takeaway from the letter?

A29: While AAA stated it obtains the foregoing information above, it is important to note that AAA only "(now)"³² obtains the foregoing information, starting from June 19, 2024. The alleged enrollment and corresponding TPV recording of [REDACTED] is dated January 18, 2024. So far, AAA has also failed to confirm whether someone from their internal team validates or reviews the information to ensure the veracity of each enrollment; as best as CPED can determine, AAA just obtains the information described above and does nothing else with it. AAA did not provide any other documentation of its formal internal process and procedure guidelines regarding new enrollments.

Q30: Did AAA have doubts about their outside marketing agent?

A30: Yes. In its response to DR-CTA-000451-6, AAA told [REDACTED] via email that AAA has cancelled their agreement with the outside marketing agent as AAA wants to do an investigation into [REDACTED] claims.³³

**IV. [REDACTED] THIRD PARTY
VERIFICATION ON 1/18/2024 15:49:07 IS INCOMPLETE.**

Q31: Were you aware that there was an incomplete TPV of [REDACTED]?

³¹ Id.

³² Attachment 9, p. 1.

³³ AAA response to DR-CTA-00451-6 Docs (512728808.1).pdf, p.1 (Attached hereto as Attachment 11).

1 A31: No, I was not aware there was an incomplete TPV of [REDACTED] until AAA
2 mentioned the existence of it for the first time in AAA's Notice of Appeal.³⁴

3
4 Q32: Why was the TPV deemed incomplete?

5 A32: [REDACTED] TPV³⁵, conducted on January 18, 2024, 15:49:07, was
6 incomplete because [REDACTED] did not answer all of the questions presented by
7 the AnswerNet representative. [REDACTED] does not respond to the AnswerNet
8 representative for 83 seconds when the representative is asking for the customer's name
9 as it appears on the utility bill.

10
11 Q33: Why is the incomplete TPV significant?

12 A33: Based on the incomplete TPV's contents, AAA should have raised questions on
13 how the alleged enrollment was completed and whether the contents may indicate the
14 customer was not fully aware of what they were enrolling in. The incomplete TPV
15 should have raised a red flag for the second submitted TPV, thus further proving that
16 AAA did not properly enroll [REDACTED] nor does AAA have effective quality
17 assurance processes in place.

18 **V. CONCLUSION**

19 Q34: Does this conclude this portion of your testimony?

20 A34: Yes.

³⁴ AAA's Notice of Appeal, p. 2.

³⁵ September 3, 2024, Holland and Knight email response to CPED data request DR-CTA-00451-4 (Attached hereto as Attachment 12, AAA-1).

LIST OF ATTACHMENTS

Attachment #	DESCRIPTION
1	██████████ CPUC Complaint About AAA Energy Services 24-03-19 - Confidential
2	██████████.mp3 provided by AAA on April 25, 2024 Confidential - Available via email
3	Email thread between ██████████ and CPED staff Confidential
4	May 31, 2024, AAA response to DR-CTA-00437-2
5	May 31, 2024, CPED email inquiry to AAA from Ke Hao Ouyang
6	June 7, 2024, AAA email response to CPED from Rachel Strealy Confidential
7	October 2, 2023, CPED data request DR-CTA-451-5 to AAA Confidential
8	October 23, 2023, AAA response to DR-CTA-451-5 Confidential
9	2024-07-03 Ltr to Tan and K. Ouyang re. Compliance Review (504877528.1).pdf
10	June 19, 2024, CPED data request DR-CTA-00362-6 to AAA from Donovan Tan
11	AAA response to DR-CTA-00451-6 Docs (512728808.1).pdf Confidential
12	September 3, 2024, Holland and Knight email response to CPED data request DR-CTA-00451-4 Confidential - Available via email

ATTACHMENT 1

 CPUC Complaint About AAA Energy Services 24-03-19

CONFIDENTIAL

March 19, 2024

California Public Utilities Commission
ATTN: Consumer Affairs Branch
505 Van Ness Avenue, Roo3 2003
San Francisco, CA 94102

Re: **Complaint Regarding Fraudulent Scam by a Third-Party Gas Supplier — AAA Natural Gas (d.b.a., “AAA Energy Services”) in Tulsa Oklahoma —**
That I Did NOT Request, Approve, or Authorize

Dear CPUC Consumer Affairs Staff,

Just as phone customers can be victims of “*slamming*” when they’re switched from one phone company to another without the customer’s permission through *scams*, *slamming* can happen to **gas company** customers who are switched from one gas company to another through *scams* — including *telephone scams*.

I am the victim of *slamming* of my natural gas provider via a telephone scam. Despite having promptly reported a probable phone scam to my utility provider — Pacific Gas and Electric (PG&E) — PG&E allowed a third-party “*Core Transport Agent*” to fraudulently assert I had granted permission for “AAA Energy Services” to take over my natural gas delivery.

That’s a lie. I never granted any such permission, and PG&E should know it because I had reported my suspicion I was potentially a victim of a phone scam to PG&E. PG&E should have known from my report of a probable scam that I had not, in fact, granted permission to “AAA Energy Services” to “*slam*” my gas utility. Both companies know this!

Utility Provider’s Name:	Both PG&E and the CLT Provider “AAA Energy Services” <u>They were both complicit</u> in scamming me!
Customer Full Name:	[REDACTED]
Account Number:	<u>BEFORE</u> Being Scammed Was “ Bundled Service ” Thru PG&E for 28 Years Unchanged: PG&E Account Number: [REDACTED] Gas Service Agreement Id #: [REDACTED] ESPA Customer Number: <u>None, not listed!</u> <u>AFTER</u> Being Scammed: Gas Service Agreement Id #: [REDACTED] ESPA Customer Number: [REDACTED] “AAA Energy Services”
Service Address:	[REDACTED]
Mailing Address:	[REDACTED]
Customer Phone Number:	[REDACTED]
Phone Number CPUC Can Reach Me:	Same as phone number. It’s a landline with an answering machine. Unfortunately, I am disabled and have severe medical issues and have been reduced to a bare whisper and can only talk one of two words at a time. [REDACTED]. I prefer all communications by e-mail (address above). Alternatively, I can type slowly on my laptop answering questions and use my computer’s text-to-audio conversion playback feature, but it’s a slow process. And I’m only available by phone in the afternoons after 12:00 Noon.
Details of Complaint:	See chronological details below. Also, please see my complaint letter to PG&E dated February 16, 2024 I have enclosed with this complaint form. My letter was addressed to David Gutierrez, PG&E’s manager of “ Thiry-Party Relations ” for the so-called “Core Transport Agent” companies. [REDACTED]
Utility Provider’s Response:	I have not received any response from PG&E or Mr. Gutierrez to my February 16 written complaint.
CPUC Original Case #:	Unknown whether PG&E may have contacted the CPUC on my behalf. That’s because I just received my monthly PG&E bill and it seems to make a reference to a complaint, saying that I may be returned to bundled service with PG&E as an “ outcome of your complaint ,” making me wonder whether PG&E filed a complaint for me with the CPUC.

Details of Complaint

1. Friday, January 19, 2023 — I Received Phone Call “Scam”: Probable Third-Party Marketing Company (a.k.a., “Enrollment Company”)

As my detailed letter to PG&E dated February 16 documents, on January 19 I received a call from a company that lied repeatedly during the call representing they were PG&E employees — claiming perhaps during a “recorded voice log” (TPV) — that “*We are PG&E.*” I don’t have a cell phone or caller ID so I don’t know the phone number of the callers, and they never identified the real or actual name of their company to me.

They started the call off by asserting I was eligible to start receiving a 30% discount on my PG&E bill. I explained to the caller that due to a medical problem I was (and remain) having a problem speaking with my voice, which has been reduced to a bare whisper, and then only somewhat painfully. Throughout that extended first call, I kept telling the caller that I was getting exasperated by the length of the call and that it was taking too long.

I told the woman caller that I had no way of knowing whether it was really PG&E calling me, or whether I was receiving a fraudulent scam phone call. She kept asking me to provide my name, my billing address, my PG&E account number and whether or not I was Chinese, or had Chinese people living in the apartment I rent. [REDACTED]

[REDACTED] She kept telling me to answer “Yes, yes,” or “No, No.”

I grew very concerned about whether it was a phone scam when she asked me to retrieve my recent PG&E bill and read to her the Service Agreement number on page 5 of my PG&E bill. I told her that if she was *really* a PG&E employee, she should have had access to my billing records and I shouldn’t have been asked to read her that Service Agreement number. She asked multiple times whether I paid my PG&E bills promptly or on time, and again I told her that if she were a PG&E employee she should have had access to my billing history and that she should have been able to see I always pay my bills promptly (in part to avoid a surcharge for late charges!).

She then said she was adding one of her co-workers to the call. The caller who joined the call was a man, I think, and he began to ask me the same questions that the woman had asked me — interspersed with very long pauses where I could hear static or machinery noises in the background. He too, asked me to repeat the same information I had already provided, and he, too, asked me to answer his questions using “Yes, yes,” or “No, No.”

Growing more annoyed by the length of the call and being asked many times to answer and re-answer their redundant questions — and [REDACTED]

Within one minute the woman called back and angrily chastised me for ending the call “*before we completed our process for determining your eligibility for the 30% discount.*”

She asked me to hold on while she reconnected her co-worker on the call and when he joined they essentially started all over from the beginning asking for my street address, PG&E account number, the Service Agreement number for the gas service on page 5, and the nonsense of making me answer their redundant questions saying explicitly answering “Yes, yes,” or “No.”

Again, there were long pauses between their questions and my answers where I heard either static or machinery in the background.

Because the second call was again taking so long, and my voice was physically hurting, [REDACTED]

But hanging up on them during that first call didn’t stop the illegal fraudster marketing firm “*Enrollment Agent*” during a scam through a [REDACTED] (TPV), because they called me right back (persisting in their illegal and fraudulent phone scam) demanding to know why I had ended the call before they were able to complete the enrollment (an enrollment process I had no way of even knowing about was even required). When they called back, they continued to defraud and

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scam me by again claiming several times that “[REDACTED].” Presumably, there are two separate “recorded voice logs” that document how they had been scamming me!

I assumed that I had ended the January 19 call before making any statement that I was accepting their weird offers, convinced it WAS a fraudulent, scam phone call and that I might become a victim of a scam!

[REDACTED]

2. Tuesday January 23, 2023 — I Reported Probable Phone Scam to PG&E

Having grown concerned over the weekend about the scam phone call I had received on Friday, January 19, I called PG&E on January 23 and reported to a PG&E customer service agent named Amanda, my concerns, suspicions, and fears that I had probably been the victim of a phone scam. That’s when I first learned that the California Public Utility Commission even allows the use of third-party “*Core Aggregation Service*” agents (a.k.a., CTA’s). Amanda was the first person to have made me aware of that.

My phone call complaint to PG&E should have been retained as an audio file for a reported potential fraud issue, or at minimum, a “progress” note tied to my PG&E billing records.

Notably, Amanda asked me for the name of the company that had called me. I told her that at no time did the phone scammers identify what company they actually worked for, and I told Amanda that several times during both of the two phone calls I had received on January 19, I repeatedly told the callers “*How do I know you are not engaging in a telephone scam?*” and the callers replied to me repeatedly “*We are PG&E,*” or words to that effect (which I only learned on February 8 may have been audiotaped on a recorded voice log, or TPV). Obviously, they were illegally holding themselves out to be employees of, or agents of, PG&E, and illegally misrepresenting who they were actually employees of, or agents of.

I think Amanda may have asked me if I had obtained the caller’s phone number, perhaps from caller ID service. I told Amanda because I am deaf, I only have landline phone service from AT&T, and that I don’t own, use, or want a cell phone that might have been able to capture the caller’s phone number.

Amanda informed me that I would just to “*wait and see*” to learn the name of the company who may have illegally become my CTA when I receive a subsequent monthly billing statement from PG&E, which would show me on page 5 of my monthly bill the name of the CTA providing my gas and my gas usage.

My February 16 letter to Mr. Gutierrez at PG&E has additional information in the section about my January 23 call with PG&E’s agent “Amanda.”

[REDACTED]

3. Thursday, February 8, 2024 — I Received an Undated “New Customer Welcome Letter” From AAA Natural Gas

I received a letter in U.S. Mail on February 8. The envelope contained the corporate logo of “AAA Natural Gas” in Tulsa, Oklahoma. The first line of the letter inside brazenly contained a **title** reading “**PG&E Guarantees Reliable Service***” in a large bold font. The asterisk to a footnote in a tiny font at the bottom of the letter” admitted “AAA Natural Gas is an independent CTA registered with the CPUC and is neither an agent of nor owned or operated by PG&E.” Despite the asterisk disclaimer, [REDACTED].

I have no idea why it took fully 16 days for “AAA Energy’s” letter postmarked on January 23 to reach me only on February 8.

The welcome letter from “AAA Natural Gas” thanked me for having chosen AAA to be the CTA for my gas service through PG&E. I had done no such thing of having willingly chosen “AAA Anergy” as my CTA. AAA’s letter was the first time I even learned of their company’s name and that it was apparently the beneficiary of a so-called third-party “Enrollment Company” that had fraudulently “slammed” me to “AAA Energy” during that January 19 phone scam.

I have since learned there is also a company in Oklahoma named “AAA Energy” which is listed as being a “marketing company” having five (5) employees. I have to wonder whether the “AAA Energy” marketing company is also a one-in-the-same company as “AAA Energy” that is registered with the CPUC as a CTA supplying natural gas *transmission* services.

In addition to falsely stating in its undated cover letter I received on February 8 thanking me for having “**chosen**” AAA Natural Gas when I had done no such thing as knowingly choosing them, their cover letter also brazenly lied by stating “*you have completed your enrollment.*” Again, I did no such thing as having knowingly completed enrollment with them. Instead, I had been scammed by the “Enrollment Agents” who fraudulently masqueraded as being PG&E employees (“*We are PG&E*”).

As you will see in the discussion below in Section # 5, in my complaint letter to PG&E dated February 16 (enclosed), I told PG&E that I had never been told about or agreed to the so-called “*Terms and Conditions*” outlined in an enclosure the accompanied “AAA Energy’s” undated “*Welcome Letter*” I received on February 8:

4. Friday, February 16, 2024 — I Received PG&E’s David Gutierrez’s Initial Letter Dated February 1, 2024

I received a letter in U.S. Mail from David Gutierrez, PG&E’s Manager of Third-Party Relations on February 16, that carried a date of February 1, 2024. Why it took 15 days to be delivered to me wasn’t explained. That 15-day delay is inexcusable.

The letter carried a by-line in the upper right in a large bold font stating “[REDACTED]”

Gutierrez’s letter was shocking, in part because it assumed I had a) Voluntarily enrolled with another gas supplier and b) Pre-approved making changes to my account. **I had NOT done either of those two things!**

The opening line of Gutierrez’s letter stated: “[REDACTED] from PG&E to a [REDACTED] (also known as a Core Transport Agent or CTA)”

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Gutierrez’s letter went on to note my new gas supplier’s name was “AAA Energy Services,” had an account change effective date of February 7, and that AAA had been the one who had requested the billing arrangement change.

Importantly, Gutierrez’s letter acknowledged the new gas supplier is responsible for “purchasing” natural gas for me. I thought CTA’s were called that for “transporting” natural gas. After all, my previous PG&E bills itemized under the details of my “Gas Charges” section a separate line breaking out an [REDACTED] So, which is it? Is the CTA “transporting” my gas, or are they merely “procuring” or alternatively “purchasing” it? The three words “purchase,” “procure,” and “transport” have clear, distinct, different dictionary definitions! Not “Word Salad”!

[REDACTED]

Gutierrez’s letter asserted that if I had not authorized this change on my gas account, I have to call “AAA Energy” at the phone number provided. [REDACTED]!

Unfortunately, **since my medical condition has worsened to the point I am unable to speak on the phone**, this is not a reasonable way to resolve this.

[REDACTED]

5. Friday, February 16, 2024 — My Formal Complaint to PG&E’s David Gutierrez

I have attached a copy of my 8-page complaint to Mr. Gutierrez dated February 16 as “*Enclosure B*” to this letter. I have made references in this current complaint letter to the CPUC to my letter to Gutierrez. But there are additional details in the letter to PG&E that the CPUC should read for more information.

Of note, “AAA Energy’s” so-called “*Welcome Letter*” enclosed an extensive “*Terms and Conditions*” list — none of which was ever conveyed to me during the January 19 scam phone call. I never agreed to any of “AAA Energy’s” terms. Had I known of many of these terms and conditions beforehand, obviously I would not have agreed to them!

The “*Terms*” included, among others:

- a. **Customer Authorization Not Given** In the second line of the “*Nature of Services*” section of the “*Term Sheet*,” AAA Natural Gas falsely states that “*Customer authorizes AAA to act as their agent.*” I did no such fucking thing!
- b. **Term of Agreement Never Mentioned** The third line of the “*Nature of Services*” section claims I agreed to AAA becoming my “Core Transit Agent”(CTA) for the “*term of the Customer’s enrollment.*” **That’s another friggin’ lie.** I wasn’t told during that January 19 phone call how long the “*term of the enrollment*” would be.
- c. **Didn’t Agree to Pay “All” Charges** Lines 5 and 6 of the “*Nature of Services*” section claims “*Customer agrees to pay all charges billed to customer.*” During that January 19 call, I was not even told what the charges would entail, and I most certainly never agreed to pay AAA’s charges.
- d. **Enrollment Process Description** The first line of the “*Enrollment Process*” section claims “*Customer agreed to enroll with AAA through a third party marketer (the Enrollment Company.)*” **I NEVER AGREED TO ANY SUCH THING!** [REDACTED]

Further, the second line of the “*Enrollment Process*” section claims “*Customer acknowledges and agrees that the Enrollment Company has acted as Customer’s agent.*” **I never did any such thing. I never asked an Enrollment Company to be, or authorized them to act on my behalf, as my “agent”! I never agreed to that!**

- e. **False Authorization** The first line of the “*Authorization*” section claims “*By completing the recorded voice log” (TPV) through the Enrollment Company, the Customer shall receive [natural gas] service through AAA.*” **I did not complete a recorded voice log (TPV)**” Instead, **I hung up on the so-called Enrollment Agent twice.** The CPUC should obtain the so-called TPV archived audiotape “*voice log.*” That “voice log” should prove I never willingly “**chose**” AAA Natural Gas.
- f. **Rebuttal of Effective Date** The first line of the “*Effective and Termination Dates*” section states the Agreement [which I never agreed or consented to] shall become effective on the [REDACTED] business following the day of the customer’s TPV (“recorded voice log”) — which would have been on Wednesday, January 24, 2024 — three business days following the illegal TPV phone scam on January 19. Of concern: While the effective date would have been January 24, AAA had mailed me a postmarked letter the day **before** carrying a January 23 postmark welcoming me as a new customer. How could that welcome letter have been mailed before the so-called “agreement” had become effective?

The “*Effective and Termination Dates*” section of AAA’s “Terms and Conditions” also stipulates that month-to-month natural gas will continue to be provided unless I provide AAA with a 60-day cancellation request — which I can apparently do by calling them long distance — which is nearly impossible for me to do because I can only speak in a bare whisper, and not for very long to avoid pain in my throat!

- g. **Didn’t Consent to Price or Pricing Provisions** The “*Material Pricing Provisions and Price*” section of the “Term Sheet” states that the initial pricing shall be \$1.20 per therm. I never would have chosen AAA Energy Services to be my natural gas supplier, nor granted PG&E permission approval to authorize switching to a different CTA provider without having answers to these material pricing terms.

Indeed, at no point during the phone scam call on January 19 did the so-called “*Enrollment Company*” scammers pretending to be employees of PG&E (“***We are PG&E***”) ever mention pricing at all.

- h. **Didn’t Consent to So-Called “Delivery Point”** The “*Delivery Point*” section buried in the “Term Sheet” says the delivery point will start at the “*PG&E Citygate.*” It didn’t specify where the “Citygate” is physically located, and I would never have knowingly agreed to pay AAA to deliver gas to my apartment building starting from wherever the “CityGate” is physically located!
- i. **Didn’t Consent to Pay a Termination Fee** The “*Termination*” section in the “Term Sheet” states a “*termination fee may apply if within the primary term of the Agreement.*” The “Term Sheet” is completely silent on whether there is a mandatory 12- month enrollment period with “AAA Energy Services,” or whether AAA’s service is strictly on a month-to-month basis. I never consented to paying any termination fees.



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6. Tuesday, March 19, 2024 — Received PG&E Bill That Suggests CPUC May Have Received My Complaint

As shown below in the image extract on the right, I have reason to believe from my the PG&E bill I received in U.S. Mail on March 19 showing for the first time that “AAA Energy Services” is my natural gas provider, that the CPUC may have apparently received the courtesy copy of my February 16 complaint that I submitted to PG&E contesting “AAA Energy” from ever having become my natural gas supplier and asking a complaint be filed with the CPUC.

As this complaint letter to the CPUC demonstrates today, I was “*slammed*” against my will from PG&E bundled gas service to “AAA Energy Services” without my explicit permission in advance through the scam phone call I received on January 19. I **never** asked “AAA Energy” to “*procure*,” “*purchase*,” “*supply*,” or “*transport*” my natural gas service!

[REDACTED] After all, I wrote to PG&E now 30 days ago requesting PG&E restore my to bundled service. [REDACTED]

[REDACTED] specifically regarding the accuracy of your bill, mail a check or money order payable to “California Public Utilities Commission” for the disputed amount, along with a description of the dispute to: California Public Utilities Commission, Consumer Affairs Branch, 505 Van Ness Avenue, Room 2003, San Francisco CA

[REDACTED] As the actual PG&E customer, I should be able to make this request and have PG&E honor it without “AAA Energy’s” involvement. After all, I am the PG&E customer, not “AAA Energy” as PG&E’s “customer”!

[REDACTED] — PG&E — before I was scammed [REDACTED] After all, PG&E had provided me with bundled service uninterrupted for 28 years before “AAA Energy Services” came along and “*slammed*” me to having them become my gas utility provider against my will, and without my permission, through a telephone scam that accrued to its benefit!

I should not be held responsible for any fees or charges to “AAA Energy Services,” nor should I have to pay any sort of account termination fee to them for their illegal “*slamming*” of my natural gas provider without my permission.

As I have noted multiple times in this complaint, my voice has grown so bad from growths on my vocal cords that I can no longer speak. I prefer all communications via e-mail. As an elderly man with disabilities, I didn’t deserve being *scammed* by, and “*slammed*” to “AAA Energy” through a fraudulent phone scam. I demand that this complaint be resolved in my favor quickly, before I have to start preventive radiation treatment for malignant cancer!

Thank you,

Enclosures:

- A. Photocopy of PG&E monthly statement, page 6, showing my potential complaint before the CPUC
- B. Letter to David Gutierrez, Manager, Third-Party Relations, PG&E, dated February 16, 2024

cc: Triple AAA Energy Services (a.k.a. or d.b.a., “AAA Natural Gas”), Tulsa, OK
PG&E, Attn: David Gutierrez, Manager, Third-Party Relations
California Department of Consumer Affairs
Better Business Bureau
Oklahoma Attorney General’s Office, Consumer Protection Unit
U.S. Federal Trade Commission
San Francisco District Attorney’s Office, Fraud Division

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ATTACHMENT 2

.mp3 provided by AAA on April 25, 2024

CONFIDENTIAL

(Available via email)

ATTACHMENT 3

Email thread between [REDACTED] and CPED staff

CONFIDENTIAL

From: [REDACTED]
To: [Zhu, Bernice](#)
Subject: [EXTERNAL] About the TPV Audiotape File — Re: [REDACTED] - AAA Natural Gas
Date: Friday, May 3, 2024 11:11:39 PM
Attachments: [Verbatim Transcription Recorded Voice Log TPV AAA Energy Phone Scam.pdf](#)
[REDACTED] [CPUC Complaint About AAA Energy Services 24-03-19.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ms. Zhu,

It was really nice — great, actually — talking to you today by phone about my CPUC complaint against “AAA Natural Gas.” Thank you so much for reaching out to me. It was good hearing you are with the UEB Division at the CPUC!

I listened quickly to the TPV you sent along.

Yes, it is the same file that the Tulsa Better Business Bureau had kindly shared with me.

A. Verbatim Transcript

I have attached the verbatim transcript I made of that MP3 audiotaped called. Importantly, you should note in the attached verbatim transcript, Bernice, that:

1. At 0:0:01

into

the call,

t

he female who had identified herself as “Gail” noted she was with “TPV.com” when she asked the “representative” calling in to her for his ID number.

Then

at 0:1:40 on audio, Gail claimed she had told me she was with a company named “AnswerNet.

”

I assume Gail found from the representative’s ID number that he was calling to enroll my gas service for

“

AAA Natural Gas” and it had taken her a few second to locate the “marketing call script” she was to read to me as an AnswerNet enrollment

“agent” working as “AAA Natural Gas’s” so-called

“

Third-Party Verification” enrollment agent.

2. At 0:1:30 on the transcript they reportedly started to bring me on to the call, which took about 10 seconds to connect me. Listen to that audiotape closely and you can hear my really hoarse voice answer “Yes” at 0:2:19 I answered “Yes” again in my hoarse voice at 0:2:41, at 0:2:50, and at 3:0:06, before I whispered “No.” at 0:3:20. My really hoarse voice just barely whispering stopped at 0:03:20 into that TPV call on the transcript. From there, it began to be some other man’s voice pretending to be me!

Because it is audible and clear that starting at 0:4:03 on the audiotape, the male voice with an Indian accent from there to the end of the call who was pretending to be me stopped speaking with a bare whisper, and spoke in a clear voice, although with the Indian accent — which was clearly not me! There’s the proof that this tape was digitally edited and spliced together as a completely forged TPV file. The first crime was scamming me on the phone on January 19. The second crime is this complete forgery of a spliced-together TPV audio file!

Bernice: As you have time, I’m specifically asking you to follow-up with “AAA Natural Gas” to get them to tell you the exact date and time this “TPV” recording was supposedly recorded with me on the telephone! That’s because when I download file attachments from you or the Better Business Bureau or anyone else, the date of the MP3 audio file is replaced by the current date on my computer, so I have no idea what date this TPV file was reportedly recorded.

B. Single Actual Call I Received

I received a **single** phone call on this “scam,” Bernice. As you can see on page 2 of my initial March 19 complaint letter to the CPUC (also attached), I received that call on January 19 — and as I told you today on the phone, I hung up twice on the scammer’s placing the phone call even though they claimed they were PG&E employees. They never once told me on January 19 that I was “consenting to,” and had explicitly requested to, sign up with “AAA Natural Gas” as my chosen Core Transport Agent provider.

So, Bernice, the date of the MP3 recording claiming to be a TPV verification call is extremely important. To the extent “AAA Natural Gas” wants either PG&E or the CPUC (or the Tulsa Better Business Bureau) to believe I had specifically requested to become an “AAA Natural Gas” customer and had agreed over the phone to enroll with them, then the date the TPV call was supposedly recorded with me supposedly “brought onto the call” is crucial to know and learn.

If “AAA Natural Gas” can’t tell the CPUC the exact date and time that “verification call” with me on the phone happened, then either “AAA” or the Third-Party Verification company “AAA Energy” is relying on is lying! I can guarantee you of two things: 1) At no point on January 19 when I

received that single scam phone call did anyone on the phone tell me their name was Gail (who sounds on this MP3 tape to be African American, not Chinese as I had the impression I was hearing on January 19), that they were calling from "AnswerNet," or that I was voluntarily choosing "AAA Natural Gas"; and 2) I can guarantee I never received a separate phone call from any "verification company" claiming to be following up to confirm i had agreed on January 19 to the scam phone call I had hung up on, twice.

I really believe, Ms. Zhu, that "AAA Natural Gas" deserves to be fined \$1,000 for this illegal enrollment in the CTA program. And I also believe its registration should be revoked and permanently suspended.

If you have any further questions, please feel free to e-mail or call me, Ms. Zhu!

Many thanks,

[REDACTED]

-----Original Message-----

From: Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>

Sent: May 3, 2024 4:05 PM

To: [REDACTED]

Subject: [REDACTED] - AAA Natural Gas

Good afternoon [REDACTED]

It was nice speaking with you today. I wanted to follow up on our conversation about your complaint against AAA Natural Gas with our Consumer Affairs Branch regarding unauthorized enrollment.

In our phone call, I mentioned that AAA provided us with a telephone voice enrollment (TPV) under your name authorizing enrollment of your account. As a reminder, the TPV attachment is conducted by a third-party company as a way to verify the enrollment of service.

In our call, you mentioned that AAA also provided a recording for you to listen. Nevertheless, please review the TPV attached in this email and confirm the legitimacy of it. If the authorization is forged, we will be investigating this issue further.

With your help we can protect other consumers. I appreciate your help with this matter.

Sincerely,

Bernice Zhu

Regulatory Analyst

California Public Utilities Commission

505 Van Ness Avenue

San Francisco, CA 94102

(415) 471-9207

bernice.zhu@cpuc.ca.gov

ATTACHMENT 4

May 31, 2024, AAA response to DR-CTA-00437-2

Data Request- **DR-CTA-00437-2**

1. All TPVs are quality reviewed by a third party verification company who validates them before they are submitted to AAA as a valid sale.

2. The third party company nor AAA find anything wrong with the TPV. I have spoken to the customer and can personally validate it is his voice on the phone who answers the questions with yes as well as states all his information is correct. The Better Business Bureau of Oklahoma has listened to the telephone verification also and closed the customer complaint as they stated we had a valid telephone verification for the customer.

ATTACHMENT 5

May 31, 2024, CPED email inquiry to AAA from Ke Hao Ouyang

From: [Ouyang, Ke Hao](#)
To: [Rachel Strealy](#); [Zhu, Bernice](#); [Lori Johnson](#)
Cc: [Tan, Donovan](#); [Johnathan Burris](#)
Subject: RE: [EXTERNAL] RE: Response Required: May 31, 2024 DR-CTA-00451-2 AAA Natural Gas
Date: Friday, May 31, 2024 9:01:18 AM
Attachments: [image001.png](#)

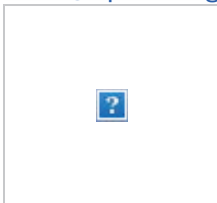
Hi Rachel,

We do not believe AAA's response to CPED data request DR-CTA-00437-2 fully addresses the questions. As such, we are requesting further clarification on the responses.

1. AAA's response to question 1 indicates that all TPVs are reviewed by a third party verification company. Is AAA confirming that it does not perform any further review of TPVs the third party verification company submit to AAA as valid?
2. AAA's response to question 2 indicate that you have spoken to the customer and can validate that it is his voice. CPED is not alleging that the voice in the TPV does not belong to the customer. However, CPED is concerned that some of the responses were not provided directly by the customer and has provided references to those responses in the TPV. Is AAA confirming that it has reviewed the TPV thoroughly and concluded that all questions were answered by the customer?

Please provide AAA's supplemental response to the clarification questions above by June 7, 2024. Let me know if you have any questions. Thank you

Ke Hao Ouyang
Program and Project Supervisor
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-1235
KHO@cpuc.ca.gov



From: Rachel Strealy <rstrealy@tigernaturalgas.com>
Sent: Friday, May 31, 2024 8:05 AM
To: Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Lori Johnson <lori@tigernaturalgas.com>
Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Tan, Donovan <Donovan.Tan@cpuc.ca.gov>; Johnathan Burris <JBurris@tigernaturalgas.com>

Subject: [EXTERNAL] RE: Response Required: May 31, 2024 DR-CTA-00451-2 AAA Natural Gas

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please see attached.

Have a Good Day! Thanks

Rachel Strealy

Director of Marketing & Customer Service

NEW Tiger Customer Portal - <https://customerportal.tigernaturalgas.com/Account/Login>

****MAKE PAYMENTS**GET INVOICES**SEE USAGE** GO PAPERLESS****

"This e-mail and any files transmitted with it are Tiger Natural Gas property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender at rhavick@tigernaturalgas.com and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited."

From: Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>

Sent: Friday, May 17, 2024 10:03 AM

To: Rachel Strealy <rstrealy@tigernaturalgas.com>; Lori Johnson <lori@tigernaturalgas.com>

Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Tan, Donovan <Donovan.Tan@cpuc.ca.gov>

Subject: Response Required: May 31, 2024 DR-CTA-00451-2 AAA Natural Gas

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Dear Ms. Rachel Strealy,

The California Public Utilities Commission's (CPUC) Consumer Protection and Enforcement Division (CPED), requests information as described in the attached document.

Please carefully review the specifics of the attached data request, as it has been updated. If you have any questions, do not hesitate to contact me via email (bernice.zhu@cpuc.ca.gov) or telephone (415) 471-9207.

Please submit your responses to DR-CTA-00451-2 electronically, on or before **May 31, 2024**. If you are unable to provide a response by the requested due date of **May 31, 2024**, please provide a written explanation by **May 24, 2024**, as to why you cannot meet the response dates and when you can provide the information. If you are not the correct personnel for this

request, please forward it to the correct people internally and notify UEB who the correct contacts are for any future related Data Requests.

Thank you for your cooperation.

Sincerely,

Bernice Zhu

Regulatory Analyst

California Public Utilities Commission

505 Van Ness Avenue

San Francisco, CA 94102

(415) 471-9207

bernice.zhu@cpuc.ca.gov

ATTACHMENT 6

June 7, 2024, AAA email response to CPED from Rachel Strealy

CONFIDENTIAL

From: [Rachel Strealy](#)
To: [Ouyang, Ke Hao](#); [Zhu, Bernice](#); [Lori Johnson](#)
Cc: [Tan, Donovan](#); [Johnathan Burris](#)
Subject: RE: [EXTERNAL] RE: Response Required: May 31, 2024 DR-CTA-00451-2 AAA Natural Gas
Date: Friday, June 7, 2024 4:34:10 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

AAA does not listen to every TPV however we do spot checks. When a customer calls in with a question about the enrollment, AAA will play the TPV and listen to it with the customer on the line to verify it was the customer. I have had the opportunity to speak with [REDACTED] and listen to the recording with him, and he confirmed the accuracy of his responses.

The responses from [REDACTED] are all according to the script except the billing address where he was confused however the billing address is not needed since PGE does the billing. If a customer does have a different billing address they would have to call PGE to correct the information as PGE does the billing.

I can provide a chart with the times of his answers and his answer if needed.

Have a Good Day! Thanks

Rachel Strealy

Director of Marketing & Customer Service

NEW Tiger Customer Portal - <https://customerportal.tigernaturalgas.com/Account/Login>

****MAKE PAYMENTS**GET INVOICES**SEE USAGE** GO PAPERLESS****

"This e-mail and any files transmitted with it are Tiger Natural Gas property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender at rhavrick@tigernaturalgas.com and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited."

From: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>
Sent: Friday, May 31, 2024 11:01 AM
To: Rachel Strealy <rstrealy@tigernaturalgas.com>; Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Lori Johnson <lori@tigernaturalgas.com>
Cc: Tan, Donovan <Donovan.Tan@cpuc.ca.gov>; Johnathan Burris <JBurris@tigernaturalgas.com>
Subject: RE: [EXTERNAL] RE: Response Required: May 31, 2024 DR-CTA-00451-2 AAA Natural Gas

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Hi Rachel,

We do not believe AAA's response to CPED data request DR-CTA-00437-2 fully addresses the questions. As such, we are requesting further clarification on the responses.

1. AAA's response to question 1 indicates that all TPVs are reviewed by a third party verification company. Is AAA confirming that it does not perform any further review of TPVs the third party verification company submit to AAA as valid?
2. AAA's response to question 2 indicate that you have spoken to the customer and can validate that it is his voice. CPED is not alleging that the voice in the TPV does not belong to the customer. However, CPED is concerned that some of the responses were not provided directly by the customer and has provided references to those responses in the TPV. Is AAA confirming that it has reviewed the TPV thoroughly and concluded that all questions were answered by the customer?

Please provide AAA's supplemental response to the clarification questions above by June 7, 2024. Let me know if you have any questions. Thank you

Ke Hao Ouyang
Program and Project Supervisor
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-1235
KHO@cpuc.ca.gov



From: Rachel Streatly <rstreatly@tigernaturalgas.com>

Sent: Friday, May 31, 2024 8:05 AM

To: Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Lori Johnson <lori@tigernaturalgas.com>

Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Tan, Donovan <Donovan.Tan@cpuc.ca.gov>; Johnathan Burris <JBurris@tigernaturalgas.com>

Subject: [EXTERNAL] RE: Response Required: May 31, 2024 DR-CTA-00451-2 AAA Natural Gas

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Please see attached.

Have a Good Day! Thanks

Rachel Strealy

Director of Marketing & Customer Service

NEW Tiger Customer Portal - <https://customerportal.tigernaturalgas.com/Account/Login>

****MAKE PAYMENTS**GET INVOICES**SEE USAGE** GO PAPERLESS****

"This e-mail and any files transmitted with it are Tiger Natural Gas property, are confidential, and are intended solely for the use of the individual or entity to whom this e-mail is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender at rhavrick@tigernaturalgas.com and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited."

From: Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>

Sent: Friday, May 17, 2024 10:03 AM

To: Rachel Strealy <rstrealy@tigernaturalgas.com>; Lori Johnson <lori@tigernaturalgas.com>

Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Tan, Donovan <Donovan.Tan@cpuc.ca.gov>

Subject: Response Required: May 31, 2024 DR-CTA-00451-2 AAA Natural Gas

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Dear Ms. Rachel Strealy,

The California Public Utilities Commission's (CPUC) Consumer Protection and Enforcement Division (CPED), requests information as described in the attached document.

Please carefully review the specifics of the attached data request, as it has been updated. If you have any questions, do not hesitate to contact me via email (bernice.zhu@cpuc.ca.gov) or telephone (415) 471-9207.

Please submit your responses to DR-CTA-00451-2 electronically, on or before **May 31, 2024**. If you are unable to provide a response by the requested due date of **May 31, 2024**, please provide a written explanation by **May 24, 2024**, as to why you cannot meet the response dates and when you can provide the information. If you are not the correct personnel for this request, please forward it to the correct people internally and notify UEB who the correct contacts are for any future related Data Requests.

Thank you for your cooperation.

Sincerely,

Bernice Zhu

Regulatory Analyst

California Public Utilities Commission

505 Van Ness Avenue

San Francisco, CA 94102

(415) 471-9207

bernice.zhu@cpuc.ca.gov

ATTACHMENT 7

October 2, 2023, CPED data request DR-CTA-451-5 to AAA

CONFIDENTIAL

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
San Francisco, CA 94102-3298



October 2, 2024

Ms. Leah E. Capritta
HOLLAND & KNIGHT, LLP
1801 California Street
Suite 5000
Denver, CO 80202

Re: DR-CTA-00451-5
Due Date: October 16, 2024

Dear Ms. Capritta:

The California Public Utilities Commission's (CPUC) Consumer Protection and Enforcement Division (CPED) requests information as described in the attached document.

Please carefully review the specifics of the attached data request, and if you have any questions, do not hesitate to contact me via email sw3@cpuc.ca.gov or telephone (415) 793-8453.

Please submit the information on or before **October 16, 2024** to:

California Public Utilities Commission
Consumer Protection and Enforcement Division
Attn: Stephanie Wu, Utility & Payphone Enforcement Branch
505 Van Ness Avenue
San Francisco, CA 94102

If you are unable to complete the data request response by this date, please provide a written explanation -- by 5:00 pm on October 9, 2024 -- why you cannot meet the response date and when you can provide the information.

Thank you for your cooperation.

Sincerely,

Stephanie Wu
Senior Regulatory Analyst, CPED Utility Enforcement Branch

Cc: Ke Hao Ouyang, Program Supervisor

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue

San Francisco, CA 94102-3298

DEFINITIONS AND INSTRUCTIONS

- a. "You", "your", "responding party", and "respondent" refers to **AAA Natural Gas**.
- b. The term "data" refers to any and all documents, work papers, reports, reference materials, spreadsheets, diskettes and any other papers or files in the respondent's possession, or in the possession of its agents, staff or representatives, including all written, recorded or graphic matters, however produced or reproduced, records, notes, summaries, schedules, contracts or diaries, reports, forecasts or appraisals, memoranda of telephone or in person conversations by or with any person, or any other memoranda, correspondence, letters, mail, e-mail, attachments to e-mail and all other forms of correspondence (however recorded), telegraphs, telexes or cables -- whether presently in electronic or hard-copy form.
- c. Person means, in the plural as well as the singular, any natural person, association, partnership, corporation, or other form of legal entity, including all representatives of any such person.
- d. In answering each request, please reiterate the text of the data request to which the respondent is responding.
- e. Please provide responses **electronically** via e-mail and in hard copy. For data available only in hard copy, please so state on your email response when the hard copy response was sent.
- f. For any response that requires computation and/or calculation, please provide any and all relevant calculations on diskette(s) in Excel format.
- g. If any response refers to specific source document(s), please identify the source documents(s), specify the pages that are referenced and provide copies of the source documents(s).
- h. Provide the name and title of the person(s) who responded to the question(s) and his or her employer.

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue

San Francisco, CA 94102-3298

**DATA REQUEST**

Please provide the following information for Data Request **DR-CTA-00451-5**:

- 1) On May 31, 2024, AAA responded to CPED data request DR-CTA-00437-2. On the same day, CPED requested further clarification on the responses.¹ On June 7, 2024, AAA responded to CPED's supplemental response.
 - a) AAA states that it does not listen to every TPV, but however, does spot checks.² Please provide a detailed description on AAA's quality assurance processes. Please provide supporting documents such as AAA's internal policy/instructions/workbooks etc.
 - b) In the same response, CPED asked AAA to **confirm whether it has reviewed the TPV thoroughly and concluded that all questions were answered by the customer**. Ms. Rachel Strealy states, "I have had the opportunity to speak with [REDACTED] and listen to the recording with him, and he confirmed the accuracy of his responses."
 - i. Please provide the date and time of this conversation between Mr. Rachel Strealy and [REDACTED]
 - ii. Please provide the recording of this phone call, if applicable.
 - iii. Please also confirm if AAA concludes that **ALL** questions on the TPV was answered by [REDACTED]
- 2) On September 3, 2024, AAA partially responded to CPED data request DR-CTA-00451-4. In its email response, AAA states "AAA provides the following information: (1) the first TPV, which [REDACTED] did not complete (attached); and (2) the non-oral information associated with [REDACTED] recordings (attached). AAA has no other information responsive to DR-CTA-00451-4."

Please answer question #2 in its entirety from DR-CTA-00451-4: On April 25, 2024, AAA indicated in its response to CPED data request DR-CTA-00451-1 that [REDACTED] was enrolled through its Telemarketing Campaign. According to AAA Natural Gas' Notice of Appeal in K.24-08-005, AAA stated that the geo-tag for both of [REDACTED] TPV recordings align with his home address. **Please provide a detailed description of AAA's geo-tag process** and provide a copy of the geo-tag reports for [REDACTED] TPV recordings.

- 3) Please provide the business relationship and processes between AAA and AnswerNet. Does AnswerNet receive a commission or financial incentive for providing AAA TPVs?

Response Format: Electronic Format

Due Date: **October 16, 2024**

¹ Ke Hao Ouyang email response on May 31, 2024.

² Rachel Strealy email response on June 7, 2024.

ATTACHMENT 8

October 23, 2023, AAA response to DR-CTA-451-5

CONFIDENTIAL

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Appeal of AAA Natural Gas, Inc. (CTA
0033) From Citation No. UEB-003-0197
in the Amount of \$1,000 Issued by the
Consumer Protection and Enforcement
Division' Utility Enforcement Branch.

K.24-08-005

AAA NATURAL GAS'S RESPONSES TO DR-CTA-00451-5

AAA Natural Gas, Inc, through its attorneys, Holland & Knight LLP, hereby objects and responds to the Consumer Protection and Enforcement Division's DR-CTA-00451-5 as follows:

I. GENERAL OBJECTIONS

1. AAA object to each and every Data Request (each a "Request," and collectively, the "Requests") to the extent it seeks information and/or documents subject to the attorney-client privilege and/or work product doctrine. AAA will not produce information or documents protected by the attorney-client and/or work product doctrine privileges or any other privilege that would make the information immune from discovery in whole or in part. AAA do not intend by these responses or objections to waive any applicable privilege.

2. AAA objects to the "Definitions and Instructions" to the Requests to the extent that they are vague, ambiguous, overbroad, unduly burdensome, and neither relevant to the parties' claims and defenses nor proportional to the needs of the case, and to the extent they impose or attempt to impose greater duties on AAA than those provided under the Rules of

Practice and Procedure. Subject to and without waiving these objections, AAA will respond to the Requests without regard to the definitions, based on the reasonable and ordinary meanings of the words used, and in accordance with the applicable rules and authority.

3. AAA objects to each and every Request to the extent that it seeks information that is not relevant the scope of the proceeding.

4. AAA objects to each and every Request to the extent that it is vague, ambiguous, overbroad, and/or unduly burdensome.

5. AAA object to each and every Request to the extent it requests and/or purports to require production of documents, including electronically stored information, from sources that are not reasonably accessible because of undue burden or cost.

6. AAA objects to each and every Request to the extent that it seeks information or documentation in the possession, custody, or control of third parties.

7. AAA objects to each and every Request to the extent that it seeks information or documentation originally prepared by CPED, already in CPED's possession, custody or control, or equally accessible to Defendant.

8. AAA objects to each and every Request to the extent that it seeks information or documents for an unlimited, unspecified period of time.

9. These General Objections are incorporated into each one of AAA's objections and responses below.

DATA REQUESTS

1. On May 31, 2024, AAA responded to CPED data request DR-CTA-00437-2. On the same day, CPED requested further clarification on the responses. On June 7, 2024, AAA responded to CPED's supplemental response.

a) AAA states that it “does not listen to every TPV, but does spot checks” when CPED asked if it performed any further review of TPVs the third party verification company submit to AAA as valid to verify that the enrollment has been properly documented. Please provide a detailed description on AAA’s quality assurance processes for enrollment of new customers. Please provide supporting documents such as AAA’s internal policy/instructions/workbooks etc.

b) In the same response, CPED asked AAA to confirm whether it has reviewed the TPV thoroughly and concluded that all questions were answered by the customer. Ms. Rachel Strealy states, “I have had the opportunity to speak with [REDACTED] and listen to the recording with him, and he confirmed the accuracy of his responses.”

i. Please provide the date and time of this conversation between Mr. Rachel Strealy and [REDACTED].

ii. Please provide the recording of this phone call, if applicable.

iii. Please also confirm if AAA concludes that ALL questions on the TPV was [sic] answered by [REDACTED]

RESPONSE:

1.a. AAA complies with all federal and state laws applicable to the enrollment of customers. AAA contracts with a nationally-recognized, third-party verification service, AnswerNet, to verify and record each enrollment.

At the time [REDACTED] enrolled, AAA downloaded TPVs from AnswerNet’s interface each business day. That business day, AAA initiated a live-person telephone call to each enrollee, welcoming them to AAA’s service. Where AAA did not receive an answer, AAA left a detailed voice mail message welcoming the enrollee to AAA’s service and providing contact information for further questions. In addition, AAA also mailed, via U.S. First Class Mail, its

terms and conditions to each enrollee at the service address. Finally, Ms. Strealy or someone at her direction listened to approximately 5-10 TPVs per week.

1.b. Ms. Strealy spoke with [REDACTED] on or about March 28, 2024, and listened to the TPV with him. AAA made no recording of this conversation. Given [REDACTED] difficulty in speaking, AAA concluded that he did respond to all of the questions, possibly with technological assistance. AAA offers its services regardless of race, national origin, age, disability, or any other status.

2. On September 3, 2024, AAA partially responded to Question #2 of CPED data request DR-CTA-00451-4. In its email response, AAA states “AAA provides the following information: (1) the first TPV, which [REDACTED] did not complete (attached); and (2) the non-oral information associated with [REDACTED] recordings (attached). AAA has no other information responsive to DR-CTA-00451-4.

Please answer question #2 in its entirety from DR-CTA-00451-4: On April 25, 2024, AAA indicated in its response to CPED data request DR-CTA-00451-1 that [REDACTED] was enrolled through its Telemarketing Campaign. According to AAA Natural Gas’ Notice of Appeal in K.24-08-005, AAA stated that the geo-tag for both of [REDACTED] TPV recordings align with his home address. Please provide a detailed description of AAA’s geo-tag process and provide a copy of the geo-tag reports for [REDACTED] TPV recordings.

RESPONSE:

AAA specifically objects to this data request to the extent that characterizes AAA’s prior response as “partial”; AAA provided AAA-1 and AAA-2. Together with the enrollment TPV, these documents provide all the information in AAA’s possession related to the geo-tag

information on AAA-2. To clarify, AnswerNet provides the TPV as well as the information shown in AAA-2. AAA does not have a “geo-tag process”; AAA does not possess “geo-tag reports” except for the information provided by AnswerNet in the form set forth in AAA-2.

3. Please provide the business relationship and processes between AAA and AnswerNet. Does AnswerNet receive a commission or financial incentive for providing AAA TPVs?

RESPONSE:

AAA objects to this request as overly broad; it is impractical, if not impossible, for AAA to describe the entirety of AAA’s relationship and processes with AnswerNet.

AnswerNet, a Delaware corporation, provides call center services on a nation-wide basis, including third-party verifications. According to its website, it has several subsidiaries and affiliated entities: AnswerNet, Inc., New AnswerNet Inc., Cerida Investment Corp. Synergy Solutions, Contact Centre Growth Corporation and TPV, LLC., etc. AnswerNet has no ownership interest in AAA.

AAA Natural Gas, an Oklahoma corporation, is a Core Transport Agent providing retail natural gas services. AAA contracts with various marketing companies to sell AAA’s services both via door-to-door sales and telemarketing. AAA has no ownership interest in AnswerNet.

[The remainder of this page intentionally left blank.]

AAA contracts with AnswerNet to provide third-party verifications. When an outside agent makes a sale, the agent connects the customer to AnswerNet, and a representative from AnswerNet verifies the sale through reading a script containing statements and questions for the customer. AnswerNet charges AAA a fee each time a sales agent connects the customer to AnswerNet. AnswerNet charges AAA the same amount regardless of the outcome of the call.

/s/ Leah Capritta
LEAH E. CAPRITTA
Attorney for

AAA Natural Gas, Inc.

HOLLAND & KNIGHT
1801 California Street, Suite 5000
Denver, Colorado 80202
Tel. (303) 974-6646
Email: leah.capritta@hklaw.com

October 23, 2024

ATTACHMENT 9

2024-07-03 Ltr to Tan and K. Ouyang re. Compliance Review (504877528.1).pdf

Holland & Knight

1801 California Street, Suite 5000 | Denver, CO 80202 | T 303.974.6660 | F 303.974.6659
Holland & Knight LLP | www.hklaw.com

Leah E. Capritta
+1 303-974-6646
Leah.Capritta@hklaw.com

July 3, 2024

Via E-mail (Donovan.Tan@cpuc.ca.gov)

Donovan Tan
Public Utilities Regulatory Analyst II, CPED
Utility Enforcement Branch
California Public Utilities Commission
Consumer Protection Enforcement Division
320 West 4th Street, Suite 500
Los Angeles, California 90013

Ke Hao Ouyang
Senior Investigator/Regulatory Analyst
California Public Utilities Commission
Consumer Protection & Enforcement Division
320 West 4th Street, Suite 500
Los Angeles, California 90013

Re: Response of AAA Natural Gas Compliance Review

Dear Mr. Tan and Mr. Ouyang:

As you know, AAA Natural Gas (“AAA”) engaged Holland & Knight to assist AAA in responding to several inquiries from your office. AAA appreciates the concerns expressed by California Public Utilities Commission (the “Commission”) Consumer Protection and Enforcement Division (CPED) both in its informal communications with AAA and in the two Cease and Desist letters, dated May 17, 2023 and March 29, 2024.

AAA is committed to a culture of compliance with all applicable consumer protection laws and with the Commission’s regulations. In particular, AAA appreciates and shares CPED’s concern that consumers have been switched to AAA’s gas service without proper authorization or without meeting all the requirements of D.18-02-002.

As noted in its prior communications, AAA believes its processes and procedures fully comply with D.18-02-002. In addition, AAA undertakes measures not required by D.18-02-002, including (now) obtaining the following information from each customer during the sales/TPV process:

- Dates and times of the components of the transaction, including that for the TPV and that at which the sales agents inputs the customer’s information during the sales call;
- The length of the call with the TPV employee, as well as the name of that employee;

- The customer's phone number (i.e., the number on the line during the TPV), as well as the customer's Service ID, authorizer's name, the billing name, the service address, and the product offered to the customer
- GPS data for the transaction;

AAA believes the foregoing information permits it to authenticate and investigate the sale to ensure the veracity of each enrollment.

AAA similarly initiates a live-person telephone call to each enrollee upon receipt of a completed enrollment and TPV to welcome the customer to AAA's service.

Nevertheless, AAA has notified its third-party telemarketer that it plans to suspend its telemarketing program for 30 days to consider whether additional measures will further increase AAA's culture of compliance, with AAA's review to include consideration of the following:

- Routine internal review of a statistically significant portion of TPVs on receipt;
- Identifying sales agents with a statistically significant number of sales each week and flagging those sales for further review;
- Identifying new sales agents and undertaking a quality review their sales for the first thirty (30) days;
- Review and further coordinate the training of new sales agents with AAA's telemarketing agencies;
- Consider reorganizing AAA's internal structure to include a compliance officer.

AAA will supplement any of its prior responses if the foregoing review will change information provided to the CPED.

Please let me know if I can provide further information in the interim.

Sincerely yours,

HOLLAND & KNIGHT LLP



Leah E. Capritta

LEC

ATTACHMENT 10

June 19, 2024, CPED data request DR-CTA-00362-6 to AAA from Donovan Tan

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue
San Francisco, CA 94102-3298



June 19, 2024

Ms. Rachel Strealy
AAA Natural Gas
1422 E. 71st Suite J
Tulsa, OK 74136

Re: DR-CTA-00362-6
Due Date: July 3, 2024

Dear Ms. Strealy:

The California Public Utilities Commission's (CPUC) Consumer Protection and Enforcement Division (CPED) requests information as described in the attached document.

Please carefully review the specifics of the attached data request, and if you have any questions, do not hesitate to contact me via email (dtn@cpuc.ca.gov) or telephone (213) 266-4739.

Please submit the information on or before **July 3, 2024** to:

California Public Utilities Commission
Consumer Protection and Enforcement Division
Attn: Donovan Tan, Utility & Payphone Enforcement Branch
320 West 4th Street Suite 500
Los Angeles, CA 90013

If you are unable to complete the data request response by this date, please provide a written explanation -- by 5:00 pm on June 26, 2024 -- why you cannot meet the response date and when you can provide the information.

Thank you for your cooperation.

Sincerely,

Donovan Tan
Public Utilities Regulatory Analyst III, CPED Utility Enforcement Branch
dtn@cpuc.ca.gov (213) 266-4739

Cc: Ke Hao Ouyang, Senior Investigator/Regulatory Analyst

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue

San Francisco, CA 94102-3298

DEFINITIONS AND INSTRUCTIONS

- a. "You", "your", "responding party", and "respondent" refers to **AAA Natural Gas**.
- b. The term "data" refers to any and all documents, work papers, reports, reference materials, spreadsheets, diskettes and any other papers or files in the respondent's possession, or in the possession of its agents, staff or representatives, including all written, recorded or graphic matters, however produced or reproduced, records, notes, summaries, schedules, contracts or diaries, reports, forecasts or appraisals, memoranda of telephone or in person conversations by or with any person, or any other memoranda, correspondence, letters, mail, e-mail, attachments to e-mail and all other forms of correspondence (however recorded), telegraphs, telexes or cables -- whether presently in electronic or hard-copy form.
- c. Person means, in the plural as well as the singular, any natural person, association, partnership, corporation, or other form of legal entity, including all representatives of any such person.
- d. In answering each request, please reiterate the text of the data request to which the respondent is responding.
- e. Please provide responses **electronically** via e-mail and in hard copy. For data available only in hard copy, please so state on your email response when the hard copy response was sent.
- f. For any response that requires computation and/or calculation, please provide any and all relevant calculations on diskette(s) in Excel format.
- g. If any response refers to specific source document(s), please identify the source documents(s), specify the pages that are referenced and provide copies of the source documents(s).
- h. Provide the name and title of the person(s) who responded to the question(s) and his or her employer.

PUBLIC UTILITIES COMMISSION

505 Van Ness Avenue

San Francisco, CA 94102-3298

**DATA REQUEST**

Please provide the following information for Data Request **DR-CTA-00362-6**:

On March 2, 2021, AAA Natural Gas (AAA) informed CPED that as of February 21, 2021, it had modified its third-party verification (TPV) script to include an oral question confirming the customer's date of enrollment to switch their natural gas supplier to AAA.

In response to DR-CTA-00362-5, AAA stated that on or about March 23, 2023, Answernet removed the oral question regarding the date of the enrollment from its script. AAA also provided the Excel document "Ex. B - AAA_000002(503856159.1)", that identified if the date of enrollment was orally captured for each customer.

On March 29, 2024, AAA informed CPED the oral question regarding the date of enrollment was added back to the TPV script that day in response to a Cease and Desist and Notice of Violation Letter issued by CPED earlier that day.

Based on the data AAA provided on June 10, 2024, in response to DR-CTA-00362-5, CPED staff identified inconsistent information. Specifically, AAA stated the oral question regarding the date of the customer's request to change providers was removed on or about March 23, 2023. However, during CPED's analysis of AAA's Excel document "Ex. B - AAA_000002(503856159.1)", CPED staff identified 478 customers that were enrolled between April 1, 2023, to March 29, 2024, where the date appears to have been captured during the TPV (Attachment: CPED review of Ex. B - AAA_000002(503856159.1)-1). This conflicts with AAA's statement that the oral question regarding the date was not added back to the TPV script until March 29, 2024.

Please provide the following information:

- 1) Based on the inconsistent information provided by AAA, CPED requests that AAA review its June 10, 2024 submission and submit an amended response if needed.
- 2) Please provide AAA's formal internal process and procedure guidelines regarding new enrollments. Also, be sure to include information regarding AAA's Quality Assurance process and procedures for customers that are enrolled and complete a TPV.

Response Format: Adobe File

Due Date: **July 3, 2024**

ATTACHMENT 11

AAA response to DR-CTA-00451-6 Docs (512728808.1).pdf

CONFIDENTIAL

From: InfoAAAGas <info@AAAGas.com>
Sent: Monday, March 25, 2024 3:43 PM
To: [REDACTED]
Cc: InfoAAAGas
Subject: RE: SCAMMED CUSTOMER Disavowal Letter — Never Requested or Authorized Enrollment in AAA Energy Service; Multiple Complaints Filed! Cancel the Fraudulent Account with AAA Energy I Never Requested!

Follow Up Flag: Follow up
Due By: Thursday, April 11, 2024 3:00 PM
Flag Status: Flagged

Hello,

AAA has taken the steps to rectify your complaint. We have submitted a cancellation for your account and we will reimburse you the charges to AAA once the final meter read closes. AAA has cancelled our agreement with the outside marketing agent as we want to do an investigation into your claims. You will still see our charges on your bill as we cannot cancel them immediately due to PGE rules on switches however we will issue a credit after the charges come through. If you have any questions please feel free to reach out to me.

Have a Good Day! Thanks

Rachel Strealy

Director of Marketing & Customer Service

From: [REDACTED]
Sent: Sunday, March 24, 2024 7:14 PM
To: InfoAAAGas <info@AAAGas.com>
Subject: SCAMMED CUSTOMER Disavowal Letter — Never Requested or Authorized Enrollment in AAA Energy Service; Multiple Complaints Filed! Cancel the Fraudulent Account with AAA Energy I Never Requested!

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Via e-mail to: [Info@AAAGas.com](mailto:info@AAAGas.com)

March 19, 2024

AAA Energy Services / AAA Natural Gas

7812 E. 108th Street, "Suite C"

Tulsa, OK 74133

AAA Energy Services,

Subject: SCAMMED CUSTOMER Disavowal Letter — Never Requested or Authorized Enrollment in AAA Energy Service; Multiple Complaints Filed! Cancel the Fraudulent Account with AAA Energy I Never Requested!

You — AAA Natural Gas — know damn well that you scammed me. You fraudulently signed me up without my permission. You lied to PG&E that I gave you permission to enroll me using AAA Energy Services as a CTA provider. I did no such thing and have always used PG&E for bundled natural gas. I believe you conspired with a third-party enrollment company to defraud me and “slam” my utility service from PG&E to AAA Energy Services.

I did NOT voluntarily choose to enroll with “AAA Energy Services.” They scammed me and I should never have been involuntarily switched to their natural gas service.

Customer Name: [REDACTED]
Service Address: [REDACTED]
Customer Phone Number: [REDACTED] [Landline with answering machine; am unable to speak on phone due to medical issue]
Account Number: [REDACTED]
Gas Service Agreement Id #: [REDACTED]
ESPA Customer Number: [REDACTED]

Please find attached to this e-mail the formal complaint I submitted to the California Public Utilities Commission (CPUC) I filed against “AAA Energy Services.” I have also attached a separate complaint I filed with PG&E against “AAA Energy Services.”

I am unable to speak with my voice, as detailed in the attached letter due to problems with my vocal cords and potential upcoming radiation treatments on my throat. I am not able to call you on the phone.

It concludes asking the CPUC to direct PG&E to:

[REDACTED] After all, I wrote to PG&E now 30 days ago requesting PG&E restore my to bundled service.

[REDACTED]. As the actual PG&E customer, I should be able to make this request and have PG&E honor it without “AAA Energy’s” involvement. After all, I am the PG&E customer, not “AAA Energy” as PG&E’s “customer”!

[REDACTED] — PG&E — before I was scammed [REDACTED] After all, PG&E had provided me with bundled service uninterrupted for 28 years before “AAA Energy Services” came along and “slammed” me to having them become my gas utility provider against my will, and without my permission, through a telephone scam that accrued to its benefit!

I should not be held responsible for any fees or charges to “AAA Energy Services,” nor should I have to pay any sort of account termination fee to them for their illegal “slamming” of my natural gas provider without my permission.

In my 1st letter to PG&E on February 16 (copy enclosed) I noted:

I noted to the CPUC today that neither PG&E nor Mr. Gutierrez showed me the courtesy of replying to the written complaint I filed with PG&E on February 16.

I expect my gas supplier CTA service will be returned to the bundled service that PG&E had provided me for 28 years provider before I was scammed — and “slammed” — into being moved without my consent to “AAA Energy Services.”!

“AAA Energy” should read both my complaint to the CPUC, and my complaint to PG&E, attached.

Then AAA Energy should voluntarily and immediately return my natural gas service to my bundled services with PG&E without any charges or termination fees from AAA Energy, which I’m prepared to fight — in small claims court, if necessary.

Otherwise, I’ll keep escalating my complaints to the additional “cc” addressee’s shown below.



-Thank you.



Enclosures:



Complaint to the CPUC, dated March 19, 2024
Complaint to the PG&E, dated February 16, 2024

cc: cc:

PG&E, ATTN: David Gutierrez
California Public Utilities Commission — Consumer Affairs Branch
California Department of Consumer Affairs
Better Business Bureau
Oklahoma Attorney General’s Office, Consumer Protection Unit
U.S. Federal Trade Commission
San Francisco District Attorney’s Office, Fraud Division

p.s.: It was shocking seeing the Better Business Bureau’s web site display these graphic for “AAA Energy’s” poor business ratings and the number of complaints lodged against your company:

From: [REDACTED] >
Sent: Thursday, March 28, 2024 4:56 PM
To: InfoAAAGas
Cc: Johnathan Burris; Angelica Diaz
Subject: Is "AAA Energy Services" Colluding With "Tiger Natural Gas"? Why Hasn't "AAA Energy" Replied to Tulsa's Better Business Bureau Yet?

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March 28, 2024

Rachel Streal
Director of Marketing & Customer Service
~~AAA Energy Services / AAA Natural Gas~~
Tiger Natural Gas
7812 E. 108th Street, "Suite C"
Tulsa, OK 74133

Dear Ms. Streal,

I have a number of questions for you.

First, why are you and at least two other Tiger Natural Gas employees involved in my complaint that "AAA Energy Services" scammed me into switching my natural gas delivery from PG&E to "AAA Energy Services"? Is "Tiger natural Gas" one and the same company as "AAA Energy Services"? If so, why did PG&E and the California Public Utilities Commission tell me my natural gas supplier was slammed" from PG&E to "AAA Energy"? Why didn't PG&E tell me about "Tiger Natural Gas" potentially having been involved in the phone scam that illegally transferred my gas service from PG&E to "AAA Energy Services"?

PG&E had alerted me that "AAA Energy's street address is the "7812 E. 108th Street, Suite C" address in Tulsa. I discovered last night that Tiger Natural Gas has the exact same street address of "7812 E. 108th Street, Suite C" via a Google search that revealed that "Tiger Natural Gas" also has had many complaints filed with the Tulsa area Better Business Bureau.

Why am I **not** surprised by the sheer volume of complaints the BBB has reported between "AAA" and "Tiger Natural Gas"? Fully 44 BBB complaints have been filed between your two companies over the past three years, with 21 of those 44 complaints having been filed in the past 12 months, alone. At least now I know I'm not the only person scammed by "AAA Energy"!

So, first among my questions is: Is "Tiger Natural Gas" operating as a front group for "AAA Natural Gas" and "AAA Energy Services"? Is Tiger Natural Gas operating under **additional** company names and/or subsidiaries, and does the Tulsa area Better Business Bureau know just how many business names you have, or are

pretending to operate under?

When you e-mailed me, Ms. Strealy at 2:43 p.m. on March 25 saying “*AAA has taken the steps to rectify your complaint. We have submitted a cancellation for your account ...*,” I assumed your title of “*Director of Marketing & Customer Service*” was for “AAA Energy Services,” so I was surprised seeing from your Linked-In profile that you have actually been the “*Director of Marketing*” for Tiger Natural Gas for the past five years and three months, and before that you were a “*Marketing Coordinator*” at Tiger.

I e-mailed you Ms. Strealy at 4:46 p.m. on Wednesday, March 27 with the subject line of “Ms. Strealy You Folks Were ***So*** Mistaken! — RE: SCAMMED CUSTOMER ...” But rather than receiving a response from you, Ms. Strealy, or an automatic e-mail “*read receipt*” from an “AAA Energy” employee, imagine my surprise at receiving two separate “*read*” receipts from — wait for it, “hot mic” drop — Tiger Natural Gas. “*How did Tiger Natural Gas employees get my e-mail addressed to “AAA Energy Services,”*” I wondered?

Yesterday, at 6:15 a.m. on Wednesday, March 27 — approximately an hour-and-a-half-after I e-mailed you, Ms. Strealy — I received a first automatic “*read*” receipt from a Tiger Natural Gas employee — Johnathan Burris (e-mail address: JBurris@[tigernaturalgas.com](mailto:JBurris@tigernaturalgas.com)) — to the e-mail I had sent to the “Info@aaagas.com” on March 27 with the same ““*Read: Ms. Strealy You Folks Were ***So*** Mistaken ...*” subject line. I discovered from his Linked-In profile that Mr. Burris has been Tiger Natural Gas’s *Vice President for Marketing* for the past 13 years and three months, since January 2011.

Today, at 9:50 a.m. on Thursday, March 28, I received a third automatic “*read*” receipt from another Tiger Natural Gas employee — Angelica Diaz (e-mail address: adiaz@[tigernaturalgas.com](mailto:adiaz@tigernaturalgas.com)) — to the e-mail I had sent to the “Info@aaagas.com” on March 27 with the same ““*Read: Ms. Strealy You Folks Were ***So*** Mistaken ...*” subject line. I discovered Ms. Diaz is a member of Tiger’s “Customer Service” team. In the 25-plus years I’ve used the Internet, I believe this is the very first time that I have ever sent an e-mail to one company e-mail address — info@aaagas.com — and then received an automated e-mail “read” return-receipt coming from another company’s e-mail system — in this case from Burris and Diaz’s accounts with “@tigernaturalgas.com”!

Congratulations, everyone. You’ve set another disgusting precedent!

Since the “*slamming*” phone scams involve third-party “*marketing*” companies ostensibly acting as so-called “*enrollment agents*,” why am I not surprised to learn Tiger Natural Gas has so many “*marketing*” staff?

That calls into question whether Tiger’s “*marketing department*” potentially acted as the “*enrollment company*” that “*slammed*” my PG&E service to “AAA Energy Services.”

A much bigger question, Ms. Strealy is since you e-mailed me three days ago on March 25 saying that “*AAA has taken the steps to rectify your complaint. We have submitted a cancellation for your account ...*”, why is it that as of today the Better Business Bureau of Tulsa, Inc. told me that “AAA Energy Services” has not yet provided a response to the BBB?

Since you, Ms. Strealy already indicated to me that “AAA Energy Services” will “rectify” my complaint and cancel the account that was illegally opened with “AAA Energy” through the fraudulent phone scam “*slamming*” of my gas service, why hasn’t “AAA Energy” — or perhaps the marketing Department of Tiger Natural Gas — responded to the BBB yet?

What's **your delay replying** to the BBB? Is this just more of "AAA's" and "Tiger's" lousy corporate behavior?

I expect this process to be expedited Ms. Strealy, and I expect your weird "*marketing*" operations will respond to the BBB immediately.

Members of the public need to learn just what bad actors "AAA Energy" and "Tiger Natural Gas" are.

I don't know how you folks look yourselves in the mirror when your company employees aren't parading around in Halloween costumes you've posted on-line wearing.

Shame on all of you for preying on elderly people like me — elderly financial abuse, essentially —using phone scams to enrich your businesses!

[REDACTED]

p.s: Now that I'm [REDACTED] dealing with potential vocal cord cancer ... I get to say what I want now about bad actors like you folks!

From: [REDACTED]
Sent: Thursday, March 28, 2024 5:27 PM
To: InfoAAAGas
Cc: Johnathan Burris; Angelica Diaz
Subject: Demand for MP3 File of So-called "Recorded Voice Log" (TPV) Used to "Slam" My Gas Service From PG&E to "AAA Energy Services"

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

March 28, 2024

Rachel Streatly
Director of Marketing & Customer Service
~~AAA Energy Services / AAA Natural Gas~~
Tiger Natural Gas
7812 E. 108th Street, "Suite C"
Tulsa, OK 74133

Dear Ms. Streatly,

I hereby demand that "AAA Energy Services," "AAA Natural Gas," "Tiger Natural Gas," and/or "Tiger Energy Services" collectively provide me **IMMEDIATELY** with an MP3 file of the so-called "*recorded voice log*" (TP of the phone scam I received on January Friday, January 19 that was used to "*slam*" (illegally transfer) my bundl natural gas service with PG&E to "AAA Energy Services" illegally, and without my explicit consent (since I hac actually hung up twice during that so-called "recorded voice log" phone scam).

Thank you.

[REDACTED]

cc: PG&E, ATTN: David Gutierrez
California Public Utilities Commission — Consumer Affairs Branch
California Department of Consumer Affairs
Better Business Bureau of Tulsa, Inc.
Oklahoma Attorney General's Office, Consumer Protection Unit
U.S. Federal Trade Commission
San Francisco District Attorney's Office, Fraud Division

From: [REDACTED]
Sent:
To: InfoAAAGas
Cc: Johnathan Burris; Angelica Diaz; Lori Johnson; Rachel Strealy
Subject: Why Hasn't "AAA Energy" and/or Tiger Natural Gas Responded to My CPUC Complaint Yet? 200 "Abusive Marketing" Complaints Filed With CPUC! Really? Wow!

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

March 31, 2024

Rachel Strealy
Director of Marketing & Customer Service
~~AAA Energy Services / AAA Natural Gas~~
Tiger Natural Gas
7812 E. 108th Street, "Suite C"
Tulsa, OK 74133

Dear Ms. Strealy,

I already notified you Ms. Strealy that when you e-mailed me at 2:43 p.m. on March 25 saying "*AAA has taken steps to rectify your complaint. We have submitted a cancellation for your account ...*," I assumed your title of "*Director of Marketing & Customer Service*" was for "AAA Energy Services." Then I was surprised learning from your Linked-In profile that you have actually been the "*Director of Marketing*" for Tiger Natural Gas for the past five years and three months, and before that you were a "*Marketing Coordinator*" at Tiger.

Yesterday, I received a notice from the California Public Utilities Commission dated March 28, 2024 that the CPUC had received my formal complaint against "AAA Energy Services" I had with the CPUC. They assigned complaint as "File Number [REDACTED]." The CPUC's letter yesterday indicated the CPUC's Consumer Affairs Branch (CAB) asked "AAA Energy Services" to provide them with information about my complaint to the CPUC I had been illegally "*slammed*" to "AAA Energy Services."

Another big question, Ms. Strealy is since you e-mailed me three days ago on March 25 saying that "*AAA has taken the steps to rectify your complaint. We have submitted a cancellation for your account ...*", as of today has "AAA Energy Services" responded yet to the CPUC's CAB with the requested information?

If you have not already responded to the CAB, please be sure to include and provide them the "*recorded voice recording*" (TPV) of the phone scam I received on Friday, January 19 in your response to the CAB, because I have written them asking that they be sure to review the TPV in the MP3 audio file to hear that I hung up the phone *twice* during the phone scam call.

It's clear to me that because I had feared I was becoming the victim of a phone scam made on behalf of AAA (one that accrued to the benefit of AAA) that the applicable CPUC rules and regulations were violated by signing me involuntarily and without my consent as an "AAA Energy Services" customer.

Ms. Strealy, you may be interested in data I downloaded and compiled from CPUC’s web site listing customer complaints the CPUC tracks for the companies enrolled as “Core Transport Agents.” [Note: §984.5(a) of California’s Public Utilities Code (Chapter 4.7, Core Transport Agent signed into law following passage of Senate Bill 656 and signed into law on October 5, 2013) requires that the CPUC collect, compile, and post the data on-line on the CPUC’s Web site.]

CPUC's "Core Transport Agent Complaint Tracking g"												
Year	"AAA Energy Services"				Tiger Natural Gas				Two-Company Total			
	Abusive				Abusive				Abusive			
	Billing	Service	Marketing	Total	Billing	Service	Marketing	Total	Billing	Service	Marketing	Total
2021	10	8	69	93	2	0	1	3	12	8	70	96
2022	3	3	18	24					3	3	18	24
2023	18	6	81	105	132	16	28	176	150	22	109	281
2024	Not Yet Posted On-Line											
Three-Year Total	31	17	168	222	134	16	29	179	165	33	197	401

Source: www.cpuc.ca.gov/industries-and-topics/natural-gas/retail-gas-markets-and-core-transport-agent/core-transport-agents-ctas--list-and-registration/core-transport-agent-complaint-tracking; downloaded March 30, 2024.

Why am I **NOT** surprised, Ms. Strealy, there has been almost 200 “*abusive marketing*” complaints between “AA Energy” and “Tiger Natural Gas” in just the past three years — and over 400 complaints combined?

Please respond promptly to the CPUC’s CAB request they sent you requesting information about my having been *slammed* involuntarily to “AAA Energy Services” for my natural gas.

I have brought to the attention of the CPUC, Ms. Strealy, that when you e-mailed me on March 25 stating “*AAA taken the steps to rectify your complaint,*” you failed to inform me at the time of my initial complaint to “AAA Energy Services” or your e-mail on March 25 contact with me that as a customer I could file a complaint with the CPUC if my complaint is not resolved to my satisfaction by “AAA Energy Services.” This is clearly a violation of §985(e) of California’s Public Utilities Code that you failed to notify me of my right to file a complaint with the CPUC (even though I had already done so). Even if I had filed a complaint, you still are required to have notified me that I had the right to do so, but you never did!

I have brought to the attention of the CPUC, Ms. Strealy, that “AAA Energy Services” acting as a “Core Transport Agent” did **NOT** provide me with a written notice of the services to be provided, including the price or terms, or conditions of service *prior to commencement of the service*, which is required by §986(e) of California’s Public Utilities Code. Obviously, “AAA Energy Services” also violated §986(e) of California’s Public Utilities Code! Those pricing details were also not provided to me during the scam phone call on January 19.

Finally, I also brought to the attention of the CPUC that I was not advised until well into March that I could cancel enrollment with “AAA Energy Services” within three days of enrollment — which enrollment presumably occurred during the scam TPV phone call on January 19. That three-day period had long been exhausted before I was even told of my right to cancel without penalties or an early termination fee! This is obviously another violation of §989.1, subparagraphs (a) and (b) of California’s Public Utilities Code. And indeed, I never “*signed*” any such agreement, nor did I ever provide a verbal “*offer to purchase,*” or grant permission to illegally enroll me as an “AAA Energy Services” customer.

The “*Terms and Conditions*” term sheet “AAA Energy Services” eventually provided me long after the scam phone call on January 19 did not note that California Civil Code §1689(b) provides that a “*contractual*” agreement may be rescinded or voided if the contract was obtained fraudulently, or by mistake. Clearly, I was “*slammed*” into being an “AAA Energy Services” customer via a **fraudulent** phone scam. Period. Full stop!

Please respond to the CPUC’s CAB immediately in order to resolve this matter and have my gas service returned

bundled service with PG&E!



cc: PG&E, ATTN: David Gutierrez
California Public Utilities Commission — Consumer Affairs Branch
California Department of Consumer Affairs
Better Business Bureau of Tulsa, Inc.
Oklahoma Attorney General's Office, Consumer Protection Unit
U.S. Federal Trade Commission
San Francisco District Attorney's Office, Fraud Division

From: [REDACTED]
Sent: Saturday, April 6, 2024 12:05 AM
To: hlong@tulsabbb.org
Cc: Johnathan Burris; Lori Johnson; Rachel Strealy; InfoAAAGas
Subject: Additional Documentation to BBB Tulsa, Complaint # 214 804 18, filed March 25, 2024 Against "AAA Natural Gas" in Tulsa, OK
Attachments: [REDACTED]_BBB_Reply_Letter_No_1_24-04-05.pdf;
Verbatim_Transcription_Recorded_Voice_Log_TPV_AAA_Energy_Phone_Scam.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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April 5, 2024

Hannah Long
Better Business Bureau
4937 S. 78th E. Avenue
Tulsa, OK 74145

Dear Ms. Long,

I uploaded several documents today to the Tulsa BBB web site as my Rebuttal to "AAA Energy's" Response to the BBB.

For your convenience, and as a courtesy to "AAA Energy," I have attached two of those documents to this e-mail.

One of the two documents is the verbatim transcript I transcribed of the so-called "TPV" record in MP3 format "AAA Energy Services" provided to the BBB (but failed to provide to me upon my request). That transcript alarmed me, due to the potential forgery, and digital "splicing" and clearly digitally-altered, "*voice recorded log*" TPV record involved in "*slamming*" my natural gas supplier from PG&E to "AAA Energy Services."e other attachment is my fuller reply I submitted to the BBB on-line today.

I include "AAA Energy" on this e-mail not to "badger" them (as I was previously falsely accused of having done), but as a courtesy to their company. |

Under separate cover, I will e-mail you an additional shorter, *revised* "Rebuttal" I would like the Tulsa BBB to post on its web site as my rebuttal to "AAA Energy's" flawed initial response from the "business" to your office.

Thank you.

[REDACTED]

Attachments:

- A. [REDACTED] Additional Documentation of Complaint Regarding “AAA Natural Gas”
- B. Verbatim Transcription of “*Recorded Voice Log*” (TPV) Enrollment in “AAA Energy Services”

Verbatim Transcription
So-Called “Recorded Voice Log” (TPV) of Enrollment Agent’s
Fraudulent Phone Scam of [REDACTED] and
Illegal Enrollment in “AAA Energy Services” CTA Services

January 19, 2024

[REDACTED] Recorded_Voice_Log_TPV_Phone-Scam_24-01-19.mp3

Partial Verbatim Transcript of MP3 File

Verbatim Transcription by [REDACTED]

Note: Text set in square brackets — [e.g., x-y-z] — are elliptical for missing syntax or grammar, or alternatively as explanations by the transcriptionist.] Any errors in transcription are unintentional; this is a reasonable facsimile of a verbatim transcription.

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED] k
0:0:01	Unknown Female	Thank you for calling [REDACTED]. ¹ My name is Gail. May I have the [REDACTED] [Gail stopped speaking at 0:0:04]	“TPV.com” is a customer contact center owned by, or affiliated with, AnswerNet. By “rep,” it is thought Gail was asking for a “representative’s” unique ID number assigned to a representative.
0:0:12	The “Rep” Unknown Male (India accent)	[8-second delay after Gail spoke] Let me give you. Give me a second ... 5009 [The “Rep” stopped speaking at 0:0:16]	Approximate 10-second delay while Gail looked up “rep ID #.
0:0:20	Gail	[4-second delay after the “Rep” spoke] Hello “Sam.” May I have your [REDACTED] [Gail stopped speaking at 0:0:22]	Once “Gail” had identified “Rep ID # 5009” was someone named “Sam,” why did she progress to then asking for a different, pre-determined “Confirmation Code” to apparently look up and refer to in her call-center computer system? Why did the Confirmation Code become the same number eventually given to me, the scam victim?
0:0:24	“Sam” — the “Representative” who had called in to TPV.com	[2-second delay after Gail spoke] Confirmation code is 40171562074 (speaking very rapidly). [“Sam” stopped speaking at 0:0:28]	
0:0:38	Gail	[10-second delay after “Sam” spoke] Repeat the confirmation code, please. [Gail stopped speaking at 0:0:40]	

¹ TPV.com’s “Linked-In” profile at www.linkedin.com/company/tpv.com reads: TPV.com is a leading provider of Third Party Verification (TPV) and [REDACTED]. Focused heavily [REDACTED], TPV.com has provided TPV services to many of the most respected telecom and energy retailers in the U.S. and Canada. Retailers of many industries who value quality in marketing efforts and seek to minimize operational risk have found [REDACTED].

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
0:0:44	Sam	[4-second delay after Gail spoke] I'll repeat ... [slower] 401 715 620 74. ["Sam" stopped speaking at 0:0:50]	
0:1:01	Gail	[11-second delay after "Sam" spoke] [REDACTED] I'm sorry. This record I.D [number] could not be located. [REDACTED] [Gail stopped speaking at 0:1:06]	Did it involve "import" of a separate scam phone call into the hardware or software system Gail was using? Was the actual call placed to me on January 19 "imported" for digitally "splicing" into the recording featuring "Gail" to pretend it was one-and-the-same phone call that I had actually received?
0:1:06	Sam	["Speaking Over" Gail] No, no, no, no, no. I will go very slow for you, so you can ... It is 4 0 1 7 1 5 6 2 0 7 4 ["Sam" stopped speaking at 0:1:21]	
0:1:25	Gail	[4-second delay after "Sam" spoke] I'll ... So, I'll be speaking with [REDACTED] [REDACTED] Is this correct? [Gail stopped speaking at 0:1:29]	After Gail "located" the "Confirmation Code" in her system — perhaps after some sort of "import process" — what did it show her that she suddenly knew my name was [REDACTED] when there was no male voice telling her my name? How did she seem to know my name by herself? [REDACTED] What was she looking at — some other call summary or account information summary?
0:1:29	Unknown Male	Yes. Right. Please, go ahead please.	
0:1:30	Gail	Sam, please [REDACTED] [REDACTED] Thank you. [Gail stopped speaking at 0:1:35]	It's telling that "Gail" had asked "Sam" to bring "[REDACTED]" on the line, as if she assumed "Sam" had be waiting on "mute" but connected to the call. Gail ostensibly had me brought on to "confirm" my enrollment, as if the enrollment had <u>NOT</u> already been completed on January 19 but without my express consent and approval to being enrolled. Gail seemed to think "enrollment" was a done deal and just wanted to bring me on to the call to "<u>confirm</u>" something that in actuality I had <u>NOT</u> consented to. Why had "Gail" gone through all of this preliminary call screening, "import process," and configuration before bringing me on to the phone call? How had any notes stored in her Call Center computer system even get into that system, when, and by whom?

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
			It later appears Gail had access to my voice during the January 19 call. How did that audio get into her Call Center computer?
		[5-second delay adding [REDACTED] to call]	
0:1:40	Gail	Hello. This is Gail from AnswerNet. I'll be completing your enrollment today with "<i>Triple A Gas</i>," a "Core Transport Agent" with Northern California's Core Aggregation Service. This call is being recorded. If you do not consent to this recording, please hang up. I need to verify your information and understanding of the "Triple A" home plan 36-month for recording purposes. Please say "Yes" to proceed. [Gail stopped speaking at 0:2:10]	It is not known why "Gail" went from representing herself as an agent for "TPV.com when speaking to the rep named "Sam," but then suddenly switched to claiming she (Gail) was with "AnswerNet" after I was allegedly brought on to this call (a call I never had with Gail!). Gail went from being a "<i>third-party verification</i>" agent to being an "<i>enrollment agent</i>" in a split second. Googling "AnswerNet," I learned only on April 3, 2024 that "TPV" stands for "<i>Third-Party Verification</i>" service. AnswerNet's web site says that one of the "industries" it supports is the "<i>energy industry</i>," including natural gas companies — apparently companies such as "Triple A Energy." This call with "Gail" is completing digitally altered. At no time have I ever received a call resembling the call transcribed here and to the end. Indeed, the only call I received was on January 19 and it began with a woman having an Oriental or Chinese accent, who I hung up about 15 minutes into that call. The Chinese woman called me back, and during a second call, she put a man on the phone with an accent sounding of a man from India. [REDACTED] I have NEVER received any such "<i>third-party verification</i>" phone call from "Gail" or anyone else at "AnswerNet." So, it's painfully and obviously clear this was a complete hoax meant to scam me! [REDACTED]
0:2:19	[REDACTED]	[9-second delay after Gail spoke] "Yes," in an extremely hoarse, barely-audible whisper.	[REDACTED] "Gail" had to have somehow "<i>imported</i>" a completely different audio recording of my

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
			voice to “splice” into her “third-party verification” call recorded in this TPV file via MP3.
0:2:20	Gail	Thank you. Are you over the age of 18 and either the customer of record or a person legally authorized to enroll this account into the gas aggregation program with “Triple A Natural Gas” as your [natural] gas supplier? [Gail stopped speaking at 0:2:36]	Nobody named “Gail” ever asked me if I was older than age 18!
0:2:41	[REDACTED]	“Yes,” in an extremely hoarse whisper, and tired.	
0:2:42	Gail	Thank you. I have your name as [REDACTED]. Is this correct? [Gail stopped speaking at 0:2:47]	
0:2:50	[REDACTED]	“Yes,” in a hoarse whisper, sounding exasperated.	
0:2:51	Gail	Thank you. [REDACTED], I have the billing telephone number of [REDACTED]. Is that correct? [Gail stopped speaking at 0:3:01]	
0:3:06	[REDACTED]	“Yes,” in a hoarse whisper, exasperated.	
0:3:07	Gail	Thank you. [REDACTED], are you currently on the “CARE” — C.A.R.E. — program? [Gail stopped speaking at 0:3:13]	
0:3:20	[REDACTED]	“No,” sounding weak in a hoarse whisper.	
0:3:23	Gail	Thank you. Do you understand that the “Agent” [REDACTED] is with a third-party and [who] does not represent Pacific Gas & Electric that they have referred you to “Triple A’s” natural gas service and ... [REDACTED] Do you understand? [Gail stopped speaking at 0:3:40]	Clearly, “Gail” was trying to palm off that she was acting as a “third-party agent”, and NOT acting an “Agent” of “Triple-A Natural Gas.” She expected people who might later review this TPV voice recording would be fooled into believing that as an “enrollment company” Gail’s firm — whether “TPV.com” or “AnswerNet.com” — was acting as my [REDACTED] “agent.” That’s completely laughable — precisely because I never voluntarily chose — or [REDACTED] — to wanting — “AAA Energy Services” to provide me with natural gas. That is just a friggin’ LIE! Nor had I ever reached out to “TPV.com” or “AnswerNet.com” and asked them to act as my “agent” and enroll me in CTA service with “AAA Energy Services.” Indeed, during Gail’s so-called TPV log, she offered not one scintilla of “evidence” I had ever reached out to Gail’s employer asking that they represent me as my “agent.”

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
0:3:48	[Unknown]	[Beginning of unintelligible words spoken]	[REDACTED]
0:3:57	Gail	[Nine-seconds later] Do you understand? [Gail stopped speaking at 0:3:58]	
0:4:03	Unknown Male Voice; Not [REDACTED] Hoarse Voice	[23-second total delay after Gail stopped speaking at 0:3:40] “Yes.” Strong voice, not hoarse, but definitely not the voice of [REDACTED] - [REDACTED] [“Fake [REDACTED] stopped speaking at 0:4:04]	The “fake [REDACTED]” said that he was choosing “Triple A’s” natural gas as his supplier. THE REAL [REDACTED] SAID NO SUCH THING AND NEVER AGREED TO CHOOSING “AAA NATURAL GAS”!
0:4:22	Unknown Male (India accent)	[18-second delay after “fake” [REDACTED] spoke] “Yes, Yes” in an accent sounding as if the speaker was from India. [“Fake [REDACTED]” stopped speaking again at 0:4:24]	

It’s not known why the “fake [REDACTED]” was required to repeat “Yes, Yes” again — for the second and third times — after **Gail had asked him if he “understood,” and then Gail had stopped speaking at 0:3:58/.**

My impression this “fake [REDACTED] man’s voice was of someone from the country of India is corroborated by several complaints filed against “AAA Energy Services” that are posted on the Better Business Bureau of Tulsa web site that also allege their phone scams had been placed by a male with an Indian accent.

From here to the end of the MP3 audio file, each answer in the affirmative to Gail’s questions often consistently used a double “Yes, Yes,” whereas previously the few times it was actually my voice (before the MP3 was digitally altered) up through 0:3:08 on audiotape) I had used a single “Yes,” not a double “Yes – Yes.”

As an aside: Of interest, the actual phone scam I received on January 19 had involved a man speaking with the same voice accent of someone from India, who had repeatedly told me to answer “Yes, Yes” or “No, No” to questions he asked of me. But given that I was having, and continue to have, severe and extreme problems speaking at all — given problems with my vocal cords and larynx — why would I have repeatedly answered using double “Yes, Yes” throughout the remainder of the call, and using more words than I possibly had to? This just doesn’t make any sense.

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
0:4:25	Gail	Do you agree that the “agent” has not offered you any incentive, rebate, or gift cards to enroll with “Triple A Natural Gas”? [Gail stopped speaking at 0:4:35]	
0:4:47	Unknown Male (India accent)	[12-second delay after Gail spoke] “Yes, Yes.” in same Indian accent.	
0:4:50	Gail	Are you aware that you will receive a welcome packet from “Triple A Natural gas” that will include information on pricing, other terms and conditions, and “Triple A Natural Gas’s” contact information? [Gail stopped speaking at 0:5:04]	
0:5:12	Unknown Male (India accent)	[8-second delay after Gail spoke] “Yes. ... Yes.” in same Indian accent.	
0:5:16	Gail	Thank you. [Long pause] [REDACTED] [REDACTED] Your enrollment start date should occur in one to two billing cycles. Once the initial switch is made by your utility [company], the term of your agreement will continue each month unless it is cancelled. Please state the name as it appears on your utility bill. [Gail stopped speaking at 0:5:41]	
0:5:44	Different Male Voice (with <i>different</i> “twangy” accent and not a hoarse voice!)	[REDACTED] [Sounded as if it had come from inside a tin can.]	Aside: Of interest, whoever this man’s voice was pronounced [REDACTED]’s last name phonetically as [REDACTED]. [REDACTED] [REDACTED] Sadly, these TRULY STUPID phone scammers had no way of knowing how I actually pronounce my last name, which I find to be hysterically funny [REDACTED] [REDACTED]
0:5:46	Gail	Thank you. I have your service address and service billing address as [REDACTED], [REDACTED] Is this correct?	

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
		[Gail stopped speaking at 0:6:03]	
0:6:11	Unknown Male (India accent)	[8-second delay after Gail spoke] “Yes, Yes,” rapidly.	
0:6:13	Gail	Thank you. Is the billing address the same?	
		[Gail stopped speaking at 0:6:14]	
0:6:23	Potentially Different Male Voice	[9-second delay after Gail spoke] [“Flatter” voice] “No.”	[Note just use of a single “No,” not a double “No, No.”]
0:6:25	Gail	Ok. The billing address is NOT the same?	
0:6:30	Potentially Different Male Voice	“Yes.” [Man stopped speaking at 0:6:30]	Wait! What? The male first said the service address and service billing addresses <i>were</i> the same, then when asked if the billing address was [also] the same, the man said “No,” and then when Gail asked a second time if the billing address is NOT the same, the man answered “Yes”. Implying there was a <i>different</i> billing address. Logically that means the man for some reason thought the billing address was NOT the same as the service address. But “Gail” let this go, and never followed up or probed any further to clarify the discrepancies in the man’s answers! Also note the man’s weird use of just a single “No,” not a double “No, No.”
0:6:40	Gail	[10-second delay after the man last spoke] OK. I have your Pacific Gas and Electric service agreement ID # ... [inaudible] natural gas service agreement ID number as [REDACTED] Is this correct? [Gail stopped speaking at 0:6:57]	This is not accurate in the slightest. During the call on January 19, the female scam artist speaking with a Chinese or an Oriental accent had requested that I retrieve one of my PG&E bills and read to her the natural gas service agreement ID number. She specifically directed me to find page 5 of my most recent PG&E bill to find the gas service agreement number and read it to her. I distinctly remember telling her that if she really was calling from PG&E as she fraudulently claimed, she should have had access to my PG&E bill, making it unnecessary for me to have to read her that gas agreement ID number over the phone with my hoarse voice that was hurting to even trying to speak. Shortly after reading the ID number to her, I finally decided on January 19 that I was becoming the victim of a phone scam, and so I hung up on her. As I have stated to the BBB, to PG&E, and to the CPUC, after I hung up on the woman with the Chinese accent on January 19, she called me back right away and she

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
			chastised me for having up on her call before the “registration” was complete. None of that is captured on this “<i>fake</i>,” digitally-edited TPV log, particularly not in the exchange with Gail at 0:6:40 on MP# audiotape when Gail asked me to confirm if the gas service account number was correct, a number she already had somehow pulled from whatever “records” she had “<i>imported</i>” into her Call Center computer system.
0:7:03	Unknown Male (India accent)	[6-second delay after Gail spoke] “<i>Yes, Yes</i>,” in same Indian accent.	
0:7:06	Gail	Thank you. The program is the 36-month, fixed rate plan, which means “Triple A” will charge you \$1.2 dollars per therm for the next 36 months following your start date on the program. This may be higher or lower than what Pacific Gas and Electric would charge you for the gas supplied, based on the amount of gas you actually burn each month. The program will be applied to your gas supply charges, not inclusive of [Pacific] Gas and Electric charges, taxes, and municipal fee capacity costs. You can rescind or cancel this agreement within three business days without penalty. After this three-day time period, you may still cancel your service at any time by providing a 60-day notice of cancellation to “Triple A Natural Gas.” This means that “Triple A” will submit your cancellation request to Pacific Gas and Electric within 60 days after you call to cancel. And, Pacific Gas and Electric will process your cancellation on Pacific Gas and Electric’s next billing cycle. Additionally, if you cancel your account [with “AAA Energey Services” or “AAA Natural Gas”] before the end of your 36-month terms, you will be subject to a \$100 termination fee. Is this your understanding? [Gail stopped speaking at 0:8:31]	
0:8:45	Potentially Different Male Voice	[Long 14-second delay after Gail spoke] “<i>Yes.</i>”	Note use of single “Yes.”
0:8:47	Gail	“Triple A Gas” will provide your utility company with all of the natural gas you need each month. Your utility company will deliver the gas to you, and you will continue to receive one [monthly] bill from Pacific	

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
		Gas and Electric that includes “Triple A’s” supply charges, as well as the Utility’s delivery charges and taxes. “Triple A” will charge a 5¢ per day, customer fee to attach your [“Triple A”] their charges onto your PG&E bill to keep the billing seamless. Is this your understanding? [Gail stopped speaking at 0:9:22]	[REDACTED] and hung up immediately on Gail. [REDACTED] Note: The 5¢ per day additional fee over an average 30-day billing cycle would add a totally <u>unnecessary</u> \$1.50 administrative overhead fee to my gas bill each month! Why would I — or anyone, for that matter — voluntarily hand over administrative fees to “AAA Natural Gas” for essentially <u>zero</u> added value to my life? Do they think I’m that dumb? Do they really think I like being “five-and-dimed” — as in the Peanuts comic strip’s Lucy Van Pelt with her “5¢, please” for her “psychiatric advice”?
0:9:33	Unknown Male (India accent)	[Long 11-second delay after Gail spoke] “Yes, Yes” in same India accent.	As I noted in my complaints to PG&E, the BBB, and to the CPUC, during the January 19 call I received, I never once replied to the two scam callers by responding using a double “Yes, Yes” to any of their questions. So, [REDACTED] because I never replied by saying “Yes, Yes”!
0:9:35	Gail	Thank you. Upon your agreement to allow “Triple A” to supply your natural gas needs, Pacific Gas and Electric will share with “Triple A” energy usage information about your account, including billing and payment details, fee, and payment details, to provide core gas aggregation services to you. “Triple A” is required to keep each customer’s billing and payment information confidential. Is this your understanding? [Gail stopped speaking at 0:10:03]	
10:12	Potentially Different Male Voice	[Long 11-second delay after Gail spoke] “Yes.” [Long, drawn-out pronunciation of the word “Yes.”]	Note use of a single “Yes.”]
10:14	Gail	I would like to thank you for your time and for choosing “Triple A Natural Gas.” If you	

Hr:Min:Sec	Speaker	Verbatim MP3 Text	Commentary And Rebuttal by [REDACTED]
		have any questions, or if you would like to reach “Triple A Natural Gas” directly, you can call 1-888-377-7757 Thank you for your time ... [REDACTED] Your confirmation number is [REDACTED] [REDACTED] If you have any questions, please call 888-377-7757. Thank you again. Have a great day. [Gail terminated the call at 0:11:02]	

Conclusion: The “voice recorded log” TPV MP3 audio file “Tiger Natural Gas’s” Rachel Strealy provided to the BBB of Tulsa purportedly on behalf of “AAA Energy Services” or “AAA Natural Gas” is obviously a complete scam, and clearly was digitally edited! Although I had demanded on Thursday, March 28 that “AAA Energy Services” or “Tiger Natural Gas” provide me with the TPV MP3 Audio file, I only obtained the MP3 from the good graces of the Tulsa BBB office on Tuesday, April 2, which had apparently received it from Rachael Strealy at “Tiger Natural Gas” — the same person I had demanded send it to me — not from “AAA Energy Services” or from “Tiger Natural Gas.”

It’s patently obvious this “doctored” TPV log starring “Gail” in the Academy Award *not-so-best* “Best Supporting Actress” category purported to be a “recorded voice log” was a complete sham, digitally edited. It may deserve a “Best Digitally Edited” award, but not an “Best in Honesty” award!

Starting at 0:1:40 on in this transcribed call, it’s clear Gail’s call had been digitally altered or digitally manipulated,

[REDACTED]

Transcribing the call revealed that Gail, acting as a customer service “agent” at an enrollment marketing company named “AnswerNet,” was confirming my enrollment as a customer of “AAA Energy.” “AAA’s” term sheet asserts any “Enrollment Company” would have been acting as a **CUSTOMER’S** agent. [REDACTED]

[REDACTED] To assert otherwise would be patently untrue.

After all, at no time during the two scam phone calls I received on January 19 ever include mention of “Gail’s” name. Nor during those January 19 phone scam calls I received was the name of “AAA Energy Services” or “Triple A Natural Gas” ever mentioned.

The two scam phone calls I received on January 19 never once mentioned a 36-moth contractual “term,” or a \$100 termination fee, or a 5¢ per day surcharge, or any of the other oddities noted above about this so called verbatim “recorded voice log.”

The Better Business Bureau should make “AAA Energy Services,” “AAA Natural Gas,” or “Tiger Natural Gas” reveal whether any of those three companies are paying the “AnswerNet” company fees as a “third-party verification” system to manufacture and “splice” these digitally-altered phone scams as a “so-called” enrollment company “AAA Natural Gas” has gone to great lengths to **deny** it may be paying to complete enrollment of customers in “Triple A Natural gas’s” CTA program. It’s clear AnswerNet was acting — by “Gail’s” own admission — to complete enrolling me as an “AAA Energy Services” customer. So, a legitimate question is: How much is “AAA Energy Services” or their subsidiaries and affiliated companies paying AnswerNet to be “Triple A Natural Gas’s” actual “enrollment partner”?

The digital editing of the MP3 file may not have been the only crime. Finally, from my perspective the MP3 TPV file may potentially comprise a “forged” document, given that when people conspiring to defraud knowingly make, alter, or possess any writing using a fictitious name in such manner that the writing made or altered purports to have been made by authority of someone (ME !) who did **NOT** give such authority ... and then delivers such writing (or audiotape) to another (say to the BBB, PG&E, or CPUC) such conspirators more than likely **also** created and committed a forgery!

April 5, 2024

Hannah Long
Better Business Bureau
4937 S. 78th E. Avenue
Tulsa, OK 74145

Re: BBB Tulsa, Complaint # 214 804 18, filed March 25, 2024

Re: Additional Documentation on My Complaint Regarding
Fraudulent Scam by "AAA Natural Gas in Tulsa, OK"

Dear Ms. Long,

I received your April 2, 2024 notice that the Tulsa BBB received a formal written response from Triple AAA Energy Services. Having now reviewed "AAA Energy's" response, what follows is my position on this matter.

After reading "AAA's" response, I assert this dispute has NOT been settled to my satisfaction. Please do not close my case and this complaint!

I am NOT satisfied with "AAA's" efforts and response, and am submitting additional information about my complaint, to wit:

1. You wrote the message from the business that the BBB received stated *"AAA has attached the **telephone verification** in which the first half is the "agent" providing information. ...and **the second half is the customer agreeing to the information.**"*

After transcribing verbatim the "*telephone verification*" file "AAA" provided to the BBB (attached), I can assure the BBB that "AAA's" assertion that I — as the customer — agreed to enrolling in "AAA Natural Gas's" service is patently false, for the following reasons. The transcript makes clear to me that "AAA" was simply lying to the BBB.

- First, I suspect the written response the BBB received may have been submitted to the BBB by Rachael Strealy, whose Linked-In profile indicates she is the Marketing Director for "Tiger Natural Gas," which apparently shares the exact same street address down to the same "Suite number" in Tulsa that "AAA Energy Services" (a.k.a., "AAA Triple A Energy" and "AAA Natural Gas") is located at and shares as a street address with "Tiger Natural Gas." Therefore, I suspect the response you received — most likely from Ms. Strealy — was from a "Tiger Natural Gas" employee on behalf of "AAA." The real name of the company I was scammed into obtaining natural gas from remains somewhat of a mystery.
- Second, "AAA" asserts in its response to the BBB that the "**first Half**" of the MP3 "*telephone verification*" is an "agent" providing "the information" ["AAA's" words and characterization, not mine]! "AAA's" vague response does not make it clear what "agent" it is referring to. "AAA Natural Gas" goes to great lengths in its "Terms and Conditions" term-sheet disavowing "AAA's" relationship to any "*agent*."

However, "AAA's" response to the BBB is unclear as to whether the "agent" was a man named "Sam" — some sort of a "representative" who had called into to a TPV.com customer service agent as the so-called "third-party marketer" acting as an "Enrollment Company"— or whether it was "TPV.com's" agent named "Gail" (who then asserted she was speaking on behalf of "AnswerNet") who was the "*agent*" that "AAA Energy" vaguely referred to.

"AAA's" vagueness should be clarified. Because either way —whether Gail or Sam — TPV and AnswerNet are identified on the Internet as being "Third-Party Verification" and marketing companies. "AAA's" term-sheet may falsely be asserting that the "Enrollment Company" has not represented itself to be "AAA's agent," but as soon as "Gail" brought me on to the line she clearly stated at 0:1:40 into the call that she would be completing my enrollment with "Triple-A Gas" ["AAA Energy Services]. That recording makes it clear that Gail understood she was acting as an "agent" on behalf of "AAA Energy" because once she located the "Confirmation Code" record in her "Call Center Records" computer system, she must have repeated the telephone script she was reading from and acknowledged she was working on behalf of "AAA Energy" — switching between her job as being a customer service agent for TPV.com / AnswerNet to playing the role of being an "agent" to complete my enrollment with "Triple-A Energy." By

switching gears of her job as a “customer service agent,” by inference she was clearly acting as an “agent” of “AAA Energy Services” — no matter what “AAA Energy” may want to disavow.

“AAA Energy” can howl at the Moon all it wants that there is no “*agency relationship*” between “AAA” and an “Enrollment Company,” but reading between the lines of this audiotape and this transcription seem to suggest otherwise — that there was and is a clear “*agency relationship*” between “AAA” and “AnswerNet / TPV.com.” I’d bet dollars to donuts “AAA” pays a marketing fee to AnswerNet to act as a marketing company for “AAA Energy.” Because otherwise, AnswerNet and Gail could have simply handed my gas service to some other Core Transport Agent natural gas company. This obviously isn’t rocket science.

To that extent, I was “*scammed*” first by the phone scammers on January 19. Then, I’m being scammed a second time, expected to believe that Gail and AnswerNet were **NOT** acting in an agency relationship with “AAA Energy” and further scammed a third time by being expected to believe the “*spliced*” digitally altered MP3 TPV was a separate and distinct call I had participated in during Gail’s undated phone call — that I never actually participated in!

- Third, and most importantly, despite “AAA’s” claim that during the “**second half**” of that “*telephone verification*” I had agreed to “*the information*” on that verification call, I did not do any such thing, and I never “**agreed**”!

Indeed, the MP3 audiotape file “AAA” provided to you, and which I downloaded from the BBB’s web site of background documents to the complaint I filed with the BBB, I never received this so-called “*verification phone call*” separate and distinct from the two phone call scams that I received in January 19.

I only received two phone calls on January 19 from people speaking with Chinese, Oriental, or India accents during a phone scam. The MP3 “recorded voice log” (also known as a TPV file) appears to be nothing more than a “*spliced*” and digitally-altered un-dated phone call **that I never received**, [REDACTED] ostensibly involving importing records into the Call Center computer system at TPV.com. **I now suspect my actual very hoarse voice during the call I received on January 19 was digitally “imported” into the so-called TVP “recorded voice log” on the MP3 tape “AAA” supplied to the BBB.** And I further suspect “AAA” **MUST** have known the MP3 file had been digitally manipulated.

- During that so-called “*telephone verification*” call, there were other material misrepresentations of facts, which I address in more detail in a subsequent section to this letter. **See paragraph number 4 below.**
2. I am attaching to this response a verbatim transcript of the MP3 “*telephone verification*,” which provides the hour:minute:second tape-counter on the audiotape, the speaker’s name, their verbatim statements, and my rebuttals and commentary about the false information during that 11-minute “call.” As I sated, *I never received that call!*

Of note, the MP3 file of that TPV “*verification*” call is a total of 11 minutes long. Of that 11 minutes, there is a total of 3-1/2 minutes of “*gaps*” — significant pauses — between one speaker ending and the next speaker beginning. I believe those gaps may have been used, in part, to digitally alter, and/or “*import*” or “*splice*” separate audio files into a single audio recording.

Of the remaining 7-½ minutes on the audiotaped call, the “customer” [purportedly me] was not added onto the call until one-minute-and-forty-seconds into the call (0:1:40) on the tape “*counter.*” And because I can recognize my own very hoarse voice, I know for certain listening to this MP3 file, that the last time my actual voice was digitally included during that call was at three-minutes-and-twenty-seconds (0:3:20) into the call.

That means I was purportedly on the call for just 120 seconds — just two minutes [REDACTED] There’s no way in Hell, a so-called “*enrollment*” agent — at either “TPV.com,” or alternatively “AnswerNet” — could have read all of the terms and conditions of the service agreement to a customer within two minutes and obtained explicit permission of a complex 36-month term of service.

To believe so is just laughable. Alternatively, assuming the “Customer” (a “*fake*” [REDACTED] was brought on to the line

and added to the call at 0:1:40 on audiotape, that means that of the 11-minute call, the “agent” — a woman named “Gail” — had just 9-minutes-and-20-seconds to read through the terms and conditions and obtain a customer’s permission for enrollment. The problem with that is that the “gaps” — delays and pauses — on the audiotape after my voice was last included at 3:20 on tape totaled two-minutes-and-two-seconds, which would have left Gail just 7-minutes-and-18-seconds to read through all of the complicated terms and conditions involved in switching to an alternative Core Transport Agent company.

The transcript shows the entire “*verification call*” was patently false, for a variety of glaring reasons.

3. Detailed Explanation of Remaining Concerns

I am challenging the following outstanding issues in the response “AAA” provided to the BBB:

- **Potential Agreement / Strong Disagreement: Customer Will Not Face Charges from “AAA”** I agree with “AAA’s” assessment that “AAA” should not bill me, or charge me, for having been illegally slammed into being their customer. However, I wholeheartedly **DISAGREE** that there should be any “credits” issued to me, as “AAA” informed the BBB. I do **NOT** want to pay anything by “fronting” any payments through PG&E, and then have to wait — for any length of time — to later receive a “credit” from “AAA.” “AAA” must be instructed to notify PG&E that I have no charges payable to “AAA” and those charges should NOT appear on my PG&E bill!

Of great concern is whether I will be charged a \$100 “*termination fee*” to cancel the “AAA” account, an account I had never asked for nor graced approval for. If it is a 36-month “contract,” I am unwilling to pay any “*early termination*” fee for a contract I had never consented to! I have no intention of paying a “*termination*” fee and then have to wait to have that returned to me via a “credit.” Period. Full stop.

- **Strong Disagreement: No “*If* Customer is Charged”** I am extremely opposed to AAA’s use of the qualifier “*if*!” “AAA” states several times in its reply to the BBB that “*if*” I am charged, it will issue me a “credit.” As stated, I am not willing to accept any credits, by having to pre-pay any amount up-front. “AAA” must remove the “*iffy*-ness” in its quibbling response to the BBB, and **ensure** that no charges at all will appear on my PG&E bill. “AAA” must be required to more proactively **guarantee** that no charges will be processed.
- **Strong Disagreement: “Telephone Verification Sounded Like Customer”** In “AAA’s” response to the BBB, it wrote “*I can verify the voicemail and the telephone verification do sound like the same person.*” That’s a damn, outright, bold-faced lie! The person who wrote that for “AAA” — a person I’ll call here as having the initials “R.S.” — did in fact leave me a voicemail on my home answering machine and had identified themselves by name on my answering machine. I recorded that greeting 25 years ago, when my voice was working fine (when I was in my mid-40’s). But I’ve had severe hoarseness in my voice and have had lesions surgically removed twice under general anesthesia in hospital operating rooms since last October, which has severely affected my vocal cords.

There’s no way that the voice on my answering machine and the voice of me (or the alternative “fake” voice digitally edited on that telephone verification MP3 file) “*sound like the same person.*” That’s an outright lie, which “AAA” must rectify by removing! “R.S.” on behalf of “AAA Energy” had no way of knowing definitively or “*authoritatively*” if the voice sounded like me or sounded like the “same” person. There’s no way she could definitively “*verify*” that, as she alleged she had! She’s lying to the BBB.

- **Potential Agreement: “Customer’s Account Will End on April 9”** I provisionally agree that my account with “AAA” should end on 4/9/2024 (because it should never have been created in the first place!) However, “AAA’s” response to the BBB did not state explicitly that I will be returned to bundled service with PG&E, nor did “AAA” state whether I will be subject to charges for reconnection to PG&E’s bundled service. If I do face any charges from PG&E to return to bundled service when the account with “AAA” is closed on April 9, I expect “AAA” to pay any such reconnection charges to PG&E!

4. Additional Details: Verbatim Transcript of the MP3 “Telephone Verification” Voice Recorded Log

I am also challenging the so-called “*recorded voice log*,” alternatively referred to as a TPV, that “AAA” provided as an MP3 file to the BBB.

The main speaker is a woman named “Gail.” As the transcript footnote shows, Gail appears to be a “call taker” employed by TPV.com, which is a leading provider of “[REDACTED]”

- **“Gail” Inadvertently “Blabbed” About “Importing” Call into Her Call Center Computer** Between the start of the MP3 phone call and one-minute and one-second (0:1:01) into the audio recording, there is a clear implication that the scam phone calls I had received on January 19 had somehow been “*imported*” into the Call Center hardware-and-software computer system Gail was using, as she had trouble finding the call records already started in her computer system even before she “*purportedly*” later brought me onto the call.

What the “*importing*” issue implicates and tends to suggest is that the two phone calls I received from the phone scammers on January 19 had somehow been preloaded via “*export*” into Gail’s computer system through some sort of “*import*” process. She struggled with a male “*representative*” named “Sam” who was calling into TPV.com to find that call record in her system apparently previously uploaded externally, or imported into, identified by a “Confirmation Code.” That Gail initially couldn’t locate the “Confirmation Code” in her Call Center records and struggled to find it revealed the underlying nature of the “import” process issue.

Since the two phone calls I had received on January 19 were illegal fraudulent scam phone calls, it appears those fraudulent calls had already been imported into Gail’s Call Center system, thereby creating a **second** “*fraudulent*” so-called “*recorded voice log*” or TPV file.

It seems perfectly clear to me that Gail had knowingly and willfully used a potentially false document [audiotape of the January 19 phone scams] using pre-imported data, and then conspired with “Sam” to knowingly and willfully create and make a second false document — the so-called “Third-Party Verified “voice recorded log” that purported to be a phone log of me providing authorization to be enrolled in “AAA Energy Services” program as a “Core Transport Agent.”

I CAN’T HELP BUT CONCLUDE THAT THE MP3 TPV FILE IS A SECOND FRAUD PERPETRATED AGAINST ME!

[I’m actually grateful that Gail struggled and eventually found the associated “Confirmation Code” record, and however inadvertently “leaked” information about having to import records or potentially other audio files. Even an internal “whistleblower” might not have willingly revealed that valuable admission of guilt!]

- **I Never Participated in the TPV “Call”:** “Gail” claimed at one-minute and thirty-one seconds (0:1:31) on audio into the call “*Please bring the customer on the line to confirm their enrollment.*”

I never received Gail’s phone call, nor was I “*brought onto the line.*” I never spoke to a “Gail.” So, “AAA’s” statement to the BBB I had “*agreed*” to anything is **factually another lie** they expect the BBB and I to believe.

“AAA’s” assertion it had attached the “*telephone verification*” to the BBB is a tacit admission “AAA” may have intentionally and knowingly relied upon a digitally-edited document containing information fraudulently obtained via the January 19 phone scams, in addition to the false content of the MP3 “TPV” document, and also in addition to the filing of false documents of public records with the BBB and potentially public records filed with the CPUC and or PG&E, the latter of which is a publicly-regulated utility company, that therefore become public records. Whether knowingly, or unwittingly, “AAA” submitted two fraudulent phone scams — one embedded in another — to the BBB!

- **“Gail” Changed Her Employer’s Name** When Gail claimed to have purportedly added me to the call at 0:1:40 on audio, she suddenly changed from saying to “Sam” she was representing “TPV.com,” to claiming she was with “AnswerNet” to “complete enrollment” with “AAA”. She magically went from being a “*third-party verification*” agent to being an “*enrollment agent*” in a split second.

But starting at 0:1:40, it’s clear that Gail’s call had been digitally altered or digitally manipulated, [REDACTED]

Transcribing the call revealed that Gail, acting as a customer service “agent” at an enrollment marketing company named “AnswerNet,” was confirming my enrollment as a customer of “AAA Energy.” “AAA’s” term sheet asserts any “Enrollment Company” would have been acting as a **CUSTOMER’S** agent. [REDACTED]

[REDACTED] To assert otherwise would be patently untrue.

- **My Hoarse Voice Digitally Inserted Into TPV Recorded Voice Log Is a “Forgery”** Between 0:1:40 and 3:20 on the MP3 recording, my hoarse voice barely able to speak in a bar whisper was digitally inserted into Gails’ “voice recording” **a mere five times** answering simple “Yes” or “No” questions.

But suddenly staring at 0:4:03 on the audio file, a different male’s voice was swapped out, essentially becoming a “fake [REDACTED]” an “understudy stand-in” for the remainder of the call. [The “**stand-in would NOT have earned an Academy Award**” for impersonation of my own natural accent!] It’s clear from the audio that for the remainder of the call, it was **NOT** my voice, but some other man’s voice pretending to be me, digitally “spliced” into Gail’s AnswerNet or TPV.com call record system. Why “Gail” didn’t discern the difference in male voices is a dead giveaway **the entire MP3 TPV file itself was a fraudulent hoax.**

The digital editing of the MP3 file may not have been the only crime. From my perspective the MP3 TPV file may potentially comprise a “*forged*” document, given that when people conspire to defraud knowingly make, alter, or possess any writing using a fictitious name in such manner that the writing made or altered purports to have been made by authority of someone (ME !) who did **NOT** give such authority ... and then delivers such writing (or audiotape) to another (say to the BBB, PG&E, or CPUC) such conspirators more than likely **also** created and committed a forgery!

Therefore, AAA’s assertion to the BBB was clearly **FALSE** that the entire “*second half*” of the TPV MP3 “*verification call*” was me— as the customer — and I had agreed to the multiple lies on the audiotape, simply because of the **FACT** that between 0:3:23 on the audiotape and all the to the end of the audiotape, [REDACTED]

- **“Gail” Asked If I Was [Voluntarily] Choosing “AAA Natural Gas” Under the “Consumer Choice” Program** At 0:3:23 on audio of the MP3 TPV recording — page 4 of attached verbatim transcript — Gail asked if I was voluntarily choosing “AAA Energy Services.”

It was **NOT** me, or my “digitally-inserted voice that answered “Yes.” to choosing “AAA. Instead, it was a “fake [REDACTED]” that answered “Yes” at 0:4:03 and then added a double “Yes, Yes” again at 0:4:22 on the TPV log. But the real [REDACTED] — me — had never agreed to “AAA” providing me with natural gas!

- **The Tell-Tale “Proof-in-the-Pudding”: Mispronunciation of My Last Name** A dead give-away I had not participated in Gail’s call was the mispronunciation of my last name!

At 0:5:16 on audiotape, Gail asked “[REDACTED]” — obviously then the “fake [REDACTED]” — “Please state the name as it appears on your utility bill.” Although the scam callers had no way of knowing this in advance, at 0:5:44 on [REDACTED], the digitally-altered [REDACTED] stand-in stupidly mispronounced my last name phonetically as [REDACTED] (alternatively phonetically, [REDACTED]). Unfortunately for these scammer’s — but fortunately for me — I know that I have always pronounced my last name phonetically as “[REDACTED]” (**emphasis on the [REDACTED]**)

syllable) — not

- **Incomplete Resolution of Billing Address** At 0:5:46 on audio, Gail asked the “fake [REDACTED]” whether or not the service address and service billing address were the same, and then repeated her question about whether the billing address was **NOT** the same. The “fake [REDACTED]” initially said “Yes, Yes,” followed by “No,” followed by “Yes.” Gail never inquired about, or resolved, the man’s inconsistent answers. Gail just let the issue go, unresolved.
- **PG&E “Gas Service ID Number”** At 0:6:40 on audio, Gail read the real [REDACTED]’s PG&E ID number to the “fake [REDACTED]” and asked if that number was correct. But as I note in the transcript, that is NOT what had transpired during the January 19 two phone scam phone calls. Indeed, it had been the Oriental, Chinese, and Indian accent phone scammers who had asked me to find my recent PG&E bill and read into the phone with my hoarse voice the gas “Service Agreement Number,” directing me to find it on page 5 of a recent PG&E bill/statement. I told those scammers on January 19 that if they really were PG&E employees as they had falsely held themselves out to be akin to under the “color of law,” they should have had access to my billing records and I shouldn’t have needed to read that ID number to them. That’s when I finally decided the January 19 call was a phone scam and hung up on them (twice) without agreeing to whatever they were trying to scam me into!

But instead of digitally splicing my “hoarse voice” reading that ID number to the phone scammers, it was turned inside-out, with Gail reading the account number to the “fake [REDACTED]” and merely asking him to confirm that was the correct ID number.

- **Additional Oddities:** Between 0:7:06 on tape through the end of the call there were additional oddities, including Gail asking [REDACTED] whether he understood he might be subject to a cancellation fee of \$100, and be subject to a 5¢-per-day charge to have his “AAA” charges added on to his PG&E bill, and other ridiculous questions. The real [REDACTED] — me — didn’t answer those questions. The “fake [REDACTED]” answered them.

5. Conclusion at the End of the Attached Verbatim Transcript

I draw the BBB’s attention to the concluding comments and notes I entered at the end of this “**FAKE**” and **FRAUDULENT** TPV recording in the attached verbatim transcript. It’s clear the TPV MP3 “log” was digitally edited.

Importantly, in my mind’s eye, it rises to the level of a “forgery” — a separate crime!

6. Text of My Proposed Rebuttal to “AAA Energy’s” Response to Post on BBB’s Web Site.

Also attached is the text of my proposed written rebuttal to “AAA” response to the BBB complaint that I ask be posted on-line on the BBB’s web site without any edits.

I have not included IN MY Rebuttal for posting to BBB’s web site my areas of agreement and disagreement noted in paragraph x above, titled “*Detailed Explanation of Remaining Concerns*,” as those agreements and disagreements are not germane to my rebuttal to misinformation in “AAA’s” response to the BBB.

I have not included personally identifiable information or statements about “AAA’s” employees I have interacted with. The attached text is a truthful account of my experience with “AAA,” “AAA Natural Gas,” and/or “AAA Energy Services,” a single business entity going by different names, as far as I can tell.

Because this “Rebuttal” is a truthful account of my experience with “AAA,” “AAA” should not be allowed to edit it, or object to anything I state in this proposed language. As a columnist for a local newspaper for 20-plus years, I am aware of slander and libel laws. I maintain there is nothing in my proposed statement that is libelous or slanderous, and note that my opinions of my experiences with “AAA” are not motivated in any way with intentional or implied malice or animus toward “AAA.”

For the reasons stated above, I continue to have grave concerns about the proposed resolution of my complaint “AAA Energy Services” submitted to the BBB.

April 5, 2024

Additional Documentation on My Complaint Regarding Fraudulent Scam by “AAA Natural Gas in Tulsa, OK
Page 7



Attachment:

A. Verbatim Transcription of “*Recorded Voice Log*” (TPV) Enrollment in “AAA Energy Services”

cc: PG&E, ATTN: David Gutierrez
California Public Utilities Commission — Consumer Affairs Branch
California Department of Consumer Affairs
Better Business Bureau
Oklahoma Attorney General’s Office, Consumer Protection Unit
U.S. Federal Trade Commission
San Francisco District Attorney’s Office, Fraud Division

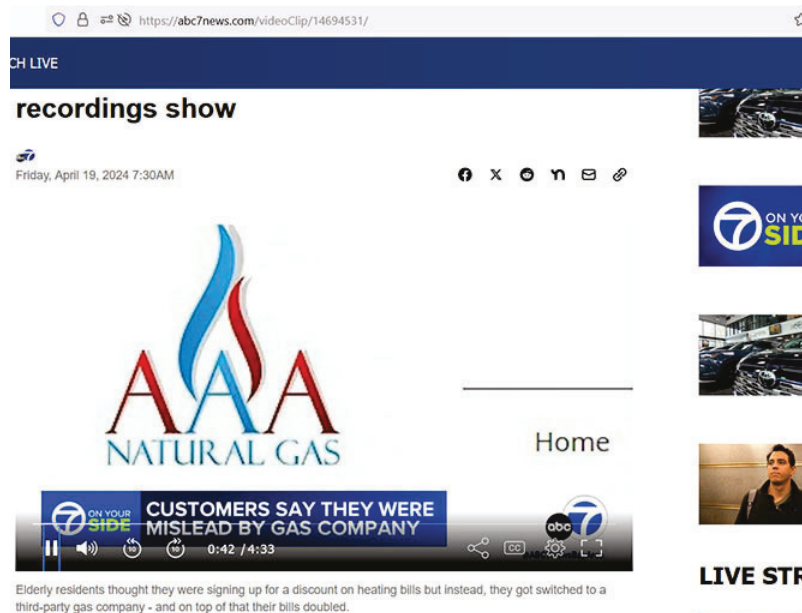
From: [REDACTED] >
Sent: Tuesday, April 23, 2024 11:00 PM
To: InfoAAAGas
Cc: Johnathan Burris; Angelica Diaz; Lori Johnson; Rachel Streatly
Subject: "AAA Natural Gas" Customer Scams Featured During Local San Francisco ABC New Channel Broadcasts 4-Minute Segment ...

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

Hurray! There is a **Goddess** after all, and her name is apparently "*Sweet-Ass Karma Is Gonna' Bite You in the Ass*"!

"Karma" just managed to get ABC TV Channel 7 in San Francisco to broadcast a longish 4-minute, 33-second news segment on April 19 about "AAA Natural Gas" / "AAA Energy Services" scamming the elderly and "slamming" customer's natural gas service from PG&E to "AAA Natural Gas."

<https://abc7news.com/videoClip/14694531/>



Vindication is so sweet. The news segment gave me a good laugh!

Hope you all — **especially you, Ms. Johnson** — enjoy your new notoriety via negative publicity! Couldn't happen to a worse bunch of folks and it's clearly something well deserved for your "corporate culture"! How your employees look themselves in the face each morning is beyond me!



p.s.: I had nothing to do with ABC's "*7 on Your Side*" team broadcasting this piece. But I'm so grateful they did! I hope Oklahoma's Native American Tribes wake up and smell the scams ... err, the roses! Typically, Native American elders hate seeing old folks screwed with!

From: [REDACTED]
Sent: Monday, April 29, 2024 5:12 PM
To: consumer-affairs@cpuc.ca.gov; michael.rodriguez@cpuc.ca.gov
Cc: Johnathan Burris; Angelica Diaz; Lori Johnson; Rachel Strealy; InfoAAAGas
Subject: Follow-Up to CPUC Complaint # 628871: Penalties Assessed? Third-Party Core Transport Agent — AAA Natural Gas

*** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ***

April 29, 2024

Michael Rodriguez
California Public Utilities Commission
ATTN: Consumer Affairs Branch
505 Van Ness Avenue, Roo3 2003
San Francisco, CA 94102

Re: Follow-Up to CPUC Complaint # [REDACTED]
**Third-Party Core Transport Agent — AAA
Natural Gas**

Dear Mr. Rodriguez,

I am in receipt of your April 18, 2024 letter acknowledging that the CPUC's Consumer Affairs Branch investigated and closed out my complaint against "AAA Natural Gas, (a.k.a., "AAA Energy Services"). I want my case re-opened to ask very pointed remaining questions involving whether a penalty citation and fees are assessed against "AAA Natural Gas."

You indicated the CPUC had investigated my complaint involving a phone solicitation I had received on January 19 that I suspected was a fraudulent phone scam I had reported that suspected fraudulent call to PG&E before I was subsequently enrolled with "AAA Natural Gas" without my consent (since I never approved it or even knew the name of "AAA Natural Gas" during that phone scam).

After I filed my initial complaint with the CPUC, I expressly followed up with the CPUC letting you know that once I obtained the "Third-Party Verification" (TPV) MP3 file through the Tulsa Oklahoma Better Business Bureau, I transcribed that MP3 audiotaped call and discovered that it had been digitally edited. On behalf of the CPUC, you advised me, Mr. Rodriguez, to contact the Federal Trade Commission to report the "*inappropriate marketing*" as a result of the digitally-edited TPV audiotape. Thank you for voluntarily providing the FTC's contact information.

I now understand that "AAA Energy's" marketing agent — either TPV.com and/or AnswerNet — apparently digitally edited that MP3 file because only part of that call was my "*doctored*" voice on the tape but the majority of the call wasn't my voice, and I had never received that call since I knew that when the AnswerNet agent read from her sales marketing script "*bring [REDACTED] on to the line*" it was a digitally-edited TPV file because I never received any such call from an AnswerNet agent.

It now seems clear AnswerNet or TPV.com was probably working on behalf of "AAA Natural Gas" under a marketing

agreement of some sort, similar to the contract Tiger Natural Gas had with “Community Gas Center” (CGC) to perform “marketing” for Tiger Natural Gas in the “*Fishman v. Tiger Natural Gas*” lawsuit #17-05351 filed in the U.S. District Court in 2018 to 2019 in which the *Fishman* plaintiffs were awarded a \$3.7 million settlement fund from Tiger. Of note, “AAA Natural Gas” marketing coordinator Rachael Strealy provided testimony via a deposition in the lawsuit indicating as part of its marketing agreement with CGC Tiger received copies of sales call [script] recordings. So, I’m guessing “AAA” was also aware of the marketing script on the digitally-altered TPV call that slammed my natural gas service to “AAA Natural Gas.”

I am not convinced quite yet, Mr. Rodriguez, whether my complaint has been fully addressed properly by the CPUC

I now understand that the Consumers Affairs Branch in collaboration with the CPUC’s Utility Enforcement Branch (UEB) are authorized by the CPUC to investigate abuses of the CTA enrollment process and assess a \$1,000-per-incident penalty in citations against CTA’s such as “AAA Natural Gas” and other costs, including the Base Fee and the Variable Fee the CPUC approved in 2021 in Resolution G-3580 to recover costs of administering the CTA program to resolve consumer complaints.

Please confirm, Mr. Rodriguez, whether the CAB or UEB on behalf of the CPUC acting on behalf of me as a gas consumer:

1. Has the CAB forwarded my fully investigated and apparently closed informal complaint to your UEB, and has the UEB actually levied the \$1,000 per violation citation and penalty against “AAA Natural Gas” yet?
2. Because of the digitally-edited TPV file involved in my CPUC complaint, will my informal but written complaint to the CPUC’s CAB be entered into and counted in the CAB’s “*Monthly CTA Complaint Report*” for January or February 2024 in the “*Abusive Marketing*” complaint category against “AAA Natural Gas”?
3. When the CPUC’s UEB calculates and assesses the per-complaint “*Variable Fee*” of approximately \$180 per complaint (used in 2022) for complaints received during 2024, will my complaint in the CAB’s “*Monthly CTA Complaint Report*” be factored in and counted in the “*Variable Fee*” assessed to “AAA Natural Gas”?

I look forward to your response, Mr. Rodriguez.

Thank you,

[REDACTED]

cc: Triple AAA Energy Services (a.k.a. or d.b.a., “AAA Natural Gas”), Tulsa, OK

hlong@tulsabob.org

ATTACHMENT 12

September 3, 2024, Holland and Knight email response to CPED data request
DR-CTA-00451-4 –

Attachment 12, AAA 1

CONFIDENTIAL
(Available via email)

From: [Zhu, Bernice](#)
To: [Wu, Stephanie](#)
Subject: Fw: [EXTERNAL] RE: Response Required: August 30, 2024 DR-CTA-00451-4 AAA Natural Gas
Date: Monday, September 16, 2024 11:24:59 AM
Attachments: [AAA-2.pdf](#)
[AAA-1.mp3](#)

From: Leah.Capritta@hklaw.com <Leah.Capritta@hklaw.com>
Sent: Tuesday, September 3, 2024 4:35 PM
To: Parker, Wayne <Wayne.Parker@cpuc.ca.gov>
Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Rachel Strealy <rstrealy@tigernaturalgas.com>
Subject: RE: [EXTERNAL] RE: Response Required: August 30, 2024 DR-CTA-00451-4 AAA Natural Gas

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Mr. Parker,

Thank you again for your time on Thursday.

As I stated in the call, we do not believe that the parties currently have a right to discovery in K.24-08-005, and we have concerns about providing discovery where, as here, AAA does not yet have a reciprocal right.

Nevertheless, AAA provides the following information: (1) the first TPV, which [REDACTED] did not complete (attached); and (2) the non-oral information associated with [REDACTED] recordings (attached). AAA has no other information responsive to DR-CTA-00451-4.

We will look to balance the equities with DR-CTA-451-4 when the parties agree upon discovery.

Thank you,

Leah Capritta | Holland & Knight

Partner

Holland & Knight LLP

1801 California Street, Suite 5000 | Denver, Colorado 80202

Phone 303.974.6646 | Mobile 303.903.8142

leah.capritta@hklaw.com | www.hklaw.com

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From: Parker, Wayne <Wayne.Parker@cpuc.ca.gov>

Sent: Thursday, August 29, 2024 6:31 PM

To: Capritta, Leah E (DEN - X56646) <Leah.Capritta@hklaw.com>

Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Rachel Strealy <rstrealy@tigernaturalgas.com>

Subject: RE: [EXTERNAL] RE: Response Required: August 30, 2024 DR-CTA-00451-4 AAA Natural Gas

[External email]

Ms. Capritta,

Thank you for meeting with CPED representatives this afternoon. As we discussed, there is an outstanding data request (DR-CTA-00451-4) which requires AAA Natural Gas to respond by tomorrow, August 30, 2024. During today's call, you requested that CPED waive its right to a response from AAA Natural Gas to DR-CTA-00451-4 based on the issuance of ALJ Chiv's Ruling on Expedited Appeal Procedure and Requesting a Joint Response.

CPED will not agree to waive its right to a response from AAA Natural Gas with respect to data request DR-CTA-00451-4. DR-CTA-00451-4 was served on AAA Natural Gas on August 16, 2024. ALJ Chiv's Ruling on Expedited Appeal Procedure and Requesting a Joint Response was not issued until the following Monday, August 20, 2024. While the Ruling grants termination of the Expedited Citation Appeal and converts the proceeding to the regular procedure for citation appeals under Resolution ALJ-377, it does not explicitly address pre-existing data requests. Therefore, AAA Natural Gas is obligated to respond to DR-CTA-00451-4 by the requested due date. If AAA Natural Gas cannot or will not respond by COB tomorrow, then AAA Natural Gas is obligated to work with CPED in determining a date by which their response will be served to CPED. Failure to do so will result in CPED making a motion to compel a response to DR-CTA-00451-4.

Given that the DR-CTA-00451-4 is a simple data request that should require little effort to respond to, we hope that AAA Natural Gas will respond as soon as possible.

Regards,

Wayne A. Parker
California Public Utilities Commission
Legal Division
300 Capitol Mall
Sacramento, CA 95814
Direct Line: (916) 823-4772 (ext 31-54772)
Mobile: (917) 405-4401

From: Leah.Capritta@hklaw.com <Leah.Capritta@hklaw.com>

Sent: Wednesday, August 21, 2024 11:41 AM

To: Parker, Wayne <Wayne.Parker@cpuc.ca.gov>

Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Rachel Streatly <rstreatly@tigernaturalgas.com>

Subject: RE: [EXTERNAL] RE: Response Required: August 30, 2024 DR-CTA-00451-4 AAA Natural Gas

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Thank you. I am generally the afternoons of August 26, 27, & 28. Please let me know a convenient time and I will circulate a zoom invitations.

Thank you again,

Leah Capritta | Holland & Knight

Partner

Holland & Knight LLP

1801 California Street, Suite 5000 | Denver, Colorado 80202

Phone 303.974.6646 | Mobile 303.903.8142

leah.capritta@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

From: Parker, Wayne <Wayne.Parker@cpuc.ca.gov>

Sent: Wednesday, August 21, 2024 11:34 AM

To: Capritta, Leah E (DEN - X56646) <Leah.Capritta@hklaw.com>

Cc: Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>; Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Rachel Streatly <rstreatly@tigernaturalgas.com>

Subject: RE: [EXTERNAL] RE: Response Required: August 30, 2024 DR-CTA-00451-4 AAA Natural Gas

[External email]

Ms. Capritta,

I am the staff attorney assigned to advise CPED in the subject proceeding. CPED is amenable to holding a meet and confer to address the issues required for the joint statement due September 23, 2024, as well as the outstanding discovery request (DR-CTA-00451-4) referenced in your e-mail below. Please let us know what dates and times you would be available for such a meeting.

Thank you.

Wayne A. Parker

California Public Utilities Commission

Legal Division

300 Capitol Mall

Sacramento, CA 95814
Direct Line: (916) 823-4772 (ext 31-54772)
Mobile: (917) 405-4401

From: Leah.Capritta@hklaw.com <Leah.Capritta@hklaw.com>
Sent: Tuesday, August 20, 2024 4:38 PM
To: Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>; Rachel Strealy <rstrealy@tigernaturalgas.com>
Cc: Parker, Wayne <Wayne.Parker@cpuc.ca.gov>; Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>
Subject: [EXTERNAL] RE: Response Required: August 30, 2024 DR-CTA-00451-4 AAA Natural Gas

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Hello Ms. Zhu,

I want to acknowledge your email and express AAA's desire to provide timely responses.

I have some concern, with AAA's appeal, that CPED will be able to essentially conduct discovery without AAA being able to do the same; notably, the appellate rules do not expressly permit discovery. We have no objection, for example, in providing information that we plan to present during our appeal, but your Data Request may go beyond that.

Perhaps we could set up a time to discuss this matter, together with the preparation related to the joint statement mandated by order today?

Please let me know if you would be amenable to this discussion.

Thank you,

Leah Capritta | Holland & Knight

Partner

Holland & Knight LLP

1801 California Street, Suite 5000 | Denver, Colorado 80202

Phone 303.974.6646 | Mobile 303.903.8142

leah.capritta@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

From: Zhu, Bernice <Bernice.Zhu@cpuc.ca.gov>
Sent: Friday, August 16, 2024 9:26 AM
To: Capritta, Leah E (DEN - X56646) <Leah.Capritta@hklaw.com>; Rachel Strealy <rstrealy@tigernaturalgas.com>
Cc: Parker, Wayne <Wayne.Parker@cpuc.ca.gov>; Ouyang, Ke Hao <kehao.ouyang@cpuc.ca.gov>
Subject: Response Required: August 30, 2024 DR-CTA-00451-4 AAA Natural Gas

[External email]

Dear Ms. Capritta,

The California Public Utilities Commission's (CPUC) Consumer Protection and Enforcement Division (CPED), requests information as described in the attached document.

Please carefully review the specifics of the attached data request, as it has been updated. If you have any questions, do not hesitate to contact me via email (bernice.zhu@cpuc.ca.gov) or telephone (415) 471-9207.

Please submit your responses to DR-CTA-00451-4 electronically, on or before **August 30, 2024**. If you are unable to provide a response by the requested due date of **August 30, 2024**, please provide a written explanation by **August 23, 2024**, as to why you cannot meet the response dates and when you can provide the information.

Thank you for your cooperation.

Sincerely,

Bernice Zhu

Regulatory Analyst

California Public Utilities Commission

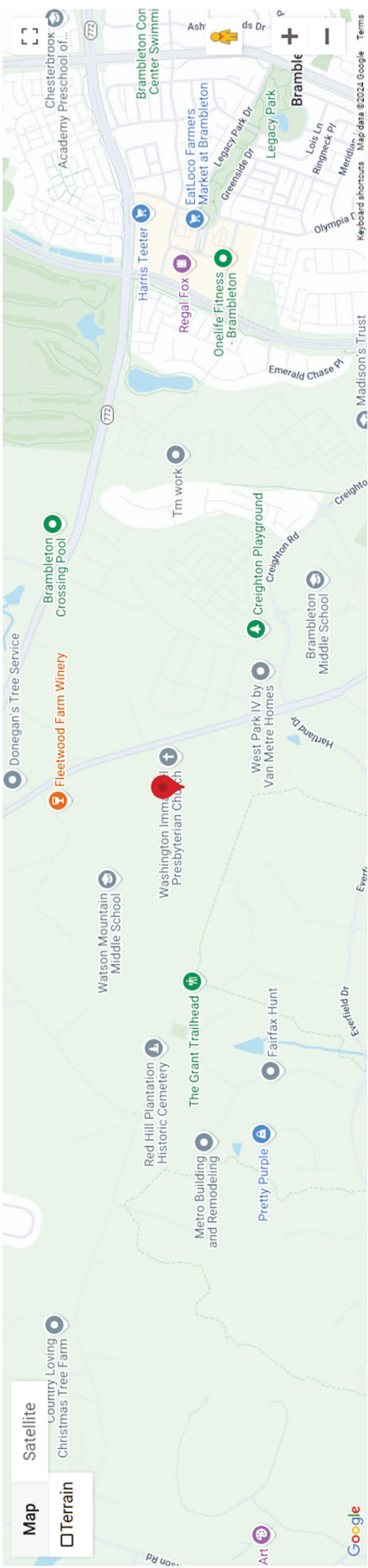
505 Van Ness Avenue

San Francisco, CA 94102

(415) 471-9207

bernice.zhu@cpuc.ca.gov

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Interaction Timeline

Total Records: 3					
Date	Type	TPV Agent	Result	Duration	Recording
2024-01-18 15:49:07	Live call_inbound	[REDACTED]	[REDACTED] Customer Needs Clarification	8.07 min(s)	▶ 0:00 / 7:55 🔊
2024-01-18 15:49:28	EZTPV	--	[REDACTED] Pending	0.00 min(s)	--
2024-01-18 16:11:43	Live call_inbound	[REDACTED]	[REDACTED] Sale	11.08 min(s)	▶ 0:00 / 11:02 🔊

Information

Created at: 2024-01-18 15:49:28

Call Type: TPV

Confirmation Co: [REDACTED]

Sales Agent: [REDACTED]

Vendor: All Tech BPO

Office: Office 1

Channel: TM

Language: English

Customer Phone: [REDACTED]

Service Address GPS Location: [REDACTED]

Sales Agent Signature GPS Location: [REDACTED]

Sales Agent Address: [REDACTED]

EZTPV: [REDACTED]

• Channel: TM

Appeal of UEB-003-0197
K.24-08-005
AAA00002
09/03/2024