

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Caithness Condominium HOA against Rocky) DOCKET NO. 12-035-86
Mountain Power) ORDER DISMISSING COMPLAINT

ISSUED: October 31, 2012

By The Commission:

BACKGROUND

Caithness Condominium HOA (the “Complainant”) filed a formal complaint against Rocky Mountain Power, a division of PacifiCorp (the “Company”), on June 21, 2012, alleging the Company was failing to honor a prior agreement with the Complainant concerning master metering. See Formal Complaint, filed June 21, 2012. Thereafter, the Division of Public Utilities (“Division”) filed a recommendation to dismiss the complaint, and a hearing was scheduled and then postponed at the parties’ request. In the meantime, the Company filed a motion to dismiss; however, no action was taken on the Company’s motion as the parties attempted to resolve this matter on their own. The parties provided periodic updates to the Commission and, on October 30, 2012, Complainant communicated in an e-mail to the Commission that it wishes “to drop its formal complaint against [the Company].” See E-mail from Joel VanOrden, to Gary Widerburg, Commission Secretary (Oct. 30, 2012; 12:46 PM). The Commission takes judicial notice of Complainant’s e-mail and, accordingly, dismisses the complaint.

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Caithness Condominium HOA complaint against Rocky Mountain Power is hereby dismissed without prejudice.

DATED at Salt Lake City, Utah, this 31st day of October, 2012.

/s/ Melanie A. Reif
Administrative Law Judge

Approved and Confirmed this 31st day of October, 2012, as the Order Dismissing Complaint of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary

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 HEREBY CERTIFY that on the 31st day of October, 2012, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic-Mail

Joel VanOrden (smcjvo@hotmail.com)
Caithness Condominium HOA

Daniel Solander (daniel.solander@pacificorp.com)
Rocky Mountain Power

Patricia Schmid (pschmid@utah.gov)
Justin Jetter (jjetter@utah.gov)
Assistant Utah Attorneys General

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
Salt Lake City, Utah 84111

Office of Consumer Services
160 East 300 South, 2nd Floor
Salt Lake City, Utah 84111

Administrative Assistant