

In the Matter Of:

Buchanan, Kristy vs RMP

HEARING, DOCKET NO. 18-035-29

October 25, 2018

Job Number: 498891

1 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

2

3 FORMAL COMPLAINT OF KRISTY BUCHANAN Docket No. 18-035-29
4 AGAINST ROCKY MOUNTAIN POWER

4

5

HEARING PROCEEDINGS

6

7 TAKEN AT: Utah Public Service Commission
8 4th Floor
9 160 East 300 South
10 Salt Lake City, Utah

9

10 DATE: Thursday, October 25th, 2018

11 TIME: 9:00 a.m.

12 REPORTER: Mary R. Honigman, R.P.R.

13 JOB NO.: 498891

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APPEARANCES

PRESIDING OFFICER:
Melanie Reif

FOR ROCKY MOUNTAIN POWER:
Daniel Solander, Senior Counsel
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ALSO PRESENT:

Rob Stewart
Jana Saba

1	INDEX OF EXAMINATION		
2	WITNESS		PAGE
3	AUTUMN BRAITHWAITE		
4	Examination By: Mr. Solander		6
5	Examination By: Ms. Reif		10
6	E X H I B I T S		
7	EXHIBIT NO. 1	DESCRIPTION	PAGE
8		RMP Notices Sent to	
9		Ms. Buchanan	8
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1 PROCEEDINGS

2 OFFICER REIF: Good morning,
3 everyone. I'm Melanie Reif, and I am serving as the
4 presiding officer for the Utah Public Service
5 Commission today. This is the formal complaint of
6 Kristy Buchanan against Rocky Mountain Power, Docket
7 No. 18-035-29.

8 We're holding this hearing today as a
9 result of the complaint that Ms. Buchanan filed and
10 the request that she made for a hearing in
11 relationship to the motion to dismiss that was filed
12 by Rocky Mountain Power. So at this point, for the
13 record, I'd like to take appearances. And let's
14 start with Rocky Mountain Power, and I'd like to
15 note for the record at this time that Ms. Buchanan
16 is not here, and there appears to be no one here on
17 her behalf. So I'll allow you to make your
18 appearances, and if for some reason Ms. Buchanan
19 appears, we'll move to her next. Thank you.

20 MR. SOLANDER: Good morning,
21 Officer Reif. Daniel Solander representing Rocky
22 Mountain Power. I have with me at counsel table,
23 our witness, Autumn Braithwaite, and also with me is
24 Rob Stewart and Jana Saba.

25 OFFICER REIF: Good morning to you

1 all. All right. Well, given that Ms. Buchanan is
2 not here and has not appeared in the few moments
3 between my last statement, Mr. Solander, why don't I
4 let you go ahead and proceed with your witness.

5 MR. SOLANDER: Thank you. I do
6 believe that we are limited -- the hearing is
7 limited only to the notice that Ms. Buchanan
8 received; is that correct? Is that all you want us
9 to discuss, or do you want us to -- the order
10 setting the hearing --

11 OFFICER REIF: Yes, sir.

12 MR. SOLANDER: -- said that it was
13 limited just to the notice that Ms. Buchanan did or
14 didn't receive in June?

15 OFFICER REIF: Yes, that's correct.

16 MR. SOLANDER: I guess then we'll
17 call Ms. Braithwaite to the stand.

18 OFFICER REIF: Ms. Braithwaite, good
19 morning. Do you wish to give your testimony from
20 where you're seated today?

21 MS. BRAITHWAITE: Sure.

22 AUTUMN BRAITHWAITE,
23 having been first duly sworn to tell the truth, was
24 examined and testified as follows:

25

1 BY MR. SOLANDER:

2 Q Good morning, Ms. Braithwaite.

3 A Good morning.

4 Q Could you please describe your first
5 experience or interaction with Ms. Buchanan?

6 A I had actually spoken to Ms. Buchanan
7 after the formal complaint was filed, and she had a
8 number of concerns regarding a payment arrangement,
9 not so much the notices on her account. We were
10 able to confirm during that conversation that she is
11 set up to receive paperless billings, which are
12 statements that are emailed to her. The email
13 address we have on file is correct, none of the
14 email addresses -- or the emails that we have sent
15 have been returned to us as undeliverable, and
16 Ms. Buchanan also verified she was able to log in
17 and see her statements online.

18 Q And approximately how much is Ms. Buchanan
19 delinquent on her account at this point?

20 A As of today, the balance owing is \$2,364.

21 Q And have you been able to agree in
22 principle with Ms. Buchanan on a payment plan?

23 A Yes.

24 Q And can you describe the terms of that
25 arrangement?

1 A Ms. Buchanan has agreed to pay \$150 a
2 month and then when she gets her tax refund check
3 next year in March, she will go ahead and -- we gave
4 a little bit more time, so the agreement is whatever
5 the remaining balance is owing on her account in
6 April 2019, she will pay in full by the end of
7 April.

8 **Q And have you contacted Ms. Buchanan to**
9 **attempt to get her to sign a stipulation dismissing**
10 **this complaint?**

11 A Yes.

12 **Q And have those attempts been successful?**

13 A No.

14 MR. SOLANDER: Thank you. That
15 concludes Ms. Braithwaite's testimony. I do have a
16 copy of the notices that we've sent to Ms. Buchanan
17 beginning in June, if I could enter that as Exhibit
18 1. May I approach?

19 OFFICER REIF: Does it relate to the
20 notice -- her notice?

21 MR. SOLANDER: It does. It has a
22 computer printout of what Ms. Buchanan has been
23 receiving for June, July, the end of July, and
24 August 31st. It does not cover the balance to date,
25 but it covers the notices that she's received over

1 the past several months.

2 OFFICER REIF: Okay. And it would
3 include the billing notice for June of 2018?

4 MR. SOLANDER: Correct.

5 OFFICER REIF: Sure. Please.

6 (Exhibit No. 1 admitted.)

7 OFFICER REIF: Thank you. And
8 Mr. Solander, would you go through each one of these
9 and for the record, explain what this information --

10 MR. SOLANDER: I'll have
11 Ms. Braithwaite do that.

12 MS. BRAITHWAITE: So what these are,
13 the email where it says, "Dear Customer," this would
14 have been the email she would have received to her
15 email address to indicate that her bill is ready to
16 be viewed, and the printout below is really what the
17 system would show on our end just to verify that the
18 email was sent.

19 OFFICER REIF: May I interrupt for
20 one minute just to make sure that I'm looking at the
21 right document, because these appear to be very
22 similar to one another. The box at the bottom of
23 the page on each of the documents has a date of
24 October 24th, 2018, which was yesterday's date. So
25 help me understand when -- or if Ms. Buchanan

1 received this, when she would have received this.

2 MS. BRAITHWAITE: The box below was
3 actually generated yesterday for the hearing, and so
4 that's why the date appears at the top of the box.

5 OFFICER REIF: Okay.

6 MS. BRAITHWAITE: In the graph below
7 that, it should show a "Sent To" email address, and
8 then below that, "Created On," and that would be the
9 day the email was sent to her.

10 OFFICER REIF: Okay. So the first
11 one I'm looking at has a date of 5/11?

12 MS. BRAITHWAITE: Yes.

13 OFFICER REIF: Okay. So that
14 predates her concern about the June 2018 bill?

15 MS. BRAITHWAITE: Yes. We just
16 wanted to show the statements prior to that and
17 after that.

18 OFFICER REIF: Okay.

19 MS. BRAITHWAITE: So it should
20 reflect May, June, and July.

21 OFFICER REIF: Okay. I'm sorry. I
22 didn't mean to interrupt your flow, so please go
23 ahead.

24 MS. BRAITHWAITE: Just to reflect
25 that the emails continued to be sent to Ms. Buchanan

1 prior and after the complaint.

2 OFFICER REIF: And these are not
3 being returned to you undeliverable?

4 MS. BRAITHWAITE: Correct.

5 OFFICER REIF: Okay. Mr. Solander,
6 are you finished with your witness?

7 MR. SOLANDER: I am. Thank you.

8 BY OFFICER REIF:

9 Q Ms. Braithwaite, I'd like to ask you a
10 number of questions just to make sure that the
11 Commission has a full understanding of what occurred
12 here and what is planning to occur as a result of
13 Ms. Buchanan raising her complaint before the
14 Commission.

15 From what you've said today, it sounds
16 like this has been settled, at least in oral
17 fashion, and there are some things that are being
18 done, but Ms. Buchanan has not signed off on
19 releasing her complaint?

20 A Correct.

21 Q Has she made any indication that she
22 intends to do that once the payment plan has been
23 established and she's making an effort toward paying
24 off the bill?

25 A We actually already established the

1 payment plan with her --

2 Q Okay.

3 A -- and that was done orally, and we did
4 send her a payment confirmation letter. And she had
5 indicated that she did not feel the hearing was
6 necessary, and so I had emailed to her just a joint
7 motion to dismiss to cancel the hearing, but we just
8 have not been able to get that returned back.

9 Q Okay. So out of an abundance of caution,
10 I assume, and the obligation to be here, you came to
11 present all of this to make the Commission aware
12 that, to your understanding, the issue is resolved
13 and it's just a matter of time before the bill is
14 paid off?

15 A Correct.

16 Q And that, from what I understand, is
17 between now and April of 2019?

18 A Correct.

19 Q Okay. Is there anything else that you
20 think the Commission should be aware of at this
21 point?

22 A No.

23 OFFICER REIF: Okay. All right.

24 Well, the Commission does note that Ms. Buchanan is
25 not here, and that would be consistent with what

1 you've described. If she's making progress, and we
2 hope that that's the case, and for both Rocky
3 Mountain Power and Ms. Buchanan, if there are any
4 future concerns, we would be happy to get involved
5 if we need to or help resolve the situation to the
6 extent necessary.

7 So thank you very much for coming
8 this morning, giving us an update, letting us know
9 that this is all but resolved. And if there are any
10 future issues, we hope that either you or
11 Ms. Buchanan will let us know. Thank you so much.
12 Have a good day.

13 (The hearing concluded at 9:15 a.m.)

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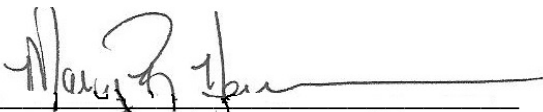
REPORTER'S CERTIFICATE

STATE OF UTAH)
COUNTY OF SUMMIT)

I, Mary R. Honigman, a Registered Professional Reporter, hereby certify:

THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witness was placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof.

I have subscribed my name on this 30th day of October, 2018.



Mary R. Honigman

Registered Professional Reporter #972887

\$	3	9	4:6	19 9:4
\$150 7:1	300 1:7	9:00 1:11	agree 6:21	approach 7:18
\$2,364 6:20	31st 7:24	9:15 12:13	agreed 7:1	approximatel y 6:18
1	4	A	agreement 7:4	April 7:6,7 11:17
1 3:7 7:18 8:6	498891 1:13	a.m. 1:11 12:13	ahead 5:4 7:3 9:23	arrangement 6:8,25
10 3:4	4th 1:7	able 6:10,16, 21 11:8	all 5:1,8 11:11,23 12:9	assume 11:10
18-035-29 1:2 4:7	5	abundance 11:9	allow 4:17	attempt 7:9
2	5/11 9:11	account 6:9, 19 7:5	already 10:25	attempts 7:12
201 2:5	6	actually 6:6 9:3 10:25	also 2:8 4:23 6:16	August 7:24
2018 1:10 8:3, 24 9:14	6 3:4	address 6:13 8:15 9:7	another 8:22	Autumn 3:3 4:23 5:22
2019 7:6 11:17	8	addresses 6:14	anything 11:19	aware 11:11, 20
2300 2:5	8 3:9	admitted 8:6	appear 8:21	B
24th 8:24	801 220-4014 2:6	after 6:7 9:17 10:1	appearances 2:1 4:13,18	back 11:8
25th 1:10	84111 2:5	against 1:3	appeared 5:2	balance 6:20 7:5,24

before 1:1 10:13 11:13	3:3 4:23 5:17, 18,21,22 6:2 8:11,12 9:2,6, 12,15,19,24 10:4,9	Commission 1:1,6 4:5 10:11,14 11:11,20,24	6:10	Dear 8:13
beginning 7:17		complaint 1:2 4:5,9 6:7 7:10 10:1,13,19	copy 7:16	delinquent 6:19
behalf 4:17	Braithwaite's 7:15		correct 5:8,15 6:13 8:4 10:4, 20 11:15,18	describe 6:4, 24
being 10:3,17	Buchanan 1:2 3:9 4:6,9, 15,18 5:1,7, 13 6:5,6,16, 18,22 7:1,8, 16,22 8:25 9:25 10:13,18 11:24 12:3,11	computer 7:22	counsel 2:4 4:22	described 12:1
believe 5:6		concern 9:14	cover 7:24	DESCRIPTION 3:7
below 8:16 9:2,6,8		concerns 6:8 12:4	covers 7:25	discuss 5:9
between 5:3 11:17	<hr/> C <hr/>	concluded 12:13	Created 9:8	dismiss 4:11 11:7
bill 8:15 9:14 10:24 11:13	call 5:17	concludes 7:15	Customer 8:13	dismissing 7:9
billing 8:3	came 11:10	confirm 6:10	<hr/> D <hr/>	Docket 1:2 4:6
billings 6:11	cancel 11:7	confirmation 11:4	Daniel 2:4 4:21	document 8:21
bit 7:4	case 12:2	consistent 11:25	daniel. solander@ pacificorp. com 2:6	documents 8:23
both 12:2	caution 11:9	contacted 7:8	date 1:10 7:24 8:23,24 9:4,11	done 10:18 11:3
bottom 8:22	check 7:2	continued 9:25	day 9:9 12:12	duly 5:23
box 8:22 9:2, 4	City 1:8 2:5	conversation		during 6:10
Braithwaite	coming 12:7			

E	exhibit 3:7 7:17 8:6	6:7	4:8,10 5:6,10 9:3 11:5,7 12:13	interaction 6:5
each 8:8,23	experience 6:5	full 7:6 10:11		interrupt 8:19 9:22
East 1:7	explain 8:9	future 12:4,10	help 8:25 12:5	involved 12:4
effort 10:23	extent 12:6	G	here 4:16 5:2 10:12 11:10, 25	issue 11:12
either 12:10	F	gave 7:3	holding 4:8	issues 12:10
email 6:12,14 8:13,14,15,18 9:7,9	fashion 10:17	generated 9:3	Honigman 1:12	J
emailed 6:12 11:6	feel 11:5	give 5:19	hope 12:2,10	Jana 2:9 4:24
emails 6:14 9:25	few 5:2	given 5:1	I	JOB 1:13
end 7:6,23 8:17	file 6:13	giving 12:8	include 8:3	joint 11:6
enter 7:17	filed 4:9,11 6:7	good 4:2,20, 25 5:18 6:2,3 12:12	INDEX 3:1	July 7:23 9:20
established 10:23,25	finished 10:6	graph 9:6	indicate 8:15	June 5:14 7:17,23 8:3 9:14,20
everyone 4:3	first 5:23 6:4 9:10	guess 5:16	indicated 11:5	K
Examination 3:1,4	Floor 1:7	H	indication 10:21	Kristy 1:2 4:6
examined 5:24	flow 9:22	happy 12:4	information 8:9	L
	follows 5:24	having 5:23	intends 10:22	Lake 1:8 2:5
	formal 1:2 4:5	hearing 1:5		

last 5:3	12:1	22 12:3	occur 10:12	7:5
least 10:16	March 7:3	move 4:19	occurred 10:11	<hr/> P <hr/>
let 5:4 12:11	Mary 1:12	much 6:9,18 12:7,11	October 1:10 8:24	paid 11:14
letter 11:4	matter 11:13	<hr/> N <hr/>	off 10:18,24 11:14	paperless 6:11
letting 12:8	May 7:18 8:19 9:20	necessary 11:6 12:6	officer 2:2 4:2,4,21,25 5:11,15,18 7:19 8:2,5,7, 19 9:5,10,13, 18,21 10:2,5, 8 11:23	past 8:1
like 4:13,14 10:9,16	mean 9:22	need 12:5	once 10:22	pay 7:1,6
limited 5:6,7, 13	Melanie 2:2 4:3	next 4:19 7:3	one 4:16 8:8, 20,22 9:11	paying 10:23
little 7:4	minute 8:20	none 6:13	online 6:17	payment 6:8, 22 10:22 11:1,4
log 6:16	moments 5:2	note 4:15 11:24	only 5:7	plan 6:22 10:22 11:1
looking 8:20 9:11	month 7:2	notice 5:7,13 7:20 8:3	oral 10:16	planning 10:12
<hr/> M <hr/>	months 8:1	notices 3:8 6:9 7:16,25	orally 11:3	point 4:12 6:19 11:21
made 4:10 10:21	more 7:4	number 6:8 10:10	order 5:9	Power 1:3 2:4 4:6,12,14,22 12:3
Main 2:5	morning 4:2, 20,25 5:19 6:2,3 12:8	<hr/> O <hr/>	over 7:25	predates 9:14
make 4:17 8:20 10:10 11:11	motion 4:11 11:7	obligation 11:10	owing 6:20	present 2:8
making 10:23	Mountain 1:3 2:4 4:6,12,14,			

11:11	ready 8:15	4:11	S	11:20
presiding 2:2 4:4	really 8:16	releasing 10:19	Saba 2:9 4:24	show 8:17 9:7,16
principle 6:22	reason 4:18	remaining 7:5	said 5:12 10:15	sign 7:9
printout 7:22 8:16	receive 5:14 6:11	REPORTER 1:12	Salt 1:8 2:5	signed 10:18
prior 9:16 10:1	received 5:8 7:25 8:14 9:1	representing 4:21	says 8:13	similar 8:22
proceed 5:4	receiving 7:23	request 4:10	seated 5:20	sir 5:11
PROCEEDING S 1:5 4:1	record 4:13, 15 8:9	resolve 12:5	send 11:4	situation 12:5
progress 12:1	reflect 9:20, 24	resolved 11:12 12:9	Senior 2:4	Solander 2:4 3:4 4:20,21 5:3,5,12,16 6:1 7:14,21 8:4,8,10 10:5, 7
Public 1:1,6 4:4	refund 7:2	result 4:9 10:12	sent 3:8 6:14 7:16 8:18 9:7, 9,25	sorry 9:21
Q	regarding 6:8	returned 6:15 10:3 11:8	Service 1:1,6 4:4	sounds 10:15
questions 10:10	Reif 2:2 3:4 4:2,3,21,25 5:11,15,18 7:19 8:2,5,7, 19 9:5,10,13, 18,21 10:2,5, 8 11:23	RMP 3:8	serving 4:3	South 1:7 2:5
R	relate 7:19	Rob 2:9 4:24	set 6:11	spoken 6:6
R.P.R. 1:12	relationship	Rocky 1:3 2:4 4:6,12,14,21 12:2	setting 5:10	stand 5:17
raising 10:13			settled 10:16	start 4:14
			several 8:1	statement 5:3
			should 9:7,19	

statements 6:12,17 9:16	5:19 7:15	Utah 1:1,6,8 2:5 4:4	yesterday's 8:24
Stewart 2:9 4:24	things 10:17	<hr/> V <hr/>	
stipulation 7:9	through 8:8	verified 6:16	
Street 2:5	Thursday 1:10	verify 8:17	
successful 7:12	time 1:11 4:15 7:4 11:13	viewed 8:16	
Suite 2:5	today 4:5,8 5:20 6:20 10:15	<hr/> W <hr/>	
sworn 5:23	top 9:4	want 5:8,9	
system 8:17	toward 10:23	wanted 9:16	
<hr/> T <hr/>	truth 5:23	whatever 7:4	
table 4:22	<hr/> U <hr/>	will 7:3,6 12:11	
take 4:13	undeliverable 6:15 10:3	wish 5:19	
TAKEN 1:6	understand 8:25 11:16	witness 3:2 4:23 5:4 10:6	
tax 7:2	understandin g 10:11 11:12	<hr/> Y <hr/>	
terms 6:24	update 12:8	year 7:3	
testified 5:24		yesterday 9:3	
testimony			