



GARY HERBERT  
*Governor*  
SPENCER J. COX  
*Lieutenant Governor*

State of Utah  
Department of Commerce  
Division of Public Utilities

FRANCINE GIANI  
*Executive Director*

THOMAS BRADY  
*Deputy Director*

CHRIS PARKER  
*Director, Division of Public Utilities*

## MEMORANDUM

**DATE:** July 21, 2016

**TO:** Public Service Commission

**FROM:** Division of Public Utilities  
Chris Parker, Division Director  
Marialie Wright, Customer Service Manager  
Erika Tedder, Paralegal

**RE:** Frank Drews v. Rocky Mountain Power  
Docket No. 16-035-32

**Recommendation: Schedule a Hearing**

**Complaint Analysis:**

On June 9, 2016, Mr. Frank Drews (Complainant) filed a complaint against Rocky Mountain Power (Company) with the Division of Public Utilities (Division) regarding a power line relocation concern.

Complainant claims that his neighbor is building an addition onto the neighbor's home and has requested that the Company relocate Complainant's service line that crosses the neighbor's yard. Complainant states that the service line relocation and installation of the new power pole will obstruct Complainant's view and be placed too close to a large tree in his yard. The Complainant is concerned that the power pole will require adjustments to his tree due to the proximity and safety. Complainant expresses how the view and the large tree were selling factors considered in his home purchase 16 years ago and that he does not want these values compromised.

**Company Response:**

Ms. Autumn Braithwaite, Rocky Mountain Power's Regulatory Analyst, responded to Mr. Frank Drews' informal complaint on June 28<sup>th</sup>, 2016. Ms. Braithwaite provided

Complainant with a copy of his lot's Public Utility Easement and stated that "According to **Rocky Mountain Power's Electric Service Regulation No. 12 Section 6...**" the relocation and replacement of the line into Complainant's yard is a feasible performance. The cost is being paid by the neighbor, and the easements are in place on Complainant's property, so the project meets sufficient requirements. Ms. Braithwaite also addressed the Complainant's concern of his tree being jeopardized. She stated that the new placement of the service wire will not threaten the tree and that the pole location has the least impact of view obstruction.

**DPU Comments & Recommendation:**

The Division recommends that Complainant be allowed a hearing so that all evidence and sworn testimony can be evaluated by the Public Service Commission to determine whether the line's placement is reasonable and whether appropriate alternatives exist. The Division also suggests the parties might benefit from involvement by the Office of the Property Rights Ombudsmen.