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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of the Formal Complaint of  
Blynscy, Inc. against Rocky Mountain Power

DOCKET NO. 16-035-41

ORDER STAYING SCHEDULING ORDER  
ON MOTION TO DISMISS , STAYING  
DIVISION ACTION REQUEST DEADLINE,  
AND REQUIRING BLYNCSY, INC. TO  
APPEAR OR APPOINT COUNSEL

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ISSUED: November 10, 2016

On September 27, 2016, Blynscy, Inc. (Blynscy) filed a formal complaint against Rocky Mountain Power, a public utility. On October 27, 2016, Rocky Mountain Power answered the complaint and filed a motion to dismiss it. The presiding officer thereafter issued a scheduling order on the motion to dismiss, giving Blynscy until Monday, November 14, 2016 to file a response.

On November 10, 2016, Blynscy requested an extension of the response deadline, indicating that it intended to hire counsel. Through e-mail correspondence with the presiding officer,<sup>1</sup> the parties agreed to stay the scheduling order on the motion to dismiss in order to give Blynscy a reasonable period of time in which to retain counsel.

Also on November 10, 2016, the Utah Division of Public Utilities (Division) filed a request for an extension of its deadline to respond to an action request issued by the Public Service Commission of Utah on September 27, 2016. The Division requests that its deadline correspond to Blynscy's response deadline on the pending motion to dismiss.

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<sup>1</sup> The e-mail chain is attached to this order as Exhibit A.

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ORDER

Given the foregoing, the scheduling order issued October 28, 2016 on Rocky Mountain Power's motion to dismiss the matter is stayed. The Division's action request deadline is stayed. Bynco shall appear or appoint counsel no later than **Monday, November 21, 2016**.

DATED at Salt Lake City, Utah, this 10<sup>th</sup> day of November, 2016.

/s/ Jennie T. Jonsson  
Administrative Law Judge

Attest:

/s/ Gary L. Widerburg  
Commission Secretary  
DW#290167

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EXHIBIT A



Jennie Jonsson <jjonsson@utah.gov>

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## Blyncsy complaint against Rocky Mountain Power

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Jennie Jonsson <jjonsson@utah.gov>

Thu, Nov 10, 2016 at 1:14 PM

To: daniel.solander@pacificorp.com, mark.e.pittman@blyncsy.com

Mr. Pittman and Mr. Solander,

I have just received Blyncsy's request for an extension of its response deadline on the pending motion to dismiss, and I understand that Rocky Mountain Power does not object. I am willing to grant the extension; however, I expect that, once Blyncsy obtains an attorney, I will likely get another request for an extension. So I would propose to issue an order staying the scheduling order on the motion to dismiss and giving Blyncsy 10 days to appear or appoint counsel. Then, when we have attorneys on both sides, we can set the schedule. Please let me know if this course is acceptable.

Thank you,  
Jennie T. Jonsson  
Administrative Law Judge  
Public Service Commission of Utah



Jennie Jonsson <jjonsson@utah.gov>

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## Blyncsy complaint against Rocky Mountain Power

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Mark Pittman <mark.e.pittman@blyncsy.com>  
To: Jennie Jonsson <jjonsson@utah.gov>  
Cc: daniel.solander@pacificcorp.com

Thu, Nov 10, 2016 at 3:28 PM

Judge Jonsson,

That would work well for us, we hope to have counsel by early next week.

-Mark

[Quoted text hidden]

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*Mark Pittman*

**Chief Executive Officer**

Mobile (801) 529-7432



**Blyncsy, Inc.** | [www.Blyncsy.com](http://www.Blyncsy.com)

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**P** Please consider the environment before printing this email.



Jennie Jonsson <[jjonsson@utah.gov](mailto:jjonsson@utah.gov)>

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## Blyncsy complaint against Rocky Mountain Power

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Solander, Daniel <[Daniel.Solander@pacificorp.com](mailto:Daniel.Solander@pacificorp.com)>

Thu, Nov 10, 2016 at 3:44 PM

To: Mark Pittman <[mark.e.pittman@blyncsy.com](mailto:mark.e.pittman@blyncsy.com)>, Jennie Jonsson <[jjonsson@utah.gov](mailto:jjonsson@utah.gov)>

That approach will work for Rocky Mountain Power as well. Thank you.

Daniel

Daniel E. Solander

Senior Counsel

Rocky Mountain Power

1407 West North Temple, Suite 320

Salt Lake City, Utah 84116

(801) 220-4014 Direct Dial

(801) 803-1240 Cell

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**From:** Mark Pittman [<mailto:mark.e.pittman@blyncsy.com>]

**Sent:** Thursday, November 10, 2016 3:29 PM

**To:** Jennie Jonsson

**Cc:** Solander, Daniel

**Subject:** [INTERNET] Re: Blyncsy complaint against Rocky Mountain Power

CERTIFICATE OF SERVICE

I CERTIFY that on November 10, 2016, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Mark Pittman, CEO ([mark.e.pittman@blynco.com](mailto:mark.e.pittman@blynco.com))

By Electronic-Mail:

Data Request Response Center ([datarequest@pacificorp.com](mailto:datarequest@pacificorp.com))  
[customeradvocacyteam@pacificorp.com](mailto:customeradvocacyteam@pacificorp.com)  
PacifiCorp

Robert C. Lively ([bob.lively@pacificorp.com](mailto:bob.lively@pacificorp.com))  
Yvonne Hogle ([yvonne.hogle@pacificorp.com](mailto:yvonne.hogle@pacificorp.com))  
Daniel E. Solander ([daniel.solander@pacificorp.com](mailto:daniel.solander@pacificorp.com))  
Megan McKay ([megan.mckay@pacificorp.com](mailto:megan.mckay@pacificorp.com))  
Rocky Mountain Power

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Robert Moore ([rmoore@utah.gov](mailto:rmoore@utah.gov))  
Assistant Utah Attorneys General

Erika Tedder ([etedder@utah.gov](mailto:etedder@utah.gov))  
Division of Public Utilities

By Hand-Delivery:

Office of Consumer Services  
160 East 300 South, 2<sup>nd</sup> Floor  
Salt Lake City, UT 84111

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Administrative Assistant