In 2009, Georgia Watch attended more than 100 events in 28 counties. We have reached approximately 10,000 Georgians in our extensive outreach efforts and have kept up this momentum so far in 2010!

You too can book Georgia Watch for a speaking engagement by calling (866) 33-WATCH!
GEORGIA POWER SEEKING $1 BILLION RATE INCREASE; AGL WANTS $54 MILLION

By Jonathan Shapiro

Amid the worst recession since the Great Depression and state unemployment still topping 10 percent, Georgia Power last month filed a rate increase request before the Public Service Commission (PSC) of more than $1 billion. This falls on the heels of two other Georgia Power rate increases approved over the last year. The new billion-dollar proposal would be phased in over the next three years. By February 2013, average Georgia Power bills would shoot up $18 per month, or $216 per year.

In the filing, Georgia Power is seeking approval to collect significantly more profit from its 2.35 million customers. The regulated utility’s current rate of profit is 11.25 percent. Georgia Power wants to raise its profit margin to nearly 12 percent, which translates to roughly $84 million more of profit per year.

“We’re in one of our state’s worst recessions and Georgia Power is filing one of the biggest rate increase requests in history and asking for more profit,” said Georgia Watch executive director and former Public Service Commissioner, Angela Speir Phelps. “It’s essential for ratepayers to get involved so they can protect their pocketbooks.”

In addition to a massive rate hike and a higher profit margin, Georgia Power is also proposing a new arrangement in which two-thirds of its annual losses could be offset by imposing higher rates on customers without having to file a formal rate case.

“It’s clearly an attempt to shift the financial burden from shareholders to ratepayers. It’s an unprecedented move and would eliminate an established review process for rate increases,” said Speir Phelps. “The Public Service Commission is responsible to the people of Georgia to review and evaluate the fairness of rate increase requests. How can they establish just and reasonable rates without a review?”

Continued on page 6...
In March 2010, President Obama signed into law the Affordable Care Act (ACA). Starting now, Georgians have new rights and greater access to affordable health care, including care at their hospitals. Private nonprofit hospitals will now be held more accountable due to stricter regulations that are tied to their nonprofit status. For example, hospitals will now be required to conduct a community needs assessment every three years. This will allow them to create a roadmap to better address community needs such as diabetes educational outreach and programs meant to help low-income consumers better access affordable care. In addition, each tax-exempt hospital must establish, implement, and make widely available written policies regarding financial assistance and emergency medical care. The financial assistance policy must specify eligibility criteria (including whether the assistance includes free or discounted care) and state how the hospital calculates the amounts that are billed to patients. For a hospital that does not have separate billing and collections policies, the hospital must have a policy that accounts for the actions that the hospital takes in the event of non-payment. Further, the hospital must have a written policy requiring it to provide non-discriminatory financial assistance to all patients who qualify. By Jonathan Shapiro Continued on page 5...

**FACT BOX**

**GEORGIA BANK FAILURES**

Since 2008, banks have gone bust across the nation at an alarming rate, and Georgia is leading the pack. The Federal Deposit Insurance Corporation (FDIC) maintains a confidential watch list of banks that are in financial trouble. All deposits at financial institutions backed by the FDIC or the National Credit Union Association (NCUA) are insured up to $250,000. Even if your bank or credit union fails, your money up to $250,000 is safe.

**Georgia Bank Failure Statistics**

41: Total bank failures in Georgia since the start of 2008, the most of any state in the nation

$19.5 billion: Amount of total deposits at failed banks in Georgia over the last three years

$7.3 billion: Total loss to FDIC insurance fund caused by bank failures in Georgia over the last three years

34: Reduction in the number of bank examiners at the Georgia Department of Banking and Finance in the last 15 years

1: Size of the consumer affairs staff at the Georgia Department of Banking and Finance

Sources: FDIC, Atlanta Journal-Constitution, Georgia Department of Banking and Finance

Life insurance companies are holding out on paying death benefits to family members so they can reinvest the money and make a profit on it. The insurance companies tell relatives that they’ll keep the money for safekeeping and apply a small amount of interest - usually .5 percent - on the sum. Relatives of the deceased are issued a “checkbook” by the insurance companies, giving the impression that the money is being kept in a bank. It’s not. The money is being funneled into their own corporate investment accounts, which can return up to 5 percent interest. That means these insurance companies are making 5 to 10 times the amount eventually paid to families. What’s more alarming is that while the payout is in the hands of the insurance company, the money is not FDIC insured, meaning that if the insurance company happens to go bankrupt, the money is lost permanently.

“It’s a rip off,” says Georgia Watch deputy director Danny Orrock. “The insurer gets to play the market while the grieving family bears all the risk.”

There are reportedly more than a million of these accounts holding more than $28 billion in death benefits. Metlife alone holds $10 billion. While Prudential and Metlife were the focus of the Bloomberg report, more than 100 insurance companies have similar “checkbook” programs.

Georgia Watch urges public officials to wake up and fix this sleazy business practice.

**HOSPITALS AND THE AFFORDABLE CARE ACT**

By Holly Lang

In March 2010, President Obama signed into law the Affordable Care Act (ACA). Starting now, Georgians have new rights and greater access to affordable health care, including care at their hospitals. Private nonprofit hospitals will now be held more accountable due to stricter regulations that are tied to their nonprofit status. For example, hospitals will now be required to conduct a community needs assessment every three years. This will allow them to create a roadmap to better address community needs such as diabetes educational outreach and programs meant to help low-income consumers better access affordable care. In addition, each tax-exempt hospital must establish, implement, and make widely available written policies regarding financial assistance and emergency medical care. The financial assistance policy must specify eligibility criteria (including whether the assistance includes free or discounted care) and state how the hospital calculates the amounts that are billed to patients. For a hospital that does not have separate billing and collections policies, the hospital must have a policy that accounts for the actions that the hospital takes in the event of non-payment. Further, the hospital must have a written policy requiring it to provide non-discriminatory financial assistance to all patients who qualify. By Jonathan Shapiro Continued on page 5...
FINANCIAL OVERHAUL OFFERS NEW CONSUMER PROTECTIONS

By Danny Orrock

On July 21st, President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act, after more than a year of intense debate in Washington. The financial services industry spent over a quarter of a billion dollars lobbying to stop or weaken the legislation, which was aimed at preventing a recurrence of the economic crisis and stock market plunge that occurred in the fall of 2008.

The new law is meant to prevent future market collapses by requiring financial firms to hold more capital in reserve if they engage in certain types of trading. It also restricts some of the riskiest trading and increases transparency. If these measures still do not prevent a collapse at a major financial institution, the bill allows authorities to safely shut down a company instead of putting taxpayers on the hook for more bailouts.

The new law also enacts important reforms to rein in irresponsible mortgage lending practices which Georgia lawmakers have been attempting to put into state law for the last two years. Lenders will now have to verify that a borrower has the ability to repay a home loan before making the loan. Prepayment penalties will now be banned on home loans, as well as kickbacks for mortgage brokers who steer customers towards unsuitable transactions.

The law also creates a new Consumer Financial Protection Bureau (CFPB) in the Federal Reserve to serve as a watchdog on consumer financial products. The Bureau will be able to require more disclosure or protections for individuals using credit. The President will appoint the head of the CFPB, who must be confirmed by the US Senate. As the new bureau comes into shape, it will begin to develop rules and guidelines for companies that offer financial products to consumers.

One area that the CFPB won’t cover is car dealers. So any auto loan obtained through a dealer won’t have to comply with any guidelines or disclosures required by CFPB. However, auto loans obtained directly through a bank or credit union will be covered by any new rules issued by the new bureau.

While the passage of the financial reform bill is a big step forward for consumers, the battle is just beginning. Writing regulations and building the CFPB will certainly be met with more opposition from entrenched interests on Wall Street. Stay tuned for opportunities to make your voice heard in the rulemaking process.

MEET OUR NEW CONSUMER OUTREACH DIRECTOR

Georgia Watch is proud to announce the addition of Ashley Wilson as our new Consumer Outreach Director and Staff Attorney.

Wilson will be the first point of contact for consumers, in charge of connecting people to policy and empowering individuals to assert their rights as citizens. She will develop targeted presentations and conduct outreach efforts to help consumers throughout the state and build support for our issues.

“I can’t begin to express how excited I am to be part of Georgia’s leading consumer advocacy organization. It is my goal to see Georgia Watch expand both in our membership and in the number of lives we’re able to impact,” Wilson said. “I’m looking forward to helping Georgia Watch deepen its community involvement and presence across the state.”

A native of Augusta, Wilson graduated in 2002 from the University of Georgia with a B.A. in Political Science. She received her Juris Doctor from the T.C. Williams School of Law at the University of Richmond in 2006, and became a member of the State Bar of Georgia shortly thereafter.

Wilson went on to work at the financial and corporate communications firm Joele Frank, Wilkinson Brimmer Katcher in New York, where she advanced the business objectives of publicly-traded companies through investor relations.

In 2008, she returned to Atlanta to practice law in her home state, and worked as a trial attorney, representing indigent criminal defendants in Henry County.

“Ashley is passionate about helping people and making a positive difference in the lives of Georgians. We are thrilled to have her join our watchdog team,” Georgia Watch executive director Angela Speir Phelps said. “Her experience in the courtroom and business knowledge make her a strong ally for consumers and a valuable asset to our organization.”

To contact Ashley about upcoming events, or to schedule an event, call (404) 525-1085 ext. 13 or email her at awilson@georgiawatch.org
IRS Hashing Out Hospital Accountability Standards

By Holly Lang

The Internal Revenue Service took an important step last week that could make health care more affordable for millions of Americans, including many here in our state.

Through the recently-enacted Affordable Care Act (ACA), the agency is aiming to improve protections for consumers who get care at nonprofit hospitals throughout the country, including the more than 120 in Georgia. After requesting input on appropriate accountability standards, the IRS is now considering which suggestions to incorporate into their regulations. How far the new rules go depends on us and Georgia’s congressional leaders.

Federal law exempts nonprofit hospitals from certain taxes. In exchange, they are expected to provide services that benefit the community. The IRS is charged with overseeing these “community benefits.” But until the ACA, the IRS had no clear and concrete standards for acceptable community benefit policies. The consequence: some hospitals with a strong commitment to serving the public invest in protecting consumers, while others that enjoy the same tax benefit are not delivering the same public benefit. In fact, IRS data shows that only 25 percent of nonprofit hospitals are providing 80 percent of the nation’s charity care.

The least-conscientious hospitals actually employ policies that can harm consumers. Some of the most egregious: charging uninsured and self-pay patients as much as triple what they charge insurance companies for the same care; requiring significant out-of-pocket payments before providing treatment; employing aggressive collection practices like property liens or garnishing wages; and, selling consumers’ debts to other lenders who charge interest rates as high as 18 percent.

For example, in a recent survey of 24 nonprofit hospitals in the metropolitan Atlanta area, only 11 had state-required signs posted about available financial assistance programs. It is unacceptable that less than half of Atlanta hospitals are in compliance with basic state regulations.

These unfair practices contribute to one of the leading causes of personal bankruptcy – medical debt. And with the recession costing Americans both jobs and health insurance at an alarming rate, the need for affordability and fairness is greater now than ever.

We challenge the IRS to swiftly institute regulations that ensure there are clear charity care guidelines and streamlined application processes for all patients. The agency must also require hospitals to help consumers make informed decisions by notifying them – in every case – when charity care is available.

Whether through town hall meetings, consumer forums, or phone calls to district offices, make sure your elected officials in Washington know you are engaged on these issues. After all, they can still push for rules that make certain nonprofit hospitals deliver care that is both affordable and accessible to all.

IRP RECAP: Georgia Power takes small steps towards efficiency

By Clare McGuire

On July 6, the Public Service Commission (PSC) voted 4-1 to approve a settlement between Georgia Power and PSC Staff regarding Georgia Power’s Integrated Resource plan (IRP), a three year roadmap that lays out how the electric company will provide energy to our growing state. During the six month PSC review, Georgia Watch partnered with energy expert Jay Hakes to advocate on behalf of ratepayers.

As Georgia Watch’s key witness, Hakes brought with him much insight and authority. From 1993 to 2000, he held the presidentially-appointed position of Administrator of the Energy Information Administration (EIA) at the U.S. Department of Energy. Since then, Hakes has served as director of the Carter Center and has written the highly regarded book, “A Declaration of Energy Independence,” which describes a national strategy for preventing future energy crises. Most recently, Hakes was appointed by President Obama to be Research Director for the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.

During the IRP proceedings, Hakes testified that Georgia Power needed to take more aggressive steps to encourage energy efficiency among its 2.35 million customers. He called on the company to invest more in “demand side management” (DSM) programs, which focus specifically on influencing the energy consumption of homeowners and other “end-users.”

The Refrigerator Recycling Program, for instance, provides eligible customers with free refrigerator and freezer pick-up services, along with a cash incentive of $35. The program has been quite successful in raising customers’ energy awareness and accelerating the replacement of older, inefficient models.

Throughout the hearings, Hakes urged the adoption of a federal standard which calls on electric utilities to prioritize the integration of energy efficiency resources into their long-term plans. During the course of the IRP hearings, Georgia Power was opposed to the Commission’s adoption of any such standard, but the final IRP settlement includes such a provision.

Additionally, the settlement between Georgia Power and the PSC Staff contains a number of other positive steps forward for Georgia Power customers, our state and the environment. They include:

- Over the next three years, Georgia Power will work to reduce statewide electricity use by 900 megawatts, the equivalent of switching the power off in 225,000 homes. This is a step forward...
THE TRAP OF DEBT SETTLEMENT COMPANIES

By Danny Orrock

There are a lot of advertisements these days for companies that claim they can reduce or even erase debt. While this might seem to be the perfect solution for someone struggling with unpaid bills and late fees, in actuality such a program can lead to even deeper debt.

Many debt settlement companies charge high fees simply for collecting money from a consumer and disbursing it to creditors. The money that is paid in fees could have been used by that consumer to pay down debt, but instead it’s lining the pockets of the debt settlement company.

Debt settlement companies are different from debt management organizations, which typically help consumers set a budget and pay creditors monthly. Debt settlement companies, on the other hand, typically tell consumers to stop paying all bills and instead make regular deposits into a separate account. This often compounds problems, even leading tocollections calls and lawsuits.

If you or someone you know is seeking help in getting out of debt, follow these tips to avoid rip-offs:

- Contact your creditors first and see how willing they are to work with you. Many credit card companies will negotiate for a more feasible payment plan, especially when the alternative for the consumer is bankruptcy.

- Find a reputable debt management organization that is in the business of helping individuals get on top of their finances and out of debt. Such organizations typically offer a range of services, will usually provide educational materials for free, have accredited counselors, and don’t pay employees on commission. If you talk to an outfit that can’t help you set a budget, then they’re not interested in helping you; they’re just interested in taking your money. One such reputable organization is Consumer Credit Counseling Services, now known as CredAbility, a longtime nonprofit credit counseling service with offices all over Georgia.

- Don’t stop sending payments to your creditors, even if the debt settlement company you are working with directs you to do so. Failure to make payments will hurt your credit rating. Check the payment history on your accounts. Unless the debt settlement company has started to send in payments to your creditors, keep paying your bills on time to the best of your ability.

- Watch out for promises to remove damaging information from your credit report. A debt settlement company cannot force a creditor to make changes to your credit report. Improving your credit report often is simply a matter of ensuring that it is accurate and making regular payments.

- Walk away from anyone who promises to modify your mortgage for a fee. Many folks trying to modify their mortgage have found the lender difficult to deal with. But someone that is trying to secure a loan modification for you is not going to have any more luck with the lender than you will.

- The key is to make sure that you know and trust who you are dealing with. If you feel like you’re not getting the help you need, don’t be afraid to walk away.

Hospitals are now required to limit the amount they charge for emergency or other medically necessary care provided to patients eligible for financial assistance to not more than the amounts generally billed to insured patients. The policy also must prohibit the use of “gross charges” when billing individuals who qualify for financial assistance. While “gross charges” aren’t defined in the bill, they are generally considered to be the full amount a hospital will charge a patient for its services, and don’t include any of the formidable discounts insurance companies receive. Now, the amounts billed to those who qualify for financial assistance “may be based on either the best, or an average of the three best, negotiated commercial rates, or Medicare rates.” Hospitals can, however, still charge the full amount to those patients who do not qualify for financial assistance.

Finally, a tax-exempt hospital must meet certain billing and collections requirements. Hospitals aren’t allowed to take “extraordinary collection actions” – such as lawsuits, arrests, liens, or other similar actions – until they have made “reasonable efforts” to determine whether a patient is eligible for financial assistance. Unfortunately, “reasonable efforts” was not defined in the act, though the IRS may establish that definition through regulations. For more on this process, see page 4.
Citing lost revenue due to the recession, Atlanta Gas Light (AGL), a gas distribution company serving over 1.4 million residential customers in Georgia, is asking for a rate increase of $54 million, nearly $50 million of which would come from residential customers. If approved, base charges on monthly bills would increase by about $35 per year - no matter how many therms of gas used. Although AGL officials claim this would be their first rate increase since 1993, the regulated utility last year gained PSC approval to collect more than $400 million through customer surcharges over the next 13 years. Final decisions by the PSC will be rendered on October 28th, 2010 for the AGL rate case and December 21st, 2010 for the Georgia Power rate case.

We urge all ratepayers to attend the PSC public hearings (see below for full schedule) and voice opposition to these anti-consumer proposals.

For more information on the rate cases, call (404) 525-1085 or visit us at www.georgiawatch.org
BY ANGELA SPEIR PHELPS

We only have to step outdoors during these dog days of summer to know it’s hot. According to the National Oceanic and Atmospheric Administration, June 2010 was the warmest June on record, and the heat hasn’t relinquished its grip during July or August. If you’ve opened a Georgia Power bill lately, you’ve noticed that it has gone up dramatically. Customers see higher bills because during the summer months of June-September, Georgia Power is allowed to bill their customers a much higher seasonal rate (about 75% more after the first 650 kWh) than during the winter months.

If you haven’t already experienced rate shock, hold onto your pocketbook - it’s coming. Georgia Power just proposed a $1.2 billion dollar rate increase, one of the largest requests in Georgia history. We have formally intervened in the case and will do everything we can to protect consumers and mitigate exorbitant rate increases.

Simply put, Georgia Power’s billion dollar proposal is a bad deal for consumers. If approved by the Public Service Commission in December, it will mean:

- Significantly higher electric bills for residential customers.
- More financial risk for average Georgians and less financial risk for Georgia Power shareholders.
- Higher profit margins for Georgia Power during one of our country’s worst ever recessions.

We urge all of our members to stay engaged with this story and if possible, to attend the public hearings before the Public Service Commission. We encourage you to ask your friends and neighbors to do the same. For a full schedule of the upcoming public hearings, see page 6.

In the meantime, you can implement common sense steps to scale back your energy bills, such as replacing old incandescent light bulbs with compact fluorescent bulbs. 95 percent of the energy used to light an incandescent bulb is lost as heat – it warms your home up and wastes money. If you replace the five most used light bulbs in your home with Energy Star compact fluorescent bulbs - you can save $60 per year in energy costs.

The Department of Energy also recommends turning everything off when not in use (lights, t.v., computers, etc.), replacing dirty air filters that block air flow through your heating and cooling systems, keeping windows covered during the hottest part of the day, using the microwave instead of the stove, turning down the thermostat on your hot water heater to no more than 130 degrees, and switching to cold water laundry washing. If you set your thermostat back several degrees when you know you’ll be away from home for 8 hours or more, it will reduce the number of times your cooling system needs to run during the day - saving a significant amount of money. It’s a myth that your system has to work harder to catch up - costing you more money in the long run. Your system will have to run longer to reach its optimal temperature but you’ll still save money.

And even though it’s hard to believe we’ll need to turn our heat on in a couple of months, fall is right around the corner. Historically, September is a good time to lock in your natural gas rate for the winter. There is no guarantee that September will be the best time to lock in a low rate - hurricanes and demand impact the market and cost. If there’s a hurricane late in the summer natural gas rates will go up. The best resource for comparing prices and information is the Public Service Commission’s website www.psc.state.ga.us. A good place to start is by reviewing information posted below the “Consumer Protection” column on the website’s main page, including the link for natural gas marketers’ prices. You can review information about each gas marketer’s customer service, number of complaints, and published monthly rates. Before locking in your rates, make sure you’re aware of any hidden fees – such as early termination or cancellation fees. Also make sure you’re aware of how much the natural gas marketer charges for customer service fees in addition to the “per therm” rate. Ask about any special promotional rates as well as discounts for seniors or low income customers if they apply.

Georgia Watch is speaking up for you in these billion dollar rate cases and standing up for you at the legislature when decisions are being made that impact your quality of life. We’ll continue to protect Georgians’ pocketbooks on utility matters, hospital and healthcare issues, insurance, identity theft, and personal finance. Thank you for your support and always feel free to call me or any member of the Georgia Watch staff.