

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Bart R. Tatton against Rocky Mountain) DOCKET NO. 08-035-96
Power) REPORT AND ORDER
)

ISSUED: March 11, 2009

By The Commission:

This matter is before the Commission on Bart Tatton's formal complaint against Rocky Mountain Power (Company). Mr. Tatton has, at various times in the past years, requested that the Company relocate a guy wire, and a service line and poles that cross his property. The service line apparently did not service his property, nor did the Company have an easement for the line to cross his property. The Company points out that Mr. Tatton owned the property over which the line crosses for five years before complaining of its location. Nonetheless, over a period of about two years, Mr. Tatton filed two informal complaints with the Division of Public Utilities (Division) complaining of the Company's placement of lines and poles outside of their easement. In 2006, the Company stated that it would relocate the equipment after the winter season, but did not move it. After various back and forth communications, and after the Company had failed to move the poles, Mr. Tatton filed a formal complaint with the Commission in December 2008 in order to obtain the Company's compliance and have them move the poles and line onto their proper easement.

The Division contacted the Company after Mr. Tatton filed his Complaint and obtained the Company's commitment to finally perform the work in February 2009. The Division asked the Company to submit a report when the work was finally completed. The

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Division also recommended to the Commission to dismiss the complaint once the notice of completion was submitted.

On February 12, 2009, the Company informed the Commission that the work to move the “electric facilities in question from Mr. Tatton’s property to the neighboring property was completed on February 11, 2009.”

Therefore, finding that the work which Mr. Tatton complained as not having been done is now completed, the Commission orders that this complaint is hereby dismissed.

Pursuant to Utah Code § 63G-4-301 and 54-7-15, an aggrieved party may request agency review or rehearing of this Order by filing a written request for review or rehearing with the Commission within 30 days after the issuance of the 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 Commission does not grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission’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 Utah Code §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 11th day of March, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

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Approved and confirmed this 11th day of March, 2009, as the Report and Order of
the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#61030