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December 20, 2017

VIA ELECTRONIC FILING

Public Service Commission of Utah
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84114

Attention: Gary Widerburg
Commission Secretary

RE: Docket No. 17-035-62 – In the Matter of the Formal Complaint of Darlene Schmidt Against Rocky Mountain Power

Dear Mr. Widerburg:

Rocky Mountain Power (“Company”) hereby submits for filing its Answer and Motion to Dismiss in the above referenced matter.

The Company respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): datareq@pacificorp.com
jana.saba@pacificorp.com

By regular mail: Data Request Response Center
PacifiCorp
825 NE Multnomah, Suite 2000
Portland, OR 97232

Informal inquiries may be directed to Jana Saba at (801) 220-2823.

Sincerely,

A handwritten signature in blue ink that reads "Daniel E. Solander".

Daniel E. Solander
Senior Attorney

Enclosures

Cc: Service List (w/ enclosures)

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Attorney for Rocky Mountain Power

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Darlene Schmidt,	:
	:
Complainant,	: Docket No. 17-035-62
	:
vs.	:
	:
Rocky Mountain Power,	: ROCKY MOUNTAIN POWER'S
	: ANSWER AND
Respondent.	: MOTION TO DISMISS
	:
	:
	:

Rocky Mountain Power, a division of PacifiCorp (the “Company”), pursuant to Utah Code Ann. §§ 63G-4-204(1) and Utah Admin. Code R746-1-203, R746-1-206, and R746-1-301, provides its Answer to the Formal Complaint filed by Darlene Schmidt (“Complaint”). In addition, the Company moves that the Complaint be dismissed in its entirety, with prejudice, because Rocky Mountain Power has not violated any provision of law, Commission order or rule, or Company tariff, and further, Ms. Schmidt has not demonstrated, pursuant to Utah Admin. Code R746-1-201(2), that the Division of Public Utilities (the “Division”) has reviewed the complaint and determined that Commission action is warranted.

I. PRELIMINARY MATTERS

Communications regarding this Docket should be addressed to:

By e-mail (preferred): datarequest@pacificorp.com
jana.saba@pacificorp.com
daniel.solander@pacificorp.com

By mail: Data Request Response Center
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II. BACKGROUND

1. Ms. Schmidt is the customer of record for the electric service at 1450 E. Plata Way, Sandy, Utah (“residence”).

2. Rocky Mountain Power met with Ms. Schmidt and the Division of Public Utilities at Ms. Schmidt’s residence on October 18, 2017. At the meeting, Rocky Mountain Power offered to replace Ms. Schmidt’s current meter with a meter that does not have any transmitting capabilities. Ms. Schmidt refused the Company’s offer.

3. On December 5, 2017, Ms. Schmidt filed a formal complaint with the Commission. On December 11, 2017 and December 18, 2017, Ms. Schmidt filed several Exhibits, which appear to be unrelated to the formal complaint.

III. MOTION TO DISMISS

4. 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 Ms. Schmidt's complaint fails to establish, or even allege, that the Company violated Commission rules, Company tariffs or that its actions are unjust. Ms. Schmidt has also failed to demonstrate, pursuant to Utah Admin. Code R746-1-201(2), that the Division has reviewed the complaint and determined that Commission action is warranted.

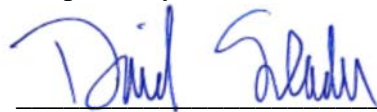
5. As stated above, Rocky Mountain Power offered to replace Ms. Schmidt's meter with a non-transmitting meter in accordance with the Company's tariff policy, and that offer was refused. It is unclear to the Company what additional relief Ms. Schmidt is seeking from the Commission, but it does not appear that Ms. Schmidt is alleging any violations of rule, tariff, or law by the Company.

IV. 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 20th day of December, 2017.

Respectfully submitted,



Daniel E. Solander

Attorney for Rocky Mountain Power

CERTIFICATE OF SERVICE

Docket No. 17-035-62

I hereby certify that on December 20, 2017, a true and correct copy of the foregoing was served by electronic mail to the following:

Darlene Schmidt Georgeschmidt2000@yahoo.com

Utah Office of Consumer Services

Cheryl Murray cmurray@utah.gov

Michele Beck mbeck@utah.gov

Division of Public Utilities

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Katie Savarin
Coordinator, Regulatory Operations