

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Rodney Dansie against Hi-Country) DOCKET NO. 13-2195-01
Estates Homeowners Association) ORDER DISMISSING COMPLAINT

ISSUED: April 17, 2015

FINDINGS OF FACTS

1. On February 2, 2015, Rodney Dansie (Mr. Dansie) sent an e-mail to the Commission requesting that it review standby fees and related charges that Hi-Country Estates Homeowners Association (Hi-Country) has charged him over the past twenty years. Mr. Dansie also indicated that his request relates to a district court judgment entered against him in the amount of approximately \$65,000.
2. Upon receiving Mr. Dansie's e-mail, the Commission inquired with the Division of Public Utilities (Division) about the status of his complaint.
3. The Division responded to the Commission's inquiry by asserting that Mr. Dansie's e-mail raises issues the Commission previously addressed in this docket. Specifically, Mr. Dansie filed a formal complaint in this docket on June 13, 2013, which the Commission dismissed in its order dated July 16, 2013.
4. On February 11, 2015, the Commission issued an order to show cause in this docket for the purpose of providing Mr. Dansie with an opportunity to respond to the Division's position.
5. The order to show cause stated: "No later than Friday, March 13, 2015, Mr. Dansie shall file with the Commission a response addressing how the concerns outlined in his

February 2, 2015, e-mail are distinguishable from the substance of the complaint he filed in 2013 in this docket. Failure to timely respond will result in a finding that the Commission has previously considered and disposed of the issues Mr. Dansie raises in his e-mail dated February 2, 2015. Additionally, Hi-Country is invited to respond to the same issue outlined above no later than Friday, March 13, 2015.”

6. The March 13, 2015, deadline to respond to the Commission’s February 11, 2015, order to show cause has passed, and Mr. Dansie has not responded. Accordingly, consistent with the Commission’s order to show cause, the Commission finds that it has previously considered and disposed of the issues Mr. Dansie raises in his February 2, 2015, e-mail.

7. On March 13, 2015, Hi-Country filed a response to the Commission’s February 11, 2015, order to show cause.

8. We interpret and treat Hi-Country’s response as a motion to dismiss. Accordingly, pursuant to Utah Admin. Code R746-100-4, we issued a notice of filing setting forth a deadline of April 2, 2015, for Mr. Dansie to file a response to Hi-Country’s motion.

9. The April 2, 2015, deadline to respond to Hi-Country’s motion has passed, and Mr. Dansie has not responded.

10. Hi-Country’s motion to dismiss is now ripe for decision.

CONCLUSIONS OF LAW

Mr. Dansie failed to respond to the Commission’s February 11, 2015, order to show cause to address how his February 2, 2015, complaint is distinguishable from his 2013 complaint filed in this docket. In addition, Mr. Dansie failed to respond to Hi-Country’s motion to dismiss, which contended the Commission has already disposed of the issues Mr. Dansie raises. Having

failed to respond, Mr. Dansie has provided no legal or factual basis for further review of his complaint.

ORDER

For the foregoing reasons, the Commission grants Hi-Country's motion and dismisses Mr. Dansie's complaint.

DATED at Salt Lake City, Utah, this 17th day of April, 2015.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#265649

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a 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 fails to 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 Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on the 17th day of April, 2015, a true and correct copy of the foregoing was served upon the following as indicated below:

By E-Mail:

Rodney Dansie (roddansie@msn.com)

Randy Crane (rcrane@sisna.com)
Hi-Country Estates Homeowners Association

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By Hand-Delivery:

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