

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of
Marian Seamons against Ticaboo Utility
Improvement District

DOCKET NO. 15-2508-01
ORDER ON REQUEST TO DEVIATE
FROM UTAH ADMIN. CODE R746-
100-3(C)(6)

ISSUED: January 25, 2016

On December 18, 2015, Marian Seamons (Ms. Seamons) filed a formal complaint against Ticaboo Utility Improvement District (TUID), a public utility.

On January 20, 2016, TUID responded to the complaint by filing an electronic document with the Public Service Commission of Utah (Commission). TUID also requested that the Commission accept the electronic document as a complete filing and waive the requirement, set forth in Utah Admin. Code R746-100-3(C)(6), that the utility file a paper copy of its response.

Utah Admin. Code R746-100-15 states: "The Commission may order deviation from a specified rule upon notice, opportunity to be heard and a showing that the rule imposes an undue hardship which outweighs the benefits of the rule." On January 21, 2016, the presiding officer e-mailed Ms. Seamons and the Division to determine whether either party objected to TUID's request. The Division responded, stating no objection. Ms. Seamons objected, stating that she considers TUID's response to be incomplete.¹

The question of whether TUID's response is complete is not before the Commission at this time. In this order, the Commission deals solely with the question of whether good cause

¹ The e-mails among the presiding officer, the Division, Ms. Seamons, and TUID are attached hereto as Exhibit A.

exists to waive the rule that requires TUID to file with the Commission a paper copy of its response. Therefore, Ms. Seamons's stated objection is not germane.²

In evaluating TUID's request for a waiver, the Commission notes the following:

1. TUID is a very small company operating in a rural area that is geographically distant from the Commission's office in Salt Lake City, Utah. The costs that TUID would incur to deliver the response would be significant and are not justified.
 2. In this docket, which involves only two parties and has no effect on TUID's rates, the Commission is able to make a record of the proceedings without receiving a paper copy of TUID's response.
 3. TUID's response is comprised primarily of documents that the utility has previously provided to Ms. Seamons. Therefore, Ms. Seamons has received a paper copy of the substantive information contained in the response. Requiring TUID to provide her with a second copy would serve no purpose, and Ms. Seamons has not requested a second copy.
- Given the foregoing, it appears to the Commission that good cause exists to grant TUID's request.

ORDER

TUID's response to Ms. Seamons's complaint, which was filed electronically with the Commission on January 20, 2016, is accepted as a complete filing. TUID is not required to provide a paper copy of its response to the Commission.

² If Ms. Seamons wishes to challenge TUID's response, she may do so in her final reply, which is due February 5, 2016.

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If Ms. Seamons so chooses, she may file her February 5, 2016 final reply as an electronic document. The Commission will accept such filing as complete without requiring an accompanying paper copy.

DATED at Salt Lake City, Utah, January 25, 2016.

/s/ Jennie T. Jonsson
Administrative Law Judge

Approved and confirmed January 25, 2016 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

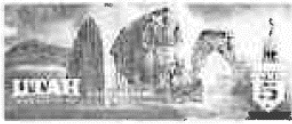
/s/ Gary L. Widerburg
Commission Secretary

DW#271463

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EXHIBIT A



Jennie Jonsson <jjonsson@utah.gov>

Fwd: DOCKET: 15-2508-01 - The Matter of the Formal Complaint of Marian Seamons against Ticaboo Utility Improvement District

Jennie Jonsson <jjonsson@utah.gov>

Thu, Jan 21, 2016 at 12:05 PM

To: chipshortreed@ticabooid.com, sharonmarian@yahoo.com, Justin Jetter <jjetter@utah.gov>, Erika Tedder <etedder@utah.gov>

Ms. Seamons and Mr. Jetter (or other representative of the Division of Public Utilities),

It appears that Ticaboo's response to the complaint in this docket duplicates the paperwork that the utility has previously provided to the complainant. In these circumstances, perhaps a paper copy is not needed. Does either of you wish to object to the utility's request that its electronic filing be accepted as complete? If you wish to object, please let me know no later than end of business tomorrow, January 22, 2016.

Thank you,
Jennie T. Jonsson
Administrative Law Judge
Public Service Commission of Utah



Jennie Jonsson <jjonsson@utah.gov>

Fwd: DOCKET: 15-2508-01 - The Matter of the Formal Complaint of Marian Seamons against Ticaboo Utility Improvement District

Justin Jetter <jjetter@utah.gov>

Thu, Jan 21, 2016 at 12:35 PM

To: Jennie Jonsson <jjonsson@utah.gov>

The Division does not object to accepting an electronic copy.

On Thu, Jan 21, 2016 at 12:05 PM, Jennie Jonsson <jjonsson@utah.gov> wrote:
Ms. Seamons and Mr. Jetter (or other representative of the Division of Public Utilities),

It appears that Ticaboo's response to the complaint in this docket duplicates the paperwork that the utility has previously provided to the complainant. In these circumstances, perhaps a paper copy is not needed. Does either of you wish to object to the utility's request that its electronic filing be accepted as complete? If you wish to object, please let me know no later than end of business tomorrow, January 22, 2016.

Thank you,
Jennie T. Jonsson
Administrative Law Judge
Public Service Commission of Utah

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Assistant Attorney General
Utah Attorney General's Office
160 E. 300 S.
Salt Lake City, UT 84114
phone: (801) 366-0335
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Jennie Jonsson <jjonsson@utah.gov>

Fwd: DOCKET: 15-2508-01 - The Matter of the Formal Complaint of Marian Seamons against Ticaboo Utility Improvement District

sharon seamons <sharonmarian@yahoo.com>
Reply-To: sharon seamons <sharonmarian@yahoo.com>
To: Jennie Jonsson <jjonsson@utah.gov>

Fri, Jan 22, 2016 at 3:30 PM

January 22, 2016

I do object to the electronic filing and request a paper copy be submitted to the Public Service Commission. I feel that the district did not respond to the formal complaint and resubmitted duplicate copy's of the paperwork. I would request that I could have an answers to the hand written front page to my formal complaint. I do not feel the response is complete.

I will file my response to the Public Service Commission by the February 5, 2016 dead line. Thanks for your time and efforts regarding this complaint.

Please feel free to contact me with matters concerning this complaint.

Marian

Seamons

[Quoted text hidden]

Ticaboo GRAMA.pdf
285K

CERTIFICATE OF SERVICE

I CERTIFY that on January 25, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Marian Seamons
1707 S 50 E
Orem, UT 84058

Jeffs and Jeffs
90 N 100 E
Provo, UT 84601

By E-Mail:

sharonmarian@yahoo.com

Chip Shortreed (chipshortreed@ticabooid.com)
Ticaboo Utility Improvement District

Patricia Schmid (pschmid@utah.gov)
Justin Jetter (jjetter@utah.gov)
Rex Olsen (rolsen@utah.gov)
Assistant Utah Attorneys General

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
Salt Lake City, Utah 84111

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, Utah 84111

Administrative Assistant