

Informal Complaint Report

Index Number: 5253 **Company Name:** Rocky Mountain Power

CUSTOMER INFORMATION

Customer Name: Stephens, Rod **Account Number:**
Other Contact Info: **Phone Number:** (801) 647-6830
Customer Address: **Other Phone:**
Customer Address: **Email Address:** roddstephens@gmail.com
City: **State:** 0 **Zip Code:**

COMPLAINT INFORMATION

Type of Call: Complaint **Complaint Type:** Initial Service
Date Received: 3/17/2014 **Date Resolved:** 3/26/2014
Complaint Received By: Erika Tedder **DPU Analyst Assigned:** 0
Utility Company Analyst: Autumn Braithwaite
Company at Fault: **Actual Slamming Case:** **Actual Cramming Case:**

Complaint Description:

Here is a complaint I received via email today. The call came in on 03/14/2014, but due to the complexity and length of the complaint, I requested that the Complainant email me the information:

From: Rod Stephens <roddstephens@gmail.com>
Date: Mon, Mar 17, 2014 at 10:34 AM
Subject: Rocky Mountain Power
To: "etedder@utah.gov" <etedder@utah.gov>
Cc: Pam Stephens <r.p.stephens@msn.com>

Ms. Tedder, we spoke on the phone Friday, March 14, 2014, and you advised me to send you this email.

I am Rod Stephens and I am building a new home at 1114 N. Morgan Valley Drive, Morgan, UT 84050. On February 7, 2014, Rocky Mountain Power sent me a contract for Work Order 5871107 for a Refund Option of \$7,540.00 or Contract Administration Credit of \$7,290.00. I found this ridiculous and left the estimator, Curtis Galvez, a complaint on his phone.

Mr. Galvez sent me a new contract with a Refund Option of \$5,468.00 or Contract Administration Credit for \$5,218.00. Since the new estimate was reduced over \$2,000 I asked Mr. Galvez for a break down of the estimate. I feared Rocky Mountain Power was not being honest. Mr. Galvez told me they do not do that.

If they do not provide a break down of their invoice the Public Service Commission should make this mandatory. Rocky Mountain Power can allege any financial cost to me, the consumer. I have no recourse but to believe they are being upright and pay their bill.

I researched their Tariff Policy and discovered the following under Regulation 12 Number 2. Residential Extensions (e) 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."

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I called Mr. Galvez and discussed this rule with him. He said he had never heard of it before. Am I to believe this? After he "researched" this he told me I didn't qualify under the rule because I am not a subdivision. I later proved I am lot 1 of a 3 lot subdivision. When I showed him this, Mr. Galvez informed me the land developer would need to call the order in to Rocky Mountain Power and not me.

The land developer is a son of an old farmer who simply divided the tiny farm into three lots to sell. The land developer called Rocky Mountain Power and they told him he had to pay over \$15,00 to run power to the three lots.

Of Note: These lots sit on the frontage road and the power poles lie on these lots. On my lot, lot 1, there is an existing power pole with a transformer. The transformer is a 10 KVA transformer. The "land developer" is running his power across the street from that pole. He runs his home and barn from the 10 KVA transformer. My home will pull less than 10 KVA making this Rocky Mountain Power's obligation to upgrade that existing transformer.

I have purchased lot 1 from the land developer and my home is near completion. The land developer will not pay Rocky Mountain Power's cost nor will he return my phone calls any longer. I called Rocky Mountain Power and told them to just hook up my house to the EXISTING transformer on MY LOT. Mr. Galvez told me I can not call this in because I am not the developer.

How pathetic? The power is on all three lots already. There is an existing transformer on my lot! Rocky Mountain Power will no longer deal with me. They will not comply with their rules for the upgrade of the transformer. I have been dealing with Rocky Mountain Power since the beginning of February. My home will be completed in the middle of April. Rocky Mountain Power told me they are 6 to 7 weeks out on their jobs from the time of request. Had Rocky Mountain Power not been dishonest and difficult to work with I would have power on my lot this week or the next. I must vacate my existing home at the end of April and I will not have permanent power to my new home!

I respectfully request Rocky Mountain Power perform the upgrade to the transformer according to their rules and the permanent power hook up to my residence be expedited in order for me to move in.

Finally, I can provide the two Rocky Mountain Power Contracts, the plot which shows the power poles on my property, and photos of the lot and transformer on my property upon request.

Sincerely,

Rod Stephens
801-647-6830

Complaint Response:

From: "Braithwaite, Autumn" <Autumn.Braithwaite@pacificcorp.com>
Date: Fri, 21 Mar 2014 22:54:57 +0000
To: roddstephens@gmail.com<roddstephens@gmail.com>
Cc: Erika Tedder (etedder@utah.gov)<etedder@utah.gov>
Subject: Response: Rocky Mountain Power

Good afternoon Mr. Stephens.

I have been working with Mr. Karl Sewell (Rocky Mountain Power, Distribution Manager) regarding your concerns with the estimate to provide electric service to your lot. Mr. Sewell was able to confirm the original estimate you were provided was over \$7,000.00. However, as part of his review, Mr. Sewell determined the your job could be done at a lower price.

The estimate was cancelled and a new estimate was drawn up. Mr. Sewell reviewed the 2nd estimate and has confirmed the cost estimate of \$5,468.00 to be correct. I have once again attached the breakdown for the estimate of \$5,468.00 for your review.

To provide a little background, when this location was originally built, Rocky Mountain Power provided service to the lot. The design for power did not include any additional homes being added. The home you have built will require more power than what is currently available.

Also, Rocky Mountain Power was notified other lots have been placed for sale. When this happens, Rocky Mountain Power has to design with consideration of the loads that will be imposed on the equipment installed, with enough capacity to support all of the lots. Normally, a developer will request power to all of the lots so power is already installed to each lot when the lots are sold. Rocky Mountain Power is not privy to the arrangement between yourself and the developer. However, either yourself or the developer will need to pay the costs with supplying power to your lot which will include adequate capacity to serve the other lots. However if you pay for the power installation you may be eligible for refund of some of your costs, which will be collected by the Company from the individuals who request power to the other lots.

According to Rocky Mountain Power's Electric Service Regulation No. 12 Section 2 (e) Transformation Facilities states:

"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, the existing transformation facilities or service conductors are unable to serve the increased residential load:

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- 1) The facilities upgrade shall be treated as a standard line extension if Customer's demand exceeds the capacity of the 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.

Since you are not the existing residential Customer and you have not built in a subdivision where secondary service is available at the lot line, this section does not apply. If the existing customer were to call and ask for an upgrade as more power would be needed, the extension would be their request, therefore the cost estimate for the upgrade would go to them.

Please let me know if you have any additional questions.

Thank you,

Autumn Braithwaite

Cc: Erika Tedder – Utah Division of Public Utilities

From: Braithwaite, Autumn <Autumn.Braithwaite@pacificorp.com>

Date: Tue, Mar 25, 2014 at 4:49 PM

Subject: RE: Response: Rocky Mountain Power

To: "roddstephens@gmail.com" <roddstephens@gmail.com>

Cc: "Erika Tedder (etedder@utah.gov)" <etedder@utah.gov>

Good afternoon Mr. Stephens,

The transformers you mention near your lot were never designed to accommodate the home you are currently building. They do not have enough capacity to provide electric service to your home.

The estimate provided of \$5,468.00 is the cost estimate for your lot only.

I understand this cost is more than you expected, however it is the cost to provide service to your lot.

Sincerely,

Autumn Braithwaite

Cc: Erika Tedder – Utah Division of Public Utilities

Additional Information:

From: <roddstephens@gmail.com>

Date: Fri, Mar 21, 2014 at 5:20 PM

Subject: Re: Response: Rocky Mountain Power

To: "Braithwaite, Autumn" <Autumn.Braithwaite@pacificorp.com>

Cc: "Erika Tedder (etedder@utah.gov)" <etedder@utah.gov>, Pam Stephens <r.p.stephens@msn.com>

Ms Braithwaite, these are not tiny lots. The lots are 2.5, 3, and 3.5 acre lots. Each lot has more than 250' of frontage and each lot has a power pole on it. Two of the three lots have existing transformers on them. I'm at one end of the lot. It would not be a cost savings to run power from the pole on my lot over to the third lot when the power is already available at each lot. This isn't something new for the area.

All along Morgan Valley Drive there are homes that share transformers that are not in a subdivision, but they don't share that far away.

You wrote, ". . . you have not built in a subdivision where secondary service is available at the lot line, this section does not apply." This is not accurate. There is power available at the lot line. A power pole and transformer exist on the line near the road on my property.

I only own one lot with one home. I'm not willing to pay for the other lots' power.

This appears to be unreasonable of the power company.

Sincerely

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Rod Stephens

Sent via BlackBerry by AT&T

From: Erika Tedder <etedder@utah.gov>
Date: Mon, Mar 24, 2014 at 2:10 PM
Subject: Fwd: Response: Rocky Mountain Power
To: Autumn Braithwaite <autumn.braithwaite@pacificorp.com>

Dear Autumn,

Based on the Complainant's email expressing irresolution, does the Company need additional time to investigate or resolve this case?

Erika Tedder
Office Specialist
Division of Public Utilities

From: Braithwaite, Autumn <Autumn.Braithwaite@pacificorp.com>
Date: Mon, Mar 24, 2014 at 4:46 PM
Subject: RE: Response: Rocky Mountain Power
To: Erika Tedder <etedder@utah.gov>

Good afternoon Erika,

I was not able to confirm a few things with Mr. Karl Sewell (Distribution manager) today regarding Mr. Stephen's e-mail below.

Would it be okay if I provide an additional response to both you and Mr. Stephen's tomorrow?

From: Erika Tedder <etedder@utah.gov>
Date: Mon, Mar 24, 2014 at 4:49 PM
Subject: Re: Response: Rocky Mountain Power
To: "Braithwaite, Autumn" <Autumn.Braithwaite@pacificorp.com>

Yes, thank you Autumn.

03/26/2014:
I thanked Autumn/RMP and closed the case.
E.Tedder

From: Rod Stephens <roddstephens@gmail.com>
Date: Wed, Mar 26, 2014 at 1:51 PM
Subject: Re: Response: Rocky Mountain Power
To: "Braithwaite, Autumn" <Autumn.Braithwaite@pacificorp.com>
Cc: "Erika Tedder (etedder@utah.gov)" <etedder@utah.gov>

Ms Braithwaite,

In a previous email you wrote, "Since you are not the existing residential Customer and you have not built in a subdivision where secondary service is available at the lot line, this section does not apply. If the existing customer were to call and ask for an upgrade as more power would be needed, the extension would be their request, therefore the cost estimate for the upgrade would go to them."

Since you state I am not a new customer building in a subdivision where secondary service is available at the lot line by means of a transformer, then to what rule do I fall under? I obviously will be a new customer who is building in a subdivided lot and there is power available with a transformer at my lot line.

Thank you,

Rod Stephens

From: Erika Tedder <etedder@utah.gov>
Date: Wed, Mar 26, 2014 at 2:02 PM

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Subject: Fwd: Response: Rocky Mountain Power
To: Autumn Braithwaite <autumn.braithwaite@pacificorp.com>, "tariffpolicy@pacifiCorp.com" <tariffpolicy@pacificorp.com>

Dear Autumn,
Does the Company need additional time to provide an updated response, or is the correspondence you sent on 03/25/2014 to both the Complainant and the DPU the final response of the Informal Complaint?

Erika Tedder
Office Specialist
Division of Public Utilities

From: Braithwaite, Autumn <Autumn.Braithwaite@pacificorp.com>
Date: Wed, Mar 26, 2014 at 4:52 PM
Subject: RE: Response: Rocky Mountain Power
To: Rod Stephens <roddstephens@gmail.com>
Cc: "Erika Tedder (etedder@utah.gov)" <etedder@utah.gov>

Good afternoon Mr. Stephens,

The transformer currently in place is a 10 kVA transformer currently loaded at 80%. Based on the load information provided for the home you are building, you will exceed the capacity of the existing transformer.

Regulation 12, Section 4(b) states:
For residential developments the Company will provide the Developer a maximum Extension Allowance of \$750 for each lot. The Developer must pay a non-refundable advance for all other costs to make secondary voltage service available to each lot.

Inasmuch as no developer has done this (paid all costs to make secondary voltage service available to each lot in excess of the \$750/lot developer allowance), you are not in a residential development for the purpose of the application of Regulation 12. Had a developer done this we would have a transformer with adequate capacity set to serve your lot, and you would have an allowance of \$350 to fund your service (see Regulation 12, Section 2(a)).

Since you are building on a lot to which no developer has paid to have secondary to the lot line, you receive an allowance of \$1100, and pay all costs in excess of the allowance in order to receive service (see Regulation 12, Section 2(a)).

Please let me know if you have any additional questions.

Thank you,

Autumn Braithwaite

From: Rod Stephens <roddstephens@gmail.com>
Date: Fri, Mar 28, 2014 at 2:43 PM
Subject: Fwd: Response: Rocky Mountain Power
To: Erika Tedder <etedder@utah.gov>

Ms. Tedder there is secondary service already available at the lot line and I believe Rocky Mountain Power is dancing around this issue. I need to proceed to the next step.

Please let me know what I am to do next.

Sincerely,

Rod Stephens
801-647-6830

From: Erika Tedder <etedder@utah.gov>
Date: Fri, Mar 28, 2014 at 2:48 PM
Subject: Re: Response: Rocky Mountain Power
To: Rod Stephens <roddstephens@gmail.com>

Dear Rod Stephens,

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Rocky Mountain Power has responded to your original complaint submission and the case is now closed in our office. If you are unsatisfied with the response the Company gave regarding your issue, you can either: 1. Work it out directly with the Company, 2. Request a mediation here in our office, or 3. File a formal complaint to be heard by the Public Service Commission. I have attached the paperwork with information regarding the mediation and formal complaint process.

Respectfully,

Erika Tedder
Office Specialist
Division of Public Utilities

From: Erika Tedder <etedder@utah.gov>
Date: Mon, Mar 31, 2014 at 11:20 AM
Subject: Re: Response: Rocky Mountain Power
To: "Braithwaite, Autumn" <Autumn.Braithwaite@pacificorp.com>
Cc: "Tedder, Erika" <etedder@utah.gov>

Dear Autumn,

Mr. Rod Stephens contacted me today and would like to request a mediation with Rocky Mountain Power regarding his case. Please let me know if the Company would like to participate and what your availability would be.

Erika Tedder
Office Specialist
Division of Public Utilities

From: Braithwaite, Autumn <Autumn.Braithwaite@pacificorp.com>
Date: Mon, Mar 31, 2014 at 11:56 AM
Subject: RE: Response: Rocky Mountain Power
To: Erika Tedder <etedder@utah.gov>

Good morning Erika,

Yes, we would be pleased to participate in mediation. Mr. Karl Sewell is out of the office today. Once he returns, I will provide dates and times of our availability.

Thank you,

Autumn Braithwaite

03/31/2014:

I called Rod Stephens and let him know that RMP would be pleased to participate in a mediation and would be contacting me with availability. I advised Rod I would contact him as soon as I heard back from the Company.

E.Tedder

From: Erika Tedder <etedder@utah.gov>
Date: Wed, Apr 2, 2014 at 3:00 PM
Subject: Mediation
To: "Braithwaite, Autumn" <Autumn.Braithwaite@pacificorp.com>, roddstephens@gmail.com, "Miller, Dennis" <dennismiller@utah.gov>
Cc: "Martinez, Marialie" <marmartinez@utah.gov>

Dear Rod Stephens, Rocky Mountain Power, and Dennis Miller:

The mediation in our office has been scheduled for Monday April 14th at 10am in Room 401 on the 4th Floor. If there is a change to the schedule, please let us know at your earliest convenience.

Respectfully,

Erika Tedder