

LAW OFFICES OF
Craig Stephens Cook
A PROFESSIONAL CORPORATION

3645 EAST 3100 SOUTH
SALT LAKE CITY, UTAH 84109
(801) 485-0123
FAX (801) 485-2925

January 5, 2003

Utah Public Safety Commission
160 East 300 South
Salt Lake City, Utah 84109

Dear Commission Members:

I would like to lodge a complaint against Utah Power for the failure of the utility to properly service the power line between the pole and the meter of the homeowner. I have had three different experiences involving rental properties and therefore know that its conduct is not an isolated instance but is a company policy which is contrary to universal law governing utilities.

As you are aware a utility is obligated to supply services to the meter of the customer. Thus, the water utilities, cable, gas, phone all provide service and repair if the problem occurs prior to the meter. In the case of Utah Power, however, it maintains that the service line between the pole and the house is the responsibility of the homeowner and will not service an existing line regardless of its legal obligation.

For example, if I call Utah Power and complain that a tree limb is about to break over my service line they will simply say that I should hire a private tree service to trim the tree. Such a service could be hundreds of dollars depending upon the tree and access. If the limb knocks the line to the ground, UP & L will happily come to the property and turn off the power and then inform the homeowner that he must hire a private tree trimmer before the line will be reinstalled. If the line has pulled on the mast of the service meter then the homeowner is informed that he must also hire a private electrician to repair the meter base, obtain a building permit, and that UP & L will turn the power back on only after a government inspector has approved the work of the electrician.

By passing on the maintenance of its power lines to the customer it has no doubt saved millions of dollars. However, the already strapped homeowner is left to spend sometimes as much as \$1500 to repair or replace a broken meter base and to hire professional tree trimmers. In addition, this whole process can take up to five days before power is restored. In this critical winter time of cold temperatures such delay is intolerable. Elderly homeowners will have difficulty in finding and paying the professionals UP & L requires and will be in serious jeopardy if without power for a prolonged period.

If the Utah Public Service Commission has granted some exemption to UP & L

for its lines between the pole and house, such exemption should be immediately repealed. If UP & L has arbitrarily refused to maintain these lines then it should be fined and homeowners should be reimbursed for their expenditure to restore power. If the Commission does not take some action in this important matter then the Utah State Legislature should pass specific laws to protect homeowners from this type of corporate abuse.

It is absurd that UP & L has made no attempt to bury these lines based upon our weather conditions and large number of trees in the valley. My wife who is from Moscow, Russian never had a single electrical blackout during her entire childhood, adolescence and adulthood in spite of the severe weather conditions there since every electrical service is buried. If UP & L chooses to maintain its tree top web of electrical wires then it should be totally responsible for trimming all trees and should be responsible for any damage that is caused by its failure to do so. The total cost of maintaining tree trimming crews, linemen, and the substantial cost of power outages to the community would more than offsets the expenditure of a one time burying project.

I would appreciate a response from you staff concerning this major problem with a utility under your jurisdiction.

Sincerely,


Craig S. Cook

Cc. Salt Lake Tribune Editorial Board
Deseret Morning News Editorial Board
Provo Herald Editorial Board
Ogden Standard Examiner Editorial Board