
BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of : Docket No. 04-035-01
PacifiCorp for Approval of its :
Proposed Electric Service Schedules : **MOTION TO WITHDRAW AARP'S**
and Electric Service Regulations. : **JOINDER IN THE COMMITTEE OF**
 : **CONSUMER SERVICES'**
 : **PETITION TO EXTEND THE 30-**
 : **DAY CUSTOMER CLAIM PERIOD**
 : **AND OTHER RELIEF**

 :
 :

Comes now AARP, by and through its counsel of record, and moves the Commission for an Order withdrawing AARP'S Joinder in the Committee of Consumer Services' Petition to Extend the 30-Day Customer Claim Period and Other Relief. AARP so moves for the reason that PacifiCorp has extended the time until February 26, 2004, for customers to file "customer guarantee" claims in connection with the December 2003 power outage.

AARP believes that PacifiCorp's agreement with the extension of time to file is both equitable and reasonable. AARP believes that there is confusion among Utah Power customers as to when the "Customer Guarantee Credit" is applicable, how to apply for it, and how much the credit may be. In this case AARP believes that the confusion may have been exacerbated by a statement of Mr. Bob Moir, Senior Vice President of PacifiCorp, when he stated at the Commission proceeding on January 6, 2004, as follows:

And as far as the PSC is concerned, Utah Power is declaring this as a major event--as putting forward as a major event, largely because of the number of customers effected, extended damage on our system and un -- I mean, we see it as a force majeure event. (TR. 14, lines 8-13.)

Customers may have believed that "major event" status had been established by this declaration and accordingly there was no availability of a credit and no need to make a claim. In any event, AARP recommends that in

PacifiCorp's next general rate case consideration be given to the "Customer Guarantee Credit" process. More specifically, that following a 24-hour or more power interruption, PacifiCorp be required to file a pleading with the Commission seeking a determination as to whether the interruption was a "major event" or not. If the Commission determines that the interruption was not a major event, then affected customers should be so notified and be given a reasonable time to file claims.

DATED this ____ day of February, 2004.

Dale F. Gardiner
Attorney for AARP

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of February, 2004, I caused to be e-mailed and mailed, first class, postage prepaid, a true and correct copy of the foregoing **MOTION TO WITHDRAW AARP'S JOINDER IN THE COMMITTEE OF CONSUMER SERVICES' PETITION TO EXTEND THE 30-DAY CUSTOMER CLAIM PERIOD AND OTHER RELIEF** to:

Edward A. Hunter
John M. Eriksson
Jennifer Horan
STOEL RIVES LLP
One Utah Center
201 South Main, Suite 1100
Salt Lake City, UT 84111-4904
eahunter@stoel.com
jmeriksson@stoel.com
jehoran@stoel.com

Michael Ginsberg
Asst. Attorney General
500 Heber M. Wells Building
160 East 300 South
Salt Lake City, UT 84111
Mginsberg@utah.gov

Reed Warnick
Asst. Attorney General
160 East 300 South, 5th Floor

Salt Lake City, UT 84111
rwarnick@utah.gov

Betsy Wolf
Salt Lake Community Action
bwolf@slcap.org

Dan Gimble
Committee of Consumer Services
Heber M. Wells Building
160 East 300 South
Salt Lake City, UT 84111
DGimble@utah.gov

Jeff Fox
Glen Bailey
Crossroads Urban Center
337 South 400 East
Salt Lake City , UT 84111-2068
jeffvfox@attbi.com

R. Robert Reader
William J. Evans
Parson Bailey & Latimer
201 South Main Street, Suite 1800
Salt Lake City, UT 84111
bobreeder@pblutah.com
wevans@pblutah.com

Judith Johnson and Ron Burrup
Division of Public Utilities
500 Heber M. Wells Building
160 East 300 South
Salt Lake City, UT 84111
RBurrup@utah.gov
JudithJohnson@utah.gov
