

September 13, 2019

Public Service Commission of Utah

160 East 300 South

Salt Lake City, Utah 84114

Attention: Gary Widerburg

Regarding my formal complaint against Rocky Mountain Power

Dear Mr. Widerburg:

I am not sure how the process works, but I would like to submit the following as response to the information from Rocky Mountain Power. My complaint was filed because I was erroneously charged for a line extension that was not necessary.

Because we requested 2 meters, we were erroneously treated as a duplex. When I discussed this with Karl Sewell, I told him that I would be willing to only go with one meter if that was the cause of the problem. He stated that it would not matter as it would not make the house any smaller. My point is that the size of the house was small enough to be adequately served by the then-existing transformer. The bills for the past year will clearly show that to be the case and they will also show that the home is not a duplex nor two lots as both meters are still in my name and only my family occupies the home. I pay both bills on a monthly basis. I will request copies of the bills if you would like to review them.

In order to not have this be their word against mine, I am attaching a letter from my loan broker who got me the construction financing for the remodel I did on my home (Attachment #1). He clearly states that the property was acquired and remodeled as a single-family residence. The appraisal was done as a single-family residence and the loan application was completed as a single-family residence. On the loan application we confirmed to FHA that we were doing a remodel of a single-family residence. The application is signed under penalty of perjury. We have a single-family home that includes a finished basement.

Rocky Mountain Power has made several errors in handling this request to re-install my service once the remodel was completed, namely:

- They mistook the request for two meters as their justification for a determination that there were two separate residences. We simply chose to wire the upstairs and the basement separately (two 100-amp panels rather than one 200-amp panel).
- We do not have 2 lots as stated on their budget for the job (Attachment #3).
- They used the multi-family contract rather than the one for a single-family residence.
- Their calculation of charges was originally made with us having to pay all the costs of replacing their failed pole as if our request caused the pole to fail (Attachment #2).
- When I told them that they could not bill me the \$4,637 on their budget with them paying only for the new pole and cross arm, they stated that they were in error and they would pay the costs of taking out the old pole and installing the new one, including relocating all the existing wires and streetlight. However, they did not reduce the amount I was to pay after admitting their error (Attachment #3).
- When the error was discovered, they should have charged only for the reconnection of the service (\$116), the cost of the two meters (\$262) and the cost of the new transformer (quoted at \$2,500 by Landon Lucero in their office) less the salvage (-\$210) and less the credit for installing 2 meters (\$2,200). The revised amount should have been \$468 for me and the balance for them. They left it at \$4,687 for me to pay.

As stated in my complaint, I was given the choice of paying the incorrect amount or not having power during the hottest part of the summer. I told Karl that I would pay it under protest and pursue other action once I had power for my family.

This complaint is because my home would have been adequately serviced by the 50-year-old transformer that was on the pole in my yard. Replacing the pole had nothing to do with me and all I wanted to have done was to reconnect my remodeled home to power because it had to be disconnected during the renovation.

I can prove that the transformer was adequate by both the testimony of an expert witness and by what is presently existing in my neighborhood. Once I was given the ultimatum to either pay the \$4,637 or have no power, I signed their incorrect contract and noted my disagreement under my signature. I have tried going the legal route, but I am not wise to the dealings of courts and never got to present my witnesses or argument.

Allowing a public utility to present the wrong contract with an unjustifiable dollar amount and then use as their argument that they did the work according to the contract leaves any customer open to paying for work that was not necessary or calculated incorrectly, even if the work is done correctly. A public entity has the duty to prepare the right contract with the

correct dollar amount when requiring a customer to pay their bill. We do not have an option to check out a competitor for a possible better price. I looked online for a similar transformer and found several for less than \$2,000. I was then told that only they could supply the transformer. I know the \$2,500 is not their price, but I have no choice but to accept what I was told as truth. I am sure their cost is far less based upon their ability to buy large quantities.

The dollar amount they charged me is 10 times what it should have been under their incorrect multi-family contract. It would have been zero to me had they used the correct contract as no line extension would or should have been involved.

Sincerely,

A handwritten signature in black ink that reads "W. Michael Sessions". The signature is written in a cursive style with a large, stylized initial "W".

W. Michael Sessions

3 attachments

I also emailed a copy of these documents to Jana Saba at jana.saba@pacificorp.com on the date of the document- September 13, 2019

#1



12/11/2018

To Whom it May Concern,

In November of 2017 I was the originator for the mortgage loan which Michael Sessions used to purchase & renovate the home located at 4587 S 1150 W, Riverdale UT. The loan program was: FHA Standard 203(k) renovation loan. This is not a "new construction" loan program.

The home is a single family home, and was appraised and financed as a single family home.

I originated the loan as an employee of Academy Mortgage Corp.

The loan funded and recorded in November of 2017. The final draw was issued July 2018.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nelson Barss", with a horizontal line extending to the right.

Nelson Barss

Principal Lending Manager/Originator Phone:

801-923-2161 nelsonbarss@gmail.com

NMLS ID: 201517 / Corp. 1795032

State License: 5502102-NMLM / Corp: 11015218-NMLC

1875 East 1450 South, Suite 390 Clearfield, UT 84015

#2

Mike Sessions, 2 lot res, WO 06492129, overhead

job costs

FERC

Account Major item and associated hardware

108.2 Material Salvage

108.36 Removal Labor - Distribution

364 Poles, Towers & Fixtures 'Contract'

365 Overhead Conductors & Devices

368 Line Transformers - Blanket

369.1 Services - Overhead

370 Meters

373 Street Lights & Signal Systems

Material, Labor
Vehicle, Cntrct

& Other

-\$210

\$2,373

\$2,326

\$5,198

\$1,377

\$116

\$262

\$439

Total

\$11,881

less allowance and credit(s)

Line Extension Allowance

\$2,200

Company Cost: Pole & cross arm

\$5,044

total: cost to customer

Customer Advance

\$4,637

we only have one lot and one house

Mike Sessions, 2 lot res, WO 06492129, overhead		
<u>job costs</u>		
Account	Major item and associated hardware	Material, Labor Vehicle, Cntrct & Other
① 108.2	Material Salvage	-\$210
108.36	Removal Labor - Distribution	\$2,373
364	Poles, Towers & Fixtures 'Contract'	\$2,326
365	Overhead Conductors & Devices	\$5,198
④ 368	Line Transformers - Blanket	\$1,377
③ 369.1	Services - Overhead	\$116
370	Meters	\$262
373	Street Lights & Signal Systems	\$439
Total		\$11,881
<u>less allowance and credit(s)</u>		
②	Line Extension Allowance	\$2,200
	Company Cost: Pole & cross arm	\$5,044
<u>total: cost to customer</u>		
Customer Advance		\$4,637

Revised Calculation:

Cost of 25 KVA Transformer \$2,500.00
 (Per Landon Lucero)

Less credit for salvage (#1 above) - 210.00

Less credit for 2 meters (#2 above) - 2,200.00

Plus cost for 2 meters (#3 above) 262.00

Plus cost for overhead service (#4 above) 116.00

\$ 468.00

Total