

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Formal Complaint of Virginia Keel against
Moon Lake Electric Association, Inc.

DOCKET NO. 19-030-02

ORDER

ISSUED: July 16, 2019

On June 26, 2019, Virginia Keel (“Complainant”) filed a Complaint with the Public Service Commission (PSC) against Moon Lake Electric Association, Inc. (“Moon Lake”). The Complaint indicates a person who resides with Complainant has a medical condition that requires medical equipment that is dependent on electricity. In accordance with Utah Admin. Code R746-200-8(E), the PSC held an expedited hearing on July 15, 2019.

At the hearing, Moon Lake represented as follows:

- (1) In March 2019, the balance of Complainant’s account was overdue, and Moon Lake placed Complainant on a deferred payment plan pursuant to Utah Admin. Code R746-200-5;
- (2) Under the deferred payment plan, Complainant agreed to pay \$300.00 per month;
- (3) Complainant failed to comply with the deferred payment plan, and the last payment Complainant made was on June 19, 2019 for \$100.00;
- (4) Complainant’s current past due balance is \$670.72;
- (5) Moon Lake intends to disconnect service on July 17, 2019 consistent with the notice it previously provided to Complainant;
- (6) Moon Lake will continue service if Complainant pays at least \$532.32 of the outstanding balance prior to her service being terminated; and

(7) Moon Lake has complied with the provisions of Utah Admin. Code R746-200-7 and R746-200-5 regarding termination and deferred payment agreements.

Complainant did not disagree with Moon Lake's description of her account's status.

Complainant maintained she is simply unable to pay. Complainant also represented that she has investigated certain payment assistance programs and that she believes she does not qualify for any such assistance. Complainant further represented that she has custody of her grandson who suffers from cystic fibrosis and for whom electricity-powered equipment is medically necessary.

Having considered the testimony and representations at hearing, the PSC finds no allegation exists that Moon Lake has violated any applicable rule, statute, or tariff provision. Additionally, the PSC finds the testimony at hearing supports Moon Lake's assertion that it has complied with the applicable administrative rules governing deferred payment agreements and termination of service, including circumstances involving life-supporting medical equipment.

Given the short time period between the hearing on July 15, 2019 and the date on which Moon Lake intends to disconnect service on July 17, 2019 and further given the medical necessity of Complainant's access to electricity, the PSC concludes it is reasonable, just, and necessary to allow Complainant some additional time to make alternative arrangements prior to termination of her service. Accordingly, Moon Lake **shall not terminate Complainant's service before July 31, 2019**. Complainant must understand that, unless her past due balance is resolved to Moon Lake's satisfaction, Moon Lake may terminate her service on that date. The PSC encourages Complainant to fully inquire as to all available payment assistance resources, including those discussed on the Division of Public Utilities' website (available at <https://publicutilities.utah.gov/faqsc.html>).

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DATED at Salt Lake City, Utah, July 16, 2019.

/s/ Michael J. Hammer
Presiding Officer

Approved and confirmed July 16, 2019 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
PSC Secretary
DW#309179

Notice of Opportunity for Agency Review or Rehearing

Pursuant to §§ 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the PSC within 30 days after the issuance of this Order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirements of §§ 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

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CERTIFICATE OF SERVICE

I CERTIFY that on July 16, 2019, a true and correct copy of the foregoing was served upon the following as indicated below:

By USPS:

Virginia Keel
P.O. Box 554
Ft. Duchesne, UT 84026

By Electronic-Mail:

Dustin McGee (dmcgee@mleainc.com)
Moon Lake Electric Association, Inc.

Patricia Schmid (pschmid@agutah.gov)
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Madison Galt (mgalt@utah.gov)
Division of Public Utilities

By Hand-Delivery:

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160 East 300 South, 2nd Floor
Salt Lake City, UT 84111

Administrative Assistant