

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint	:	
of Kelly Margetts	:	
Petitioner	:	Docket #'s: 15-035-19 & 15-049-04
	:	
	:	Motion to Strike
	:	Motion to Continue
	:	Motion for Commission Order
	:	Exhibits {ICR -F, ICR-B}
	:	
Vs.	:	
	:	
Rocky Mountain Power and	:	
Century Link	:	
Respondent	:	

2015 APR 16 P 1:36
 PUBLIC SERVICE COMMISSION
 STATE OF UTAH

Petitioner now comes before the Public Service Commission of Utah in response to Docket #'s 15-035-19 & 15-049-04 in regards to a Formal Complaint against Rocky Mountain Power Company and Century Link.

Motion to Strike

Petitioner requests to Strike a document filed by Petitioner on March 27th, 2015 per a document received from Gary Widerburg, Commission Secretary, citing protocol issues:

- Motion for Paper Correspondence
- Motion to Potentially Include per Clarification/Motion to Stay (180 Days)
- Motion of Discovery of Whom Paid for Commercial work to be done and then Whom actually "requested" such work per SLC Corp.
- Motion of Discovery of Transportation Permit Authorizing Road closure
- Motion to Deny Dismissal
- Motion for Summary Judgment

Thusly moving forward with:

Motion to Continue

Petitioner asserts that during this particular matter that Petitioner needed to legally, lawfully and in regards to liability ramifications have unrestricted and unabated "IN and most specifically OUT" access of Petitioner's property via a public street known as Grace Court. Petitioner asserts that this in and out property accessibility and then departure was denied via Grace Court being barricaded in regards to being able to USE a vehicle(s) via Grace Court a

“one way public street” in conjunction with being able to USE with Petitioners Public Utilities; to do that which Petitioner needed to do but not limited to complete or engage in completing from the time period of January 15th, 2015 to February 3rd, 2015.

Petitioner asserts that “the rate” portion of Petitioner’s complaint is that “if” Petitioner would have been able to use Petitioner’s Public Utilities given legal, lawful, access to and from Grace Court; then it would have been that rates could have been billed to Petitioner as Petitioner’s Public Utilities would have then been able to be used as desired and without restrictions/shut off from.

Petitioner asserts that Petitioner was never informed that there would be a public road closure or that works were to be performed during this time of January 15th, to February 3rd, 2015. Due to legal ramifications upon Petitioner, Petitioner was NOT available to drive through a private property route, which would put all legal and liability ramifications upon Petitioner. This situation was NOT authorized per a SLC Corporation Transportation permit; which without the required transportation permit was clearly designated per signage installation/barricades the ONLY route available “thus a dead end”, in which to drive opposite a marked one way road would be illegal and unlawful.

*Note it would have been Petitioners desire to NOT be involved in this situation.

PER Eric Holje of RMP [Informal Complaint Response “ICR-B”- exhibit]: {“I spoke with Mr. Margetts at the end of January and relayed this information. Mr. Margetts was upset that his use of the street had been disrupted during the work, and that traffic had been diverted off the bend in the one-way street through the opening for a nearby commercial property. He said he’d confirmed with another individual at the city of Salt Lake (transportation) that in addition to the permit already obtained, RMP should have also obtained a transportation permit. As follow-up to my conversation with Mr. Margetts, I contacted the transportation department, and learned that next time RMP will want to also request a permit from their department. Per this conversation I informed our operations group about checking with S.L. transportation department for any additional permitting in the future”}.

Therefore NO legal or lawful transportation permit to legally or lawfully block, barricade or divert traffic of Grace Court, a one way Public Street was ever granted per SLC Transportation department [ICR-B-exhibit] per RMP Eric Holje.

Per phone conversation and prior to actual “ICR” Eric Holje of RMP per the “ICR-B”- exhibit: {“Last Tuesday I spoke with Mr. Margetts and informed I had touched base with S.L. transportation, and also informed our operations dept. about the need to check for any additional permitting requirements. During this conversation Mr. Margetts requested compensation for his loss of use of the street behind his home. I apologized to Mr. Margetts that I wouldn’t be able to help him with that, we did as the city directed, and per the city we’ll be sure to check for additional permitting requirements in the future’}.

Therefore NO legal lawful SLC Transportation department permit was ever granted or in place to legally and lawfully barricade, block and divert Grace Court traffic a one-way public road [ICR-B-exhibit] per RMP Eric Holje.

It is unsubstantiated and without correct obtainable legal documentation that SL City Corporation ever made any such request to do public works via RMP or Century Link, Utility Companies for a commercial property. In contacting the SL Corporation representative stated by RMP Eric Holje that in deed in fact the only permit that was in place via this SL Corporation representative was a work order being able to do work permit with NO conflict of interest in regards to SL Corporations works currently installed within it's Right of Way and was under NO circumstances to be construed as a request for works to be done on SL Corporations behalf.

Therefore Petitioner asserts that the request to do work on behalf of SL Corporation via RMP is non-existent and nothing more than an OK to do work permit with NO conflict of interest otherwise known as a Engineering permit which is 1 of 2 permits needed to legally, lawfully and liability wise be able to do works. (Note this Engineering permit expired before work was completed and well before barricades/signage was removed on February 3rd 2015).

Petitioner asserts that a SL Corporation Transportation permit the 2nd permit of 2 permits needed via RMP was needed to legally, lawfully and liability wise be able to do works in the Public Right of Way is the permit RMP failed to acquire.

Petitioner asserts the SLC Corps. Mayor's office suggested calling the PSC of Utah.

Petitioner asserts it is hard to know exactly the costs associated in regards to the full spectrum of losses of NOT being able to USE Petitioners Public Utilities and how much they may have, might have, would have, should have or could have been used in regards to remedy of this situation of past, {January 15th to February 3rd 2015}, present yet not limited to the future.

Petitioner is aware that the Public Utility Commission has no jurisprudence in regards to compensation for loss of property use and that other means of remedy are available regarding that and other matters not limited to but perhaps arising of this matter.

Petitioner asserts that both Utility Companies Rocky Mountain Power (Tube 1) and Century Links' (Tube 2) Equipment is/are or will be used in the infrastructure of the tubes {extensions of telephone lines/ poles/power lines/poles owned and maintained directly or indirectly by, RMP with lease by Century Link} which are Utility Companies proprietary properties, which were constructed to be used per this non-emergency Public Utility endeavor.

Petitioner asserts that both RMP and Century Links' works are unfinished via future work or works still in progress, and that due to these non-emergency works it would be of significant value to all public utility users as well as residents, businesses, individuals etc... that public access to public streets be immediately available through correct procedural procurement of ALL correct permits by RMP and Century Link Public Utility Companies.

These permits to be obtained per protocol to alleviate circumstances, repercussions and all matters, which by in NOT doing may so, arise.

Therefore Petitioner Motions to Continue per a document issued by the State of Utah Department of Commerce Division of Public Utilities

TO: All Parties Seeking Further Resolution After Exhausting the Informal Complaint Process.

Page#5: The State Legislature has granted the Commission limited authority over utilities regarding customer complaints. The Commission may order a utility to: a) correct service problems...

Motion for an Order from Commission

Therefore humbly per Petitioners Complaint it would be requested from the Public Service Commission for an Order requiring RMP and Century Link Public Utility Companies to follow correct protocol and procedures to help correct service problems in the future.

ICR-F**Informal Complaint Report**

Index Number: 5585 **Company Name:** Rocky Mountain Power

CUSTOMER INFORMATION

Customer Name: Margetts, Kelly **Account Number:**
Other Contact Info: **Phone Number:** (801) 323-9169
Customer Address: **Other Phone:**
Customer Address: 921 South 400 East **Email Address:**
City: Salt Lake City **State:** UT **Zip Code:** 84111

COMPLAINT INFORMATION

Type of Call: Inquiry **Complaint Type:** Non-Regulated
Date Received: 2/11/2015 **Date Resolved:** 2/16/2015
Complaint Received By: Maria Martinez **DPU Analyst Assigned:** 0
Utility Company Analyst: Eric Holje
Company at Fault: **Actual Slamming Case:** **Actual Cramming Case:**

Complaint Description:**ADDENDUM**

#3 I was denied my God given American right to do so in what ever manner I desired legally and lawfully that which I may, might, want or wish in regards to being able to use my Public Utilities and Personal Property during the dates of January 15'h 2015 until February 3rd 2015.

As without a lawful Transportation Permit issued by the Salt Lake City Department of Transportation, a public road (Grace Court) which grants US Citizens Public Right of Way of which I am lawfully entitled to use unabated unless such documentation exists, was unlawfully and illegally commandeered by Rocky Mountain Power Company and Century Link factually.

#4 No Transportation Permit was issued per the Department of Transportation of the Salt Lake City Corporation granting legal or lawful commandement/closure of a public road (Grace Court).

#5 All legal and lawful relief that would need to be recovered due to self as caused by or repercussions of this unlawful illegal circumstance caused from January 15'h 2015 until February 3'd 2015, as well as any future relief or legal and lawful remedy of damages in the future caused by Rocky Mountain Power and Century Link.

Complaint Response:

Maria,

Kelly Margetts
 921 S 400 E
 Salt Lake City, UT 84111

In January, Rocky Mountain Power was asked by the city to obtain permitting for a customer who had hired a contractor to bore in a conduit for a new commercial electrical service. We had no involvement with the actual job, except that the city asked us to obtain the permitting for the customer work. This is very common inside Salt Lake City and the Company did as the city directed. (There is a one-way alley / street that runs behind Mr. Margetts' house that was barricaded for safety during the 3rd party work.)

Tuesday, February 17, 2015

Page 1 of 2

ICR-B**Informal Complaint Report**

I spoke with Mr. Margetts at the end of January and relayed this information. Mr. Margetts was upset that his use of the street had been disrupted during the work, and that traffic had been diverted off at the bend in the one-way street through an opening for a nearby commercial property. He said he'd confirmed with another individual at city of Salt Lake (transportation) that in addition to the permit already obtained, RMP should have also obtained a transportation permit. As follow-up to my conversation with Mr. Margetts, I contacted the transportation department, and learned that next time RMP will want to also request a permit from their department. Per this conversation I informed our operations group about checking with S.L. transportation department for any additional permitting requirements in the future.

Last Tuesday I spoke with Mr. Margetts and informed I had touched base with S.L. transportation, and also informed our operations dept. about the need to check for any additional permitting requirements. During this conversation Mr. Margetts requested compensation for his loss of use of the street behind his home. I apologized to Mr. Margetts that I wouldn't be able to help him with that, we did as the city directed, and per the city we'll be sure to check for additional permitting requirements in the future.

Let me know if you have any questions or concerns, otherwise I'll consider the inquiry addressed.

Thank you,

Eric Hoje
Regulatory Analyst
(801) 955-2456

Additional Information:

CERTIFICATE OF SERVICE/COVER SHEET

It is hereby certified that on this 16th day of April 2015, a true and genuine copy (7 Total Pages) of the foregoing (Docket #'s: 15-035-19 & 15-049-04) was sent via the United States mail system, hand delivered, emailed or faxed to the concerned listed below:

Division of Public Utilities
160 East 300 South, 4th Floor
SLC, Utah 84111

Rocky Mountain Power/PacifiCorp
Melissa Nottingham
(F) 1-877-809-3193

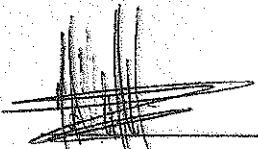
Then per Melissa Nottingham forwarded to:

Robert C. Lively – bob.lively@pacifiCorp.com
Yvonne Hogle – yvonne.hogle@pacifiCorp.com
Daniel E. Solander – daniel.solander@pacifiCorp.com
Megan McKay – megan.mckay@pacifiCorp.com
Autumn Braithwaite – autumn.braithwaite@pacifiCorp.com
Customer Advocacy Team – customeradvocacyteam@pacifiCorp.com

Century Link
Support Team
(F) 1-866-366-8201

Then per Support Team forwarded to:

James Farr – james.farr@centurylink.com
Torry R. Sommers – torry.r.somers@centurylink.com



KELLY MARGETTS
PETITIONER
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