



PublicService Commission <psc@utah.gov>

Fwd: Cpmplaint to the Utah Public Service Commission

1 message

Gary Widerburg <gwiderburg@utah.gov>
To: PublicService Commission <psc@utah.gov>

Fri, Jul 7, 2017 at 3:58 PM

----- Forwarded message -----

From: **Rulon Crosby** <ruloncrosby@msn.com>
Date: Fri, Jul 7, 2017 at 3:09 PM
Subject: Cpmplaint to the Utah Public Service Commission
To: "gwiderburg@utah.gov" <gwiderburg@utah.gov>, Rulon Crosby <ruloncrosby@msn.com>
Cc: "rcso@allwest.net" <rcso@allwest.net>

Mr. Gary Widerbutg,

Thank you for offering to handle the complaint, I spoke to you about, telephonically, yesterday.

I own property at 1593 South Bear Lake Blvd. in Garden City Utah, including a duplex, facing highway thirty, and a thousand foot long, 200 ft. wide strip of undeveloped land, proceeding westward from the highway.

Rocky Mountain Power has a distribution voltage feeder line running south east, across the south west corner of my property. They have also tapped this line to provide single phase service to my duplex and a neighbor's house, fronting highway thirty. This single phase line is supported by poles installed along the fence line, separating my property from my neighbor's property to the north.

I have been involved in discussions with Scott Jensen, of Rocky Mountain Power's Montpelier Idaho office office, about supplying electrical power to the west end of my property. I was given an estimate that installing a small overhead transformer, on the pole at the back of my property and terminating the secondary to a pole, I would have to provide, would cost approximately \$3000. which is more than can be justified for a small load for a campsite, so I informed Mr. Jessen, that I would probably install a 240 volt insulated extension chord service, from my house to the camp site.

I bought the wire for the extension and was in the process of hanging it on two of the power company's poles, along my north fence line, at locations, on the poles, which had previously been occupied by cable TV and telephone conductors.

On July fifth, I received a threatening telephone call from power company line man, Lance Borne, whom I was previously acquainted with, in his role as chairman of the Garden City Planning Commission, stating that I had illegally placed an aluminum ladder against one of the power company poles and had illegally attached a low voltage, insulated, conductor to two poles. Mr. Borne further stated that my installation was in violation of OSHA rules, which he implied was a criminal offence, which is why he had already called the Rich County Sherriff's office to come to my property for some kind of enforcement action.

Lineman Borne intimidated my duplex tenants, who feared that they might be arrested or have their power cut off, or both.

I asked Mr. Borne to wait until the next day, when we could have a rational discussion, with Scott Jessen involved, to seek an amicable solution to the problematic situation.

Lineman Borne Refused to consider my request and vehemently informed me, that he was going to drive his line truck, onto my property, and cut down my low voltage conductors. I responded, that he didn't have my permission to bring his truck onto my property, or to interfere with any installation work I had done on my own property.

He ignored my order, not to trespass, and drove his truck, over the grass of my back lot and cut down my wire and removed the ladder.

On the morning of the sixth, I began an energetic investigation to determine the validity of lineman Borne's assertions.

I determined that there is nothing in the Utah criminal or civil codes, concerning the attaching of anything on a utility pole by the owner of the land, upon which the pole is located. Therefore, his claim, that I had done something illegal, by hanging my extension conductor on the poles, in question, was completely invalid.

I found Utah Public Service Commission rules, concerning the hanging of conductors, by other utilities (such as phone or cable companies) on poles installed by the power company, but there was no mention of any prohibition, against the owner of the land, upon which the pole is located, regarding the attachment of a conductor, a sign, or anything else, to a power company pole, or leaning a ladder, against such a pole. Nor is there any mention of a prohibition against farmers stapling their fence wires to power company poles, a practice which is common in Rich County, and which was done on the poles, I attached my conductor to.

I can find no recorded easement allowing the power company to cross my land to access their line on the north border of my property. I have challenged the company to provide such an easement.

So far, they have been unable to do so. They assert that, in any case, they have a prescriptive easement, across my property, because of their supposed multi year use of my land to reach their line.

But the company cannot prove that hey have a long history of access across my land, because they actually have a more convenient access, across the land of my neighbor, to the north. Until I removed one of the big poplar trees, fronting my property, the power company would have had a narrow opening, through which to bring their line trucks.

It is my intention to attach this complaint to an order, specifically denying Rocky Mountain Power access to, or across my property, without my prier permission, or the existence of an emergent condition, such a house fire or earthquake. I'll have this order served to the appropriate power company office, in Salt Lake. If the power company desires future access across my property, I would be willing to negotiate an agreement, which specifically spells out their, and my, rights and responsibilities. Otherwise, they can take their damned power line off of my land and serve my duplex, and the neighbor's house from a service, they already have, along Bear Lake Blvd.

Lineman Borne's accusation, that my installation was somehow a violation of OSHA rules, which justified him calling the sheriff, to investigate a criminal complaint, is particularly vexing.

OSHA rules apply to the safety of workplaces for employees, not to home owners who are doing projects on their own property. It is certainly not the prevue of power company linemen to enforce non applicable OSHA rules on private citizens.

Nor is a matter for county sheriff departments to be concerned about enforcement of OSHA rules. It is certainly not appropriate for a sheriff deputy to be dispatched to private property, with no notice to the property owner, in response to a call from a lineman, regarding a possible violation of power company policies.

With respect to safety issues, let me hasten to assure you, that I am aware of the practicalities of assuring my own safety when working around power lines of any voltage. I was working on the construction of nuclear power plants, when Lance Borne, was still in diapers. I spent an additional thirty years selling and applying high and low voltage electrical equipment to electric utilities in several states, including a twenty year stint as field sales district manager, in Salt Lake, interfacing with UP&L, PacifiCorp, and many other utilities. I've taught transformer connection schools to REA linemen and even gone out in the field to direct the installation of capacitor banks, and then throw the switch, when superstitious linemen, like Borne, were scattering into the sage brush.

I request that the Utah Public Service Commission discipline Rocky Mountain Power for their abuse of customer Crosby's property rights, for their false assertions about his supposed violations

of nonexistent rules, for inappropriately involving the county Sherriff in matters, which are not the prevue of Rocky Mountain Power, or the sheriff's dept., and for intimidating my tenants.

Specifically, I don't want to have lineman Borne, or his supervisor, Jim Burton from Lava Hot springs, who sanctioned Borne's offensive, inappropriate actions, to ever trespass on my property again.

Thank You for your consideration,

Rulon Crosby

510 Lacey Way, No. Salt Lake, Ut., 84054

Tel. [801 231 8570](tel:8012318570)

PS. I just called the customer service number at Rocky Mountain Power, to get the address of the office, where legal papers could be served. After a long wait, I was told that they cannot provide addresses to any customers or business entities, or even a constable, where papers could be served. This is an absurd, unjustified inconvenience to anyone trying to do legitimate business with Rocky Mountain Power. I also asked for the email address of Jim Burton, the power company supervisor in Lava Hot Springs, so I could send him a courtesy copy of this complaint. They refused. I was told that they didn't even provide a general company address, where I could send an email to be forwarded to an employee, or regional office.

I urge the PUC to instruct RMP to institute sufficient business transparency, to allow rate payers can carry on normal business communication.

Twenty five years ago, when I was calling on Utah Power, I had a phone book for every employee office in the company, from President Frank Davis, on down.

This made business easier for all parties. Now the Company acts like it is a branch of Homeland Security! How did the public service commission, ever let Rocky Mountain Power to wander so far away from providing legitimate "public service"?

7/7/2017

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Gary Widerburg
Commission Secretary
Public Service Commission of Utah
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