

NOTICE OF
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Office of Administrative Rules.

Agency Information

1. Agency: Public Service Commission - Administration
 Room no.:
 Building: HEBER M WELLS BLDG
 Street address 1: 160 E 300 S
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84111-2316
 Mailing address 1: PO BOX 45585
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84111-5585

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Sheri Bintz	801-530-6714	801-530-6796	sbintz@utah.gov
Michael Hammer	801-530-6729		michaelhammer@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 42670 Date filed: 03/08/2018 12:00 PM
 State Admin Rule Filing Key: 160029
 Utah Admin. Code ref. (R no.): R 746 - 1 - 201
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
 Complaints

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:

To clarify the informal complaint process with the Division of Public Utilities before a formal complaint is filed with the Public Service Commission.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.

No

Rule Summary

6. Summary of the rule or change:

This minor clarification to the Public Service Commission's rule on complaints against a utility should streamline the process for both complainants and utilities. The rule amendment prevents any potential need to adjudicate a complaint twice. It clarifies the separate roles of the Division of Public Utilities, to provide an informal dispute resolution process, and the Public Service Commission, to adjudicate a dispute that cannot be resolved informally.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

Because this clarification only streamlines the current complaint process for all involved, there should be no anticipated cost or savings to the state budget.

B) Local government:

Affected: No

Because this clarification only streamlines the current complaint process for all involved, there should be no anticipated cost or savings to the local government.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

Because this clarification only streamlines the current complaint process for all involved, there should be no anticipated cost or savings to small businesses.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

Because this clarification only streamlines the current complaint process for all involved, there should be no anticipated cost or savings to persons other than small businesses, businesses or local government entities.

Compliance Cost Information

8. Compliance costs for affected persons:

Because this clarification only streamlines the current complaint process for all involved, there should be no compliance cost to affected persons.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This minor clarification to the Public Service Commission’s rule on complaints against a utility should streamline the process for both complainants and utilities. The rule amendment prevents any potential need to adjudicate a complaint twice. It clarifies the separate roles of the Division of Public Utilities, to provide an informal dispute resolution process, and the Public Service Commission, to adjudicate a dispute that cannot be resolved informally. Because this clarification only streamlines the current complaint process for all involved, there should be no compliance cost to affected persons.

B) Name and title of department head commenting on the fiscal impacts:

Thad LeVar, Commission Chair

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

54-3-21

54-1-1

54-4-1.5

54-4-1

54-7-17

54-4-2

54-1-6

63G-4

54-1-3

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by reference (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page): Publisher: Date Issued: Issue, or version: ISBN Number: ISSN Number: Cost of Incorporated Reference: Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

05/01/2018

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

05/08/2018

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):

- public utilities
- administrative proceedings
- electronic filings and meetings
- confidential information

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Michael Hammer
Administrative Law Judge

Date (mm/dd/yyyy): 03/08/2018