

Docket No.
14-035-52

FORMAL COMPLAINT FORM
PUBLIC SERVICE COMMISSION
Heber M. Wells State Office Building
160 East 300 South, Fourth Floor
P.O. Box 45585
Salt Lake City, Utah 84114

UTAH PUBLIC
SERVICE COMMISSION

2014 APR 24 P 3:47

RECEIVED

1. Name of Complainant: Rod Stephens

Address: 1114 N. Morgan Valley Drive, Morgan UT 84050

Telephone No.: 801-647-6830 or 801-845-5279

If represented by counsel, list:

Name: Self Represented

Address: _____

Telephone No.: _____

2. The utility being complained against is: Rocky Mountain Power

3. What did the utility do which you (the Complainant) think is illegal, unjust, or improper? Include exact dates, times, locations and persons involved, as closely as you can.

I am in the process of building a new home at 1114 N. Morgan Valley Drive, Morgan, UT 84050, which requires permanent power be brought to my residence.

On February 7, 2014, Rocky Mountain Power sent me a contract for Work Order 5871107 for a Refund Option of \$7,540.00 or a Contract Administration Credit of \$7,290.00. I disagreed with the cost and left a phone message complaint to Curtis Galvez, Estimator. Mr. Galvez sent me a new contract for Work Order 5871107 with a Refund Option of 5,468.00 or Administration Credit for \$5,218.00. I was still skeptical about the estimate from Rocky Mountain Power, so I asked them to provide me with an itemized break down of the estimate.

Mr. Galvez refused to provide me with the requested break down. However, after I complained to the Public Service Commission, Rocky Mountain Power provided me with an itemized break down of the second estimate. I never received an itemized break down of the first estimate.

I researched the tariff and discovered the following under Regulation 12 subsection 2(e): Residential Extensions Transformation Facilities:

When an existing residential Customer adds load, or a new residential customer builds in a subdivision where secondary service is available at the lot line either by means of a transformer or a secondary junction box and the existing transformation facilities or service conductors are unable to serve the increased residential load:

1. the facilities upgrade shall be treated as a standard line extension if Customer's demand exceeds the capacity of existing facilities;
2. the facilities upgrade shall be treated as a system improvement and not be charged to the Customer if the Customer's demand does not exceed the capacity of the existing facilities.

I called Mr. Galvez and discussed this rule with him. He said he had never heard of it before. After researching it he told me this rule did not apply to me because I was not in a subdivision. However, contrary to Mr. Galvez's assertion, my new home is being built within a subdivision. Despite this fact, Rocky Mountain Power still refused to follow the 2(e) rule. Therefore, on April 14, 2014, I had my complaint mediated with Rocky Mountain employees Karl Sewell, Autumn Braithwaite, and Eric (last name unknown). During the mediation Rocky Mountain Power

continued to maintain that this rule does not apply to me. They said my subdivision was built after the existing facilities were already established for the customer across the street. Because we were not able to resolve this dispute during mediation, and because I needed to complete the construction of my home, I agreed to pay Rocky Mountain Power to upgrade the existing facilities located on my property, thereby providing Permanent Power to my new residence. However, I made this payment with the understanding that I would file this complaint in order to seek a refund of the over-billed charges.

4. Why do you (the Complainant) think these activities are illegal, unjust or improper?

Rocky Mountain Power's refusal to apply Regulation 12-2(e) as it applies to me is unjust and improper. Regulation 12-2(e) applies to my situation as follows:

1. I am a new residential customer.
2. I have purchased Lot 1 and built a residence in Lot 1 in a newly approved three-lot subdivision titled Mack's Place Subdivision, a part of the NW ¼ and the NE ¼ of Section 28, Township 4 North, Range 2 East, Salt Lake Base and Meridian, US Survey, Morgan County, Utah.
3. Secondary service is available on my lot line.
 - a. There is an existing transformer on a telephone pole that sits on my property (Lot 1) and to which Rocky Mountain Power already has a legal right-of-way.
4. The existing transformation facilities are unable to serve the increased residential load:
 - a. The existing transformer carries a load of 10KVA.
 - b. According to an email I received from Rocky Mountain Power, the existing home serviced by this existing transformer has been pulling 80% of the existing transformer's load.
5. My line extension coupled with the previous extension would exceed the capacity of the existing facility.
6. The facilities upgrade should be treated as a system improvement and not have been charged to me, the customer, because the demand that my line extension (by itself) places on the existing transformer does not exceed the stated capacity of the existing transformer.

Because I needed power immediately in order to gain occupancy of my home, I paid for the upgrade to the existing facilities that are on my lot. I should not have had to pay for this upgrade. Rocky Mountain Power repeatedly states Regulation 12-2(e) does not apply to me, but they have not and cannot provide a tariff or definition that makes me ineligible for application of this rule. It should be noted after I paid Rocky Mountain Power to establish permanent power to my residence; they tied my line into the same power pole in question and upgraded the same facilities in question at my cost.

5. What relief does the Complainant request?

Rocky Mountain Power should reimburse me the costs of the upgrade to the transformer to include but not be limited to: Removal Labor, \$739; Bird Guard, Grounding and Bolts, \$866; Jumpers, Fusing, Clamps, \$998; Riser and Brackets, \$664; Transformer, \$1497; and OVH Service Connectors & Labor, \$406 for an approximate total of \$5,170. However, Rocky Mountain Power should be credited \$262 for Material Salvage and \$1100 for the Line Extension Allowance. Rocky Mountain Power should provide an additional \$350 credit to me since the secondary voltage service is available at the lot line, Regulation 12 subsection 2(a) Extension Allowances. The total cost that should be reimbursed to me is \$4,158.

6. Signature of Complainant

Date: 4-24-14