- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

DOCKET NO. 12-035-119

ORDER APPROVING CUSTOMER SERVICE AGREEMENT

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ISSUED: January 29, 2013

SYNOPSIS

The Commission enters this Order approving the Customer Service Agreement by and between Rocky Mountain Power, the City of Enterprise, Utah, and Leslie A. Barlow.

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By The Commission:

BACKGROUND

On December 24, 2012, Rocky Mountain Power, a Division of PacifiCorp (“RMP”), filed an application for approval of a Customer Service Agreement (“Agreement”) by and between RMP, the City of Enterprise, Utah (the “City”), and Leslie A. Barlow (“Mr. Barlow”), (collectively, the “Parties”). Presently, Mr. Barlow seeks service for an irrigation pivot on his property, which is within RMP’s certificated service territory but outside of the City’s municipal boundaries. RMP currently has a distribution facility located approximately 2,000 feet from the Barlow property, whereas the City has a distribution facility located approximately 15 feet from the Barlow property. RMP estimates the cost to provide service to the irrigation point at $15,000, whereas the City estimates the cost at $6,400. Given the unique circumstances presented by Mr. Barlow’s request, the Parties entered the Agreement whereby the City will be allowed to serve Mr. Barlow.

1 Errata were subsequently filed on January 7, 2013 and January 8, 2013. The January 8, 2013 Errata, which replaces the January 7, 2013 filing, amends paragraph 3 of page 2 of the application.
Barlow in RMP’s certificated service territory. The Parties each represent they request Commission approval of the Agreement.

On January 22, 2013, in response to an action request, the Division of Public Utilities (“Division”) recommended approval of the Agreement. See Division Memo, filed January 22, 2012. The Division states that it believes the Agreement is in the public interest. See id. at 3.

DISCUSSION

RMP, a public utility under the Commission’s jurisdiction, essentially seeks to be relieved of its obligation to serve a customer in its service territory, according to the terms of the Agreement, because the facilities necessary to serve that customer can be provided at a lower cost by another provider. We agree that doing so would result in a more economically efficient way of serving Mr. Barlow. The Division’s recommendation further supports approving the Agreement, and no one opposes the Agreement.

ORDER

For the foregoing reasons, the Customer Service Agreement is hereby approved.

DATED at Salt Lake City, Utah this 29th day of January, 2013.

/s/Melanie A. Reif
Administrative Law Judge
DOCKET NO. 12-035-119

Approved and confirmed this 29th day of January, 2013, as the Order Approving Customer Service Agreement of the Public Service Commission of Utah.

/s/ Ron Allen, Chairman

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary

D#241473

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.
DOCKET NO. 12-035-119

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of January, 2013, a true and correct copy of the foregoing was served upon the following as indicated below:

By E-Mail:

David L. Taylor (dave.taylor@pacificorp.com)
Mark C. Moench (mark.moench@pacificorp.com)
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Adam Bowler, City Administrator (adam@enterpriseutah.org)
Wendy Paine, City Recorder (wendy@enterpriseutah.org)
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Leslie A. Barlow (les@xroadsequipment.com)

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Administrative Assistant