

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: Brian Osborne
Address: 159 S. 500 W
Telephone No.: 435-202-7267
Email Address: brian.osborne@gmail.com
Preferred method of contact: 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

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.
See Attached Explanation

4. Why do you (the Complainant) think these activities are illegal, unjust or improper?
With the hundreds of other people in the county already getting service from the city, I feel we are getting chided because of a personal grudge between someone in Richfield and Mt Pleasant City

5. What relief does the Complainant request?

Approve line extension from Mt Pleasant City Power

6. Signature of Complainant: Brian Osborne
Date: 9/17/20

NOTE: Submit complaint by email or U.S. mail. (<https://psc.utah.gov/psc-filing-requirements/>)

3. Around the 10th of March 2020 I submitted an application to Mt Pleasant city for power services to be ran to my property so I could start building a home. I received a quote from Mt Pleasant City for 13,795 to run me power by running an under build on Rocky Mountain Powers existing poles that run right in front of my property. The first 12 poles on this transmission line already have under build ran on them by Mt Pleasant City power providing power to homes a quarter mile north of me. On April 10th Cullen Irvine from Rocky Mountain Power responded to our request to get power. In his email he said that he had talked to his transmission designer and there were a few spans that would not give us the ground clearance needed to run an underbuild and that in order for that to work we would have to install some additional poles in order to get the clearance needed. He suggested coming up with a new quote with updated pricing since we would need some additional work done to make the line work. He said to get that quote updated and resubmit it to run power to my property.

On May 4th 2020, Mt Pleasant City Power submitted two new line options with pricing of 25,000. Both options would be an extension directly off an existing line Mt Pleasant City power has that is less than ½ mile from my place. Cullen responded to those requests saying he had someone review the pricing and location and they would NOT approve either line extension to my property and that Rocky Mountain Power should be the ones to do so. This was very puzzling to us since he responded earlier about just needing to add some poles to make the first option doable. At this point Allen Stewart from Rocky Mountain Power came up to my property to meet with us. He told us the only option for Rocky Mountain to run me power was to run an entire new line

from the existing line they have over a half mile away to the south. This option would include a monthly facilities charge of 98.50 for 15 years since the line build is over ½ mile away. He gave us a price of 35,000 for the build plus the 15-year payment which would then take the price over 50,000. I then placed a phone call to Cullen trying to get some answers of why the high cost for the line and for the facilities fee. All he would say is that he has no control over costs associated with building and designing lines. He said they enter the information into a computer and whatever cost it comes up with is final. He also said that the facilities charge was mandatory as well where the line was over a half mile. This was also echoed by Allen Stewart multiple times. They said there was just no way around it.

At this point I called the PSC and submitted an informal complaint explaining these same details. We received a response from Autumn Braithwaite from Rocky Mountain Power.

It is as follows: By way of background, Rocky Mountain Power has a dedicated service territory and your location falls within our service territory to provide electric service. Your location sits roughly two miles within the boundaries of our dedicated service territory and Rocky Mountain Power has facilities in place slightly over ½ mile away from your location. When new electric service is requested for a location and facilities are installed, costs associated with the installation are addressed through a contract. This contract is an obligation separate from the charges for metered electric usage. Rocky Mountain Power will make line extensions for remote residential service (remote > ½ mile) such as for this location, according to a written contract. Typically, a

large payment will secure the initial line extension cost and the contract minimum billing is designed to cover the ongoing costs as Rocky Mountain Power will own and maintain the line extension for as long as electric service is taken. To ensure the company does not pass on costs of building the line extension or maintaining the line to other rate payers, the company has a contract minimum billing. In the absence of energy use and revenue the company still receives payment to offset these costs. Additionally, an applicant who has paid a refundable advance on an Extension may be eligible for up to four refunds during the first 10 years when other customers connect to the line extension built to serve them. When those customers do connect and increase the density of homes such that your home is no longer classified as remote the remote contract will be closed out and the contract minimum terminated. She also stated that Rocky Mountain Power has no records of anything from Mt Pleasant City Power. I have records of emails from Cullen Irvine regarding all the quotes and communication between the two parties, so they were very aware of what was being proposed.

After I received this email I responded to Autumn with some additional questions and concerns with no response to date to those questions.

On September 3, 2020 Autumn sent me an email that provided some updated quotes to run me power. It is as follows:

I have asked for an actual estimate to be drawn up for your request in lieu of only having a ballpark estimate. The cost for Rocky Mountain Power to provide electric service to your location would be either:

- The Refund Option for \$35,404.00. With this option the Company will refund part of the advance if additional customers connect to the new line within ten years of the date Company is ready to supply service. The Company will refund twenty percent of the refundable Customer Advance allocable to the cost of the shared improvements for four additional applicants.
- The Contract Administration Credit Option for \$35,154.00. This option provides a credit of \$250.00 and the customer waives their right to refunds should additional customers connect to this line.

It has also been determined that your request will not have a facilities charge even though a facilities charge was mentioned in your ball park estimate. By way of practice and policy, for remote service customers, the first ½ mile of the line is exempt from the residential remote facilities charge. This was determined once the actual estimate was reviewed.

Once I received this email, I responded to Autumn asking if she could provide me with a detailed quote with a cost breakdown and once again no response.

After getting these responses from Rocky Mountain Power I have some questions and concerns. To start out, how do I talk to multiple people with Rocky Mountain over a couple months' time and get told over and over that by policy I have to pay the facilities charge since I am over a half mile and now they somehow say they can waive the fee? I am still over a half mile away from them.

They say my property is in their territory and they must be the ones to provide power. I went to Mt Pleasant city and they have over 700 meters that they provide power services to out of the city limits that are technically in Rocky Mountain's territory. So, for some reason I am the new exception to not getting power from the city. They keep bringing up the fact I am almost two miles out of the city limit, but I can point out multiple power lines that are Mt Pleasant City's that are 3-4 miles out of town in every direction. There are two locations that Mt Pleasant City has power available closer to my property than Rocky mountain does.

The precedence was set years ago that Rocky Mountain had no intension of providing residential services in my area since they have allowed Mt Pleasant City to provide power to so many homes, farms and ranches in our area. The 46 KV transmission line was just replaced a couple years ago. They built it so they could still use the underbuild on the first 12 poles heading south to the Gardner residence. Once they passed the Gardner's they increased the span between the poles making it so no future lines could be installed. This tells me there was never any consideration for future residential services.

The quote I got from Rocky Mountain Power has an option for a small refund if anyone adds on to the line they want to build to my property. I have talked to every landowner from me south to the Rocky Mountain line and not a single one of them want power and will just continue to use their land as pastureland. As they were asking me for more details about the line Rocky Mountain Power wants to run, it became very apparent that they would all be against them installing a totally new line on the opposite side of the road from their transmission line. This would make it so there were two different power lines on both sides of the road as they are unwilling to add a few poles in between their transmission line to install underbuild to get power to me. At some point they will have to cross the road to get to my property as well as go underneath their other line. All the property owners are questioning why since Mt Pleasant power is closer to the north and east. Another question is, do they have the right of way from the county to be sending a quote to install an entire new power line on the opposite side of the road from their transmission line?

With the inconsistencies dealing with Rocky Mountain Power as well as the quoted price being so much higher than Mt Pleasant City, the best option by far is to get power from the city. I feel that someone from the Richfield office that is involved in the approval process has some personal grudge against Mt Pleasant City and I am the one that is suffering from it. With all of the facts laid out and seeing what has been done and approved in the past as far as power services, there should be no reason for Rocky Mountain Power not to approve our proposal of the city running us power.