

**FORMAL COMPLAINT FORM
PUBLIC SERVICE COMMISSION
Heber M. Wells State Office Building
160 East 300 South, Fourth Floor
P.O. Box 45585 Salt Lake City, Utah
84114**

Complaints are public documents and are maintained on the Public Service Commission website. Further information on formal complaints is available at: <https://psc.utah.gov/complaint-process/>

1. Name of Complainant: Anne Francis

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Preferred method of contact: X Email or _____ U.S Mail

If represented by counsel, list:

Name:

Address:

Telephone No.: _____ Email Address: _____

2. The utility being complained against is: Rocky Mountain Power/Centurylink/Comcast/

3. What did the utility do which you (the Complainant) think is illegal, unjust, or improper? Include exact dates, times, locations and persons involved, as closely as you can.

Present History: An electrician came to my house for a repair; when he went outside he saw the power line running over my house in close proximity to the roof and the other utility lines laying on my house and told me I needed to get all of the lines moved. I called River Heights City and they told me to contact the individual utility

companies. So I called at least 3 utility companies. One utility company came and I was told he couldn't move his line and that his line was already stretched tighter than normal standards and that the line would just have to lie on my roof. He said that when the power company moved the power line then he could move his line off of my roof. I called the mayor of River Heights and asked him if he could ask the power company to reroute the power line for safety concerns. He said he would get back with me. I am still waiting for a reply from the Mayor. Rocky Mountain Power responded to me by calling me on the phone and telling me that I had built my home illegally under their line and that I would have to personally pay to have the line moved and I would be liable for anyone who got electrocuted repairing the roof or getting a ball off the roof.

There is no record at the Cache County Courthouse of any easements on my property. I have also checked the title: no easements are recorded.

August 23, 2019, Paul Higbee, Area Plant Supervisor for CenturyLink, contacted me because he had been told by Rocky Mountain Power that he needed to move his line off of my roof going upwards a foot so the line would no longer lie on my roof and had a deadline to have it removed within a week's time. He said he probably could only move it a foot off my roof because he had to have so much clearance between the power line and his line. I told him I didn't want him to just move the line upwards only a foot off of my roof but that I wanted the line moved off my property. I told him that I had found no record of any easements with the county recorder or on the title. He said he would still move the line up a foot and that he would be in contact with the "easement department" within his company and get back to me.

Past History: We moved into this house in 1990. We had utility lines running low and crossing all over the back yard; we could play volleyball over the low hanging lines. I called many different utility companies to get many of the lines moved. In 2002 we got a building permit from River Heights City office. The City, the contractor, and the electrician never told us that we were putting ourselves in harm's way. We relied and followed procedures to protect us but that system of having a building permit and inspection obviously failed. A homeowner does not know all of the codes and relies on the city, contractors and inspectors to inform the consumer.

Why do you (the Complainant) think these activities are illegal, unjust or improper?

If Rocky Mountain Power, CenturyLink, and other utilities have an easement and didn't record it with the county recorder, the easement is only good against the person who gave it to them. Rocky Mountain Power replied to me in the informal complaint they had a prescriptive easement. Rocky Mountain power told me on the phone that we had built our home illegally under their line even though we did get a building permit from River Heights City. If it is a prescriptive easement we did have the right to build right up to the line. Isn't it a requirement for Rocky Mountain Power to comply with NESC? They responded to me in my informal complaint that they are in compliance with NESC. I requested documentation from Rocky Mountain Power to give me the chapter, page and paragraph in the NESC book to document that my situation is in compliance with the National Electrical Code of Safety. I have not received the documentation I requested at the time I wrote this complaint. We have not given any of the utility companies any easements since we have lived in this

house. If Rocky Mountain has a prescriptive easement such an easement is nowhere defined. No homeowner in my situation would have notice of any claimed clearances by Rocky Mountain. If Rocky Mountain wants an easement, it should be willing to make the expense of getting it in writing and recording it so homeowners have notice of the easement including any easement for any clearances.

I also wonder if the other very large power pole that runs perpendicular to my property and has a lot of power on it is in compliance with the NESC in relation to my home and property.

5. What relief does the Complainant request?

I would like the Rocky Mountain Power line above my house rerouted so my neighbors' power line and other utility lines do not go over my house and lie on the roof. I would like century link and the other utility companies to move their lines off my roof and from the air space above my roof. If there is not an easement I want the big power pole out of my yard. I would like to know that all of the power and utilities lines on my property are in compliance with safety codes and safe practices. I would like to be safe.

6. Signature of Complainant:

Anne Francis

Date: 8/26/2019