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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE FORMAL)	
COMPLAINT OF ROBERT YARDLEY)	
AGAINST ROCKY MOUNTAIN POWER)	Docket No. 15-035-66
)	

ROCKY MOUNTAIN POWER’S ANSWER AND MOTION TO DISMISS

Rocky Mountain Power, a division of PacifiCorp (the “Company”), pursuant to Utah Code Ann. §§ 54-4-1 and Utah Admin. Code R746-100-3 and -4, and R746-200-9 provides its Answer to the formal complaint filed by Robert Yardley (“Complainant”). In addition, the Company moves that the Complaint be dismissed in its entirety, with prejudice, because Mr. Yardley does not allege that Rocky Mountain Power has violated any provision of law, Commission order or rule, or Company tariff.

I. PRELIMINARY MATTERS

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II. BACKGROUND

1. Mr. Yardley has two irrigation pumps in [REDACTED], Utah. The North Well is located at [REDACTED] and the South Well is located at [REDACTED]. Mr. Yardley has been the customer of record for both of these irrigation pumps since April 1996.

2. Mr. Yardley's pumps are billed under Electrical Service Schedule 10 for Irrigation and Soil Drainage Pumping Power Service. See Exhibit A.

3. Per Electric Service Schedule 10, the irrigation season is from May 25 to September 15, and during the irrigation season the customers are billed a monthly service charge, a power charge, and an energy charge. The post-season service is from September 16 to May 24, and customers are billed a monthly customer service charge and an energy charge (referred to as "Winter Rate" on the billing statement). When the billing cycle overlaps the irrigation season and the post season, the Company will prorate energy usage

to transition customers between seasonal rate schedule changes in accordance with the Electric Service Regulation No. 8, as described below.

4. On June 1, 2015, Mr. Yardley received a bill for a billing period from April 30 to June 1, 2015. This bill is based on actual meters readings taken on June 1, 2015, as part of the normal meter reading cycle, not an estimate. Twenty-four days of the billing period were on the post-season service rate, and eight days were on the irrigation season rate. The Company prorated the usage for the dates the irrigation season and post season service rates were in effect. This proration is done in accordance with Rocky Mountain Power Electric Service Regulation No. 8, which states:

- 10.(E) Irrigation and Post Season Changes
Irrigation customer bills issued for billing periods that include both in irrigation season, May 25 to September 15, and out of irrigation season periods will be prorated proportional to the number of days in the billing period within each season.

5. The proration calculation uses the amount of energy used divided by the number of days in the billing cycle to obtain a per day average for the energy used in the month. After the daily average is determined, the average is multiplied by the number of days each rate is in effect.

6. To demonstrate the calculation, the following example is from Mr. Yardley's North Well or "ITEM 3 – ELECTRIC SERVICE" as shown on the bill. See Confidential Exhibit B. The number of days in the billing cycle (32 days) includes 24 days (April 30 to May 24) on the post season service rate reflected as "Winter Rate" on the billing statement, and the 8 days (May 25 to June 1) on the "Irrigation Season" rate. The 32 day billing cycle has a peak load or "Demand" of ■■■ kW plus a "Power Factor

Adjustment” of █ kW for a total of █ kW “Demand Charge”. The “Energy Charge” for the month was total of █ kWh. The calculations are as follows:

Determine Daily Average for the Billing Cycle

$$\begin{aligned} \text{█ kW}/32 \text{ days} &= \text{█ kW per day} \\ \text{█ kWh}/32 \text{ days} &= \text{█ kWh per day} \end{aligned}$$

Winter Season

$$\begin{aligned} \text{█ kW} * 24 \text{ days} &= \text{█ kW} \\ \text{█ kWh} * 24 \text{ days} &= \text{█ kWh} \end{aligned}$$

Irrigation Season

$$\begin{aligned} \text{█ kW} * 8 \text{ days} &= \text{█ kW} \\ \text{█ kWh} * 8 \text{ days} &= \text{█ kWh} \end{aligned}$$

The above example is how the energy usage was calculated for the June 1 bill, and to demonstrate how the company transitions between post season service rates and the irrigation season rates during an over lapping billing cycle.

7. The next step is to apply the appropriate rate to the prorated energy charges. Mr. Yardley was billed █ (\$7.25 per kW) for █ prorated kW during the eight days the irrigation season was in effect, and billed █ (\$0.0724620 per kWh) for the prorated kWh during the irrigation season. During the post-season service, Mr. Yardley was not billed Demand in accordance with Schedule 10, and was billed █ (\$0.0497150 per kWh) for the prorated █ kilowatt hours during the irrigation season. The calculations follow:

Irrigation Season

$$\begin{aligned} \text{█ kW} * 8 \text{ days} &= \text{█ kW} * \$7.25 = \text{█} \\ \text{█ kWh} * 8 \text{ days} &= \text{█ kWh} * .0724620 = \text{█} \end{aligned}$$

The same methodology was used to calculate the billing charges for Mr. Yardley’s South Well and the billing was accurate.

III. MOTION TO DISMISS

8. The Company moves under Utah Rules of Civil Procedure, Rule 12(b)(6) for an Order dismissing the Complaint. In support of this motion, the Company states the Complaint fails to establish the Company violated Commission rules, Company tariffs or that its actions are unjust.

9. The Complaint: (1) alleges the Company is billing Mr. Yardley for power he did not use; (2) alleges the Company cannot afford to have his meter read on May 24; and (3) requests relief that the higher billing cycle begin on June 1st.

10. With respect to Mr. Yardley's first claim, the Company responds that Mr. Yardley was accurately billed based on actual and timely meter reads taken on April 30, 2015 and June 1, 2015. As fully described in the Answer, *supra*, Rocky Mountain Power Electric Service Schedule 10 allows the Company to prorate the energy usage during the month to obtain the closest approximation of the amount of power to bill under each rate.

11. With respect to Mr. Yardley's second claim, the Company confirms we are unable to read every irrigation meter in the state of Utah on May 24 each year. It would be cost prohibitive to close and open each irrigation season with a meter read on every meter on the actual date the season began and ended. The proration methodology outlined in this response is the same methodology used when a change in the rate occurs or for other rate schedules with seasonal rates.

12. With respect to Mr. Yardley's third claim, the Company reiterates its response in the Answer that the rate was correctly applied in accordance with Electric Service Schedule No. 10.

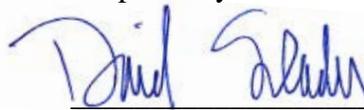
13. Mr. Yardley has presented no factual allegations in his Complaint that the Company has charged a rate other than that authorized by the Commission, or otherwise violated any law, tariff or Commission order.

CONCLUSION

WHEREFORE having fully answered Complainant's complaint and finding no violation of law, Commission rules, or Company tariffs to base an award of the relief requested, the Company prays for the dismissal of the Complaint with prejudice.

Dated this 17th day of August, 2015.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Daniel E. Solander", is written over a horizontal line.

Daniel E. Solander
Megan McKay

Attorneys for Rocky Mountain Power