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From: **Rulon Crosby** <[ruloncrosby@msn.com](mailto:ruloncrosby@msn.com)>

Date: Fri, Jul 14, 2017 at 1:44 PM

Subject: Re: Email Address

To: "Nottingham, Melissa" <[Melissa.Nottingham@pacificorp.com](mailto:Melissa.Nottingham@pacificorp.com)>

Cc: "Braithwaite, Autumn" <[Autumn.Braithwaite@pacificorp.com](mailto:Autumn.Braithwaite@pacificorp.com)>, "[gwiderburg@utah.gov](mailto:gwiderburg@utah.gov)" <[gwiderburg@utah.gov](mailto:gwiderburg@utah.gov)>, "[Scott.Jessen@rockymountainpower.net](mailto:Scott.Jessen@rockymountainpower.net)"

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<[ruloncrosby@msn.com](mailto:ruloncrosby@msn.com)>

This response is a much truncated version of one I prepared, earlier, which my computer lost, as I was getting ready to send it.

I will try to cover the essential details.

I differentiate between people, who are willing to reason together, in a conciliatory fashion, to solve tractable problems, and those who would rather provoke a confrontation.

Lance Borne provoked a huge, unnecessary confrontation, when he insisted on going onto my property, after being explicitly told not to, to remove a ladder and some extension chord wiring from a power company pole, along the north fence line of my property.

Borne alleged that the ladder and the extension chord were illegal to have on or next to a power company pole. I have researched this question, with the Utah PUC, and found it to be completely untrue.

I have filed a complaint, with the PUC, which is in the comment gathering stage.

Mr. Borne's supervisor, James Burton, had promised me to find and show me a copy of the right-of-way agreement, allowing PacifiCorp, to cross my property. Instead of so doing, he sent Borne onto my property, a second time, without notification, to change out a watt-hour meter.

It is obvious to me, that Borne and Burton thrive on confrontation, so I plan to oblige them.

I accuse Borne of criminal trespass for his incursions onto my land. I will encourage the Rich County Sherriff and Prosecutor to charge Borne with this crime and bring him to trial.

Because Burton and Borne continue to provoke confrontations, by continued trespass on my land, as we await the PUC complaint hearing, I asked Ms. Nottingham, of PacifiCorp, Portland to agree to have company personel, quit trespassing until the issues are reviewed and settled. If I don't get such an agreement from Ms. Nottingham, I will be filing new legal prohibitions, with C. T. Corporations Systems, on Monday.

It has been established, that PacifiCorp has no recorded easement across my property, so it now speaks of asserting a prescriptive easement.

**Easements By Prescription** – Under Utah law, the requirements to prove a prescriptive easement are open, notorious, adverse, continuous use of the property over which the easement is claimed for a period of twenty years.

There is no way PacifiCorp can qualify for a prescriptive easement, because they can provide no evidence, that they have continuously used my property to access their power line. They have better access, to the line, access across my neighbors land to the north.

Ms. Nottingham implied that PacifiCorp has a regulatory or statutory responsibility to intervene if there is any indication that a piece of equipment, a ladder, or other tool is in contact with one of their poles. I challenge her to provide proof that such requirements exist, which could possibly justify criminal trespass.

Mr Borne insists, and Ms. Nottingham implies, that PacifiCorp has the purview to enforce OSHA safety rules, on my private property. OSHA regulates work palce safty for employees. It has no authority over private citizens doing work on their own property.

There was obviously no danger of electrical shock, because the ladder barely reached the level of the cable TV connection, fifteen feet below the high voltage conductors.

There was no urgent reason, for Lance borne, or anyone else, to trespass on my property. Any questions could have easily been handled, the next day by reasonable consultation.

In the absence of a valid easement or right-of-way agreement, Lance Borne was guilty of criminal trespass, when he went onto my property, after being told, by me, not to do so.

Is PacifiCorp going to honor my instruction to get my explicit permission to cross my land?

Rulon Crosby

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**From:** Nottingham, Melissa <[Melissa.Nottingham@pacificorp.com](mailto:Melissa.Nottingham@pacificorp.com)>

**Sent:** Thursday, July 13, 2017 4:17 PM

**To:** [ruloncrosby@msn.com](mailto:ruloncrosby@msn.com)

**Cc:** Braithwaite, Autumn

**Subject:** Email Address

Mr. Crosby

Thank you for taking the time to discuss your concerns about accessing your property while we get this issue resolved.

Please use this email address for your correspondence. I have also copied Autumn so you will have her email as well.

Thank you,

**Melissa Nottingham**

Manager, Customer Advocacy and Tariff Policy

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