

January 15, 2004

State of Utah  
Public Service Commission  
Salt Lake City, Ut

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Dear Commission Members and Staff;

Thanks for the time and consideration of this request.

I have filed a claim with Utah Power. I note the article in the newspaper that 5 of the last 6 major outages have been called "major events" and thereby exempting the utility from compensation to the customers. Were there amounts refunded or credited by the utility for the item not classified as a major event?

Secondly, it would appear very generous to call this a major event and exempt fully the utility from its fiduciary duty to trim the trees ( monies which have been charged in their rates for year); and to have a call in system that failed and did not let the company know of the correct status of many customers.

It would appear that their may be a contributory assessment of neglect against the utility, for possibly not using the funds for trimming in that specific regard; and for the failure of a corporate test of the outage call in system. These are **duties** of the public utility and ~~they~~ possibly was not met in this incident as is the duty of the entity.

As an accountant I would suggest that consideration be given to an audit of the tree trimming funds usage and viability. Much of an audit nature is consideration of the reliability of systems and the measurement of policy and funding. I would think these areas are subject to audit by the commission, not merely a request to the utility to answer what their investigation shows.

Thanks for your consideration of this matter, where performance is measured performance improves; maybe it is time to have an ongoing measurement of the performance of the utilities in these and other area.

I would appreciate an answer to the question posed above of the possible refund to customers in the non major event on July 13, 2002.

