

**FORMAL COMPLAINT FORM
PUBLIC SERVICE COMMISSION
Heber M. Wells State Office Building
160 East 300 South, Fourth Floor
P.O. Box 45585
Salt Lake City, Utah 84114**

Complaints are public documents and are maintained on the Public Service Commission website. Further information on formal complaints is available at: <https://psc.utah.gov/complaint-process/>

1. Name of Complainant: Kip Swan & David Thompson

Address: 2967 E. Branch Drive, Holladay, UT 841117-5503

Telephone No.: (801)971-8144 (Kip) (385) 630-9663

Email Address: kip@1stutah.com (Kip) denimbird@aol.com (Dave)

Preferred method of contact: Email or U.S. Mail

If represented by counsel, list:

Name: _____

Address: _____

Telephone No.: _____ Email Address: _____

2. The utility being complained against is: Rocky Mountain Power

3. What did the utility do which you (the Complainant) think is illegal, unjust, or improper?
Include exact dates, times, locations and persons involved, as closely as you can.

6 page letter of explanation, email to James Ingram dated 7/5/21, Letter from Christopher Erickson, Letter & Email to James Ingram with bid from "decorworx" letter from Kerry Favero and envelop w/postmark, 3 "Before" & 2 "After" photos.

4. Why do you (the Complainant) think these activities are illegal, unjust or improper?

Please see attachment stated above in item #3.

5. What relief does the Complainant request?

Trellis system that we received bid on from decorwork + cost of freight, labor to install + cost of

vegetation to plant around trellises (TBD). see attached bid for product only (does not include shipping, labor, of vegetation.

6. Signature of Complainant _____

Date: _____

NOTE: Submit complaint by email or U.S. mail. (<https://psc.utah.gov/psc-filing-requirements/>)

On April 26, 2021, between 3:00 – 4:00 pm, 2 tree contractors from Trees, LLC, a 3rd party contractor for Rocky Mountain Power (RMP), showed up at the other side of our property (the cul-de-sac on Valley View). We had been told they would be doing their routine check for overgrowth for the powerlines. One of the contractors began some trimming on the aspen tree in the northwest corner of our backyard. We had been told the last time from one of the tree contractors that because the two large pine trees, one a blue spruce, the other a balsam pine would not need pruning since it had been topped several years ago and both trees were bushing and growing in a horizontal direction. They were not a threat to the two power lines that were many feet above. It was raining that afternoon and we thought it was odd that the contractors were even there to begin with.

Within a few minutes, we heard a chain saw start up and the next thing we knew the second contractor was in a bucket truck up in the middle of the blue spruce and the balsam pine cutting away in the rain. We could not understand why he was there or what he was doing. Nevertheless, he was aggressively cutting the branches in the middle of the tree, opening a big hole and destroying our privacy. This had nothing to do with vegetation management or any “key factor to ensure electric reliability or safety”. Nothing at all!

I immediately went out and asked the contractor to stop. He completely ignored me as though he couldn't hear me. I had to yell at the top of my voice. He looked over at me with a smirk and a glare and said, “how are you?” I asked him why he was cutting the branches in the middle of the tree and told him to stop. He told me that he needed to go 10 feet from the power lines. I challenged him and told him to get his supervisor. I knew this was not an issue of 10 feet. If it had been an issue of 10 feet, this would have been done years ago, due to the fact of the size of the branches being removed. In fact, they would have topped the tree down to the level of where he was cutting. We knew better. I also know that the “hot” line is the line on the top which is even higher than the neutral line which is lower than his proposed 10-foot reasoning. There was no reason for him to be cutting or trimming anything in that area at all. I told him I would call the power company and or the police if that's what it took. He stopped, with a bucket full of trimmings, and gathered up all the branches on the ground that he had cut and the two men left. There was now a huge hole where the branches once were. The privacy that we once had was now gone. Dave, my partner, and I were sick to our stomachs. We didn't know what to do.

After the two contractors left, Dave and I discussed the entire event. We both remember thinking it was very odd that these two contractors showed up in the rain to do tree trimming. The guy working on the aspen was working on a ladder with an extension pruner topping off the top branches sort of made sense. But in the rain? Why the second guy felt he needed to go up in the bucket and start working in the middle of our pines was absolutely absurd and wrong. He was so low that we thought he was going to snap the Xfinity cable line as he kept hitting it with the bucket. This clearly had nothing to do with Rocky Mountain Powers power

line. This person was being vindictive and making a point that his utility easement gave him license to do as he darn well pleased. We both felt very strongly that he had an issue with us as gay people. Although our back yard is private, we have displayed, flags and items that symbolize equality and gay rights in our back yard. It was not very difficult to figure out that a gay couple live at our house. Clearly this man is very anti-gay and was enjoying taking his own prejudices against us by destroying our tree and ultimately our privacy. Which he did.

In addition, the part of the trees that he removed, greatly reduced the beauty and privacy of our house and the 20X14X14 high all glass solarium extension from the back of our home. This new addition is adjoining directly from the kitchen and now a part of our home. When we put this addition onto the home, we gave very careful planning and consideration to every aspect of how the room would work. West view, east view, north exposure (the privacy and aesthetic value of the two pine trees), the view of Mt. Olympus, the sun exposure, seasonal living, everything we could possibly think of. We did not want window coverings. That would have defeated the purpose of an all-glass building. Everything was carefully planned and well thought out. This room cost close to \$150,000.00 to construct. When it was finished, it was everything we planned for and imagined. It was perfect. The views, the exposure to the pines gave a sense of being in the mountains, with total privacy. This was a wonderful achievement.

And then on April 26th not even 6th months after we had been enjoying our new addition, a contractor comes out and in minutes destroys one of the most important parts of our sanctuary. The privacy. Just because someone is a contractor for RMP and thinks his utility variance gives him license to do as he darn well pleases. He cannot just destroy personal property just because he is having a bad day or he doesn't like someone's lifestyle.

I sent an email to Trees, LLC the next morning on April 27th complaining about this horrific event. On April 28th, I had a call from Allen Webb, a supervisor with Trees, LLC. Allen set up an appointment to come to our house to assess the situation.

After we toured the yard and Allen had been told what all had transpired, Allen was almost at a loss for words. He could not understand why this person was even in this area of the trees to begin with. He also explained that they shouldn't have been working in the rain that afternoon. I showed Allen photos of the before. These were photos that we had taken when we were doing our site planning for the solarium. We have many photos of the entire back yard and how the structure would sit and be exposed. These two trees are a significant factor in the addition and its function as well as the aesthetic composition. Cutting out a big gaping hole of foliage has caused significant difference to the room. This has now created a huge and serious disappointment in our plans for the room. We now see an asphalt street we've never seen before, the back of a 3-story house, and at night, head lights from cars that come down the cul-de-sac that shine into our room. Even into our kitchen.

Allen took photos of the open space, (“after” photos) and I gave him copies of the “before” photos. The comparison is drastic.

Here are notes that I made after Allen left our house. I typed them and put them in the file on April 28, 2021.

“Allen came to the house today at 9:00 AM. I gave him copies of the above photos then took him on a tour of our property to show the damage that had been done by his crew on Monday 4/26/21 at approximately 3:00 – 4:00 p.m.

Allen was appalled at the damage that his crew had done to our trees and told me that his employee would be put on suspension immediately. This was the 3rd incident. If he is not terminated, he will be moved to Idaho off residential property work. Allen explained that Elaina Dunkel 800-445-8733 who works for Davey Tree or Anne Fenkner 916-214-5908 Utah Rep will be in contact with us as well. Allen also explained that Tyler Sorenson from Trees LLC who is Utah area Rep will contact us about next step for physical and financial resolution. Tyler is Allen’s supervisor , Pat Omadie Tyler’s boss, will also receive a copy of this report. A cop will also be sent the President of Trees LLC, Mike English. Next thing that will happen is we should hear from Elaina at Davey and Tyler Sorenson.”

We waited to hear from one of these people but heard nothing. On May 5, 2021, I sent an email to Liz (never was given a last name) in customer service at Rocky Mountain Power. Liz was the only RMP person we had received any communication from. Liz was a very difficult person to reach. There was no telephone number or last name. Just Liz, Rocky Mountain Power, Customer Service. She would get back to us when she wanted.

On May 6, 2021, around 2:00 in the afternoon, there was a knock at the door. A man in civilian cloths said he was here to discuss the situation with the trees in our back yard. As I understood him, he was an investigator. I never recall him telling me that he was the senior arborist for Rocky Mountain Power. He did not give me a card and he did not show me any kind of company identification. (I later found out from James Ingram, that this person was Corey Sorenson. In a letter from Kerry Favero, I’m told that Corey is a senior arborist for Rocky Mountain Power.)

I invited Corey into our home and we sat down in the living room. As we visited, Corey was defensive on all accounts of the contractor who did the cutting on the trees. When I told him how cunning we felt the contractor was, he told me, “He was having a bad day because his wife was about to have a baby.” As I was discussing my visit with Allen Webb to Corey, Corey was very critical of Allen and he told me that Allen will say anything to a customer just to keep

them happy. "Allen doesn't like confrontation. He's not a very good supervisor". He became very critical of Allen Webb, which to me, was very unprofessional. I then felt I needed to be careful with what I said. Based on how the conversation was going, I could tell that my words would be turned around and used against me.

I then took Corey into the back yard to look at the trees. Corey took a look at some older cuttings that were much lower than the cutting his contractor had done. He told me that these had been done years ago. I agreed and told him that this was not the area in question. Corey was pointing all over the tree in places that had nothing to do with the area where the damage had been done. I could see this was going nowhere. I could also tell that Corey was creating his own story to report to someone at the power company and this whole event was nothing but a farce. Since I really didn't know Corey's position or his exact reason for being at our house, I asked Corey to leave our property. I don't think Corey was in the back yard for more than 10 minutes. His total visit was maybe 30 minutes at the most. To be honest, his visit was a mystery until I received the letter from Kerry Favero.

Unlike Allen Webb, who called for an appointment, showed up on time, had company identification and was dressed appropriately and conducted himself professionally. Corey showed up unannounced. He was as much a mystery as Liz in customer service. Another RMP employee who can reach you, but you cannot reach them. At this point, the employees at Rocky Mountain Power were all moving targets.

On May 7, 2021, it became very clear to me that we needed some help and intervention. I contacted the Public Utilities Commission. I filed a complaint on-line. This was done over the weekend of May 9, 2021. On May 10, 2021, I received acknowledgement from Gwen Flores that our complaint had been received.

On May 11, 2021, I received a call from James Ingram. James is the Customer Advocacy / Tariff Policy contact at the corporate office in Portland.

James and I agreed that I would find my own arborist to obtain an opinion on the situation and submit this to him direct. He also told me that Rocky Mountain Power would pay for the service of this person. That did not happen.

Making an appointment with an arborist to obtain a report and then trying to find a resolution to the problem has taken a long time. Not to mention my time involved to maintain and keep ahead of this effort.

This horrible event happened on April 26, 2021. We are now in the middle of December and we are in no way close to a resolution.

We were able to meet with our arborist, Christopher Erickson, the middle of June and we received his review the latter part of June. I submitted this to James Ingram on July 5th.

Based on the finding of Chris, we began to try and find someone to manufacture a product which would cover this horrendous hole that had been caused by the tree contractor. It took until September to find something suitable and then a company that could manufacture these trellises that we would be using to provide the privacy that was taken away. It took until November to receive a bid from "decorwork" on a cost for the trellis system. I submitted this to James Ingram. I never heard back from James or anyone in his office.

On November 22, 2021, we received a letter postmarked November 18, 2021. The letter was dated November 10, 2021. This letter was written by Kerry Favero, Director – Vegetation Management

In his letter, Mr. Favero states that Rocky Mountain Power, "diligently investigated the issue". This was done by their "senior arborist". I now realize the "senior arborist" was Corey Sorenson. The man who showed up unannounced, not telling me that he was the "senior arborist" with RMP, to do an investigation. Mr. Favero goes on to say that the senior arborist tried to "explain this reasoning". I tried to also explain to Corey that he was not even looking in the right section of the tree. This was not the area in question. Corey wouldn't even listen to me. Again, I didn't know Corey was an arborist or that he was the senior arborist for RMP. I offered to show Corey the "before" photos and was completely ignored. The letter also tells us that our arborist should have used a bucket truck. Yet, Corey's 10-minute review is conclusive (diligently investigated)?

Allen Webb who is also an arborist, took one look at our situation, the before photos, and was appalled at what had happened. When he saw the photos, I had of how the space looked before, he simply and honestly apologized. That is all he could do. There was nothing else to do. A huge mistake had been made. Allen was also a contracted representative of RMP who took the time to listen and pay attention. Why was his input completely dismissed?

I have highlighted on page 2, in red, what Allen told me. After Allen left that day, we heard nothing from anyone. This is why we contacted the PUC. In fact, I never heard from Allen again or any of the people that Allen told me I would hear from. This is a complete mystery to both Dave and me.

The only other person who came to our home is Corey. Corey showed up one afternoon, unannounced. He did not disclose his intention for being there, nor did he disclose that he was the senior arborist for RMP. Corey did not tell me that his visit was a follow-up to Allen's visit.

Rather, Corey defended the rude behavior of the contractor who cut the big hole in our pines. Not to mention his unprofessional comments about Allen. I think Corey was at the house for about a half hour forming his “diligent investigation of the issue”. 20 minutes talking to me in the house and 10 minutes telling me that the lower cuttings on the tree were done years ago (which I was aware of), not the cuttings in the middle of the pines which destroyed our privacy caused by his arborist. In the letter from Mr. Favero, he points out that the arborist we used, “should have used a bucket truck to perform an aerial evaluation.” Yet, Corey’s “diligent investigation of the issue”, taking all of 10 minutes, pointing at cuts that had nothing to do with the actual area of damage, concluded that Trees, LLC did not cut the branches underlying our complaint. “(Thus, we do not need to determine whether it would have been necessary or appropriate for Trees LLC to prune these particular branches.)

Kerry Favero can only go by what he is told. Did Mr. Favero ever see the report that Allen wrote? Did anyone ever show him the “before” and “after” photos that were given to Allen? If this investigation is so “diligent”, what are all of the facts? Does Rocky Mountain Power only use information and facts that they want that favor their position? We still have the photos of how this space looked before. Did RMP ever see the “before” photos that we gave Allen. Or did Allen’s report ever even make it to RMP?

Allen gave me a very detailed name of all the players in this situation. Those names are also outlined on page 2, in red. I have not heard from one of these people nor have I been able to reach one of them. Why is this? I was able to communicate with Elaina Duncel several times when I was helping her with directions for the easiest way to get to the back of our property. Beyond that, we were never contacted by any of these people. It felt like when Allen returned with the news of what really happened, there was a huge red flag put on our case. It took a complaint with the PUC to force a communication with someone who would give us their phone number, James Ingram.

I did everything James and I agreed to. When I submitted the bid for the material to resolve the problem, I did not hear back from James or anyone in his office. He referred this to Kerry Favero.

This whole matter has been very fragmented and less than professional and certainly not diligent. We are asking the Public Service Commission to assist us in getting all of the facts on the table so a complete and equitable decision can be made.

Kip Swan

From: Ingram, James (PacifiCorp) <James.Ingram@pacificorp.com>
Sent: Tuesday, July 6, 2021 10:16 AM
To: Kip Swan
Cc: Dave Thompson (denimbird@aol.com)
Subject: RE: [INTERNET] Inspection of damage by Christopher Erickson

Hello Mr. Swan & Mr. Thompson,

Thank you for forwarding this information to me. I have sent it on to our vegetation management director for review, and the company will follow up with you shortly.

Regards,

James Ingram
Customer Advocacy/Tariff Policy
503 813 7431

From: Kip Swan <kip@1stutah.com>
Sent: Monday, July 5, 2021 8:24 AM
To: Ingram, James (PacifiCorp) <James.Ingram@pacificorp.com>
Cc: Dave Thompson (denimbird@aol.com) <denimbird@aol.com>
Subject: [INTERNET] Inspection of damage by Christopher Erickson

THIS MESSAGE IS FROM AN EXTERNAL SENDER.

Look closely at the **SENDER** address. Do not open **ATTACHMENTS** unless expected. Check for **INDICATORS** of phishing. Hover over **LINKS** before clicking. [Learn to spot a phishing message](#)

D. Kip Swan & David S. Thompson
2967 E. Branch Drive, Holladay, UT 84117-5503
801-971-8144 – 385-630-9663

Mr. James
Ingram

2021
Customer Advocacy Coordinator
Rocky Mountain Power

Dear Mr. Ingram,

July 5,

We appreciate your willingness to be flexible with everyone's timeframe. With schedules being so full of work and trying to take some time off, after the pandemic, time has really slipped away. Needless to say, the huge hole in our pines caused by the employee at Trees LLC is still there. That area of privacy in our yard has not come back. In fact, due to the severe heat this year, the lack of protection from the larger branches that were carelessly removed and the direct harsh sun, is causing more damage to the other branches. They have never been exposed to such severe direct sun and this kind of heat before.

We were able to meet with our Arborist, Christopher Erickson. Christopher came out to our house and assessed the situation. We are attaching Christopher's letter to us, which is also in alignment with what Allen Webb at Trees LLC told Kip, the day he came out to our house, after this horrific event took place.

As the letter from Christopher clearly states, planting other trees to replace this horrific damage is not an option. The next option is to try and design some sort of fencing/trellis system that will provide the privacy that we lost, and will also accommodate a year-round vine, providing the privacy we lost, like an ivy or something similar.

We are in the process of discussing and looking at different options. Just yesterday, I saw something that may work. Dave has not seen this yet. We will both go and look at this piece and take photos and investigate. Unfortunately this trellis is on a building that is visible from a freeway onramp so it is difficult to stop and look or take photos. It will be a challenge to do this. We will make this work. This is extremely important to both of us.

After meeting with Christopher and discussing the limited options we have, we are still very upset that we even have to deal with this situation in the first place. As Christopher points out in his letter, we have a significant investment in the addition that we added to our home just last year. This is very frustrating and we are trying to deal with it as best we can. Besides, frustrating, this is very annoying, to have to put energy into a project like this. It makes us both very angry.

I paid the bill from Christopher's company for the consultation of \$200.00. How do you want to handle the reimbursement?

Dave and I will go look at the trellis system and, if Dave is in agreement, I have a place in mind that I believe can give us a bid on creating the piece. At this point, we will share the information with you. We can move forward from there.

Regards,

Kip Swan & Dave Thompson

Attachment (1)

Organic Choice

Christopher Erickson

368 Emery St.
Salt Lake City, Ut 84104
801 903 7044
ISA cert. 2143-A

June 23, 2021

D. Kip Swan
David S. Thompson
2967 Branch Dr
Holladay, 84117-5503
+1 (801) 971-8144

Dear Kip & Dave,

It was good to see you two again. The new addition that you put on your home is very well done and I can see that you put a lot of time, money, effort, and planning into the project.

I can certainly understand your frustration and anger with the huge space that was created by the person from Trees LLC, who took out the branches on your ponderosa pine and blue spruce in your backyard which gave you the privacy that you so carefully planned for. You had planned very well to use the branches of those trees as privacy knowing that they are conifers and would provide privacy year-round for many years to come. This is very sad.

I do not understand why the person felt it necessary to trim that low or even trim to that extent. If two separate people representing the power company told you that the trees need to be kept 10 feet below the top line, which is the live power line, this area is way below the 10 feet required. Cutting and trimming in that area was extreme. I do not understand and I certainly understand your anger and concerns.

To remedy the situation and in looking at the entire area, I honestly cannot see a way to plant new trees in this area to replace the large space that now exists.

As the three of us have discussed, the best way to resolve your privacy issue is to put up some kind of tall privacy panels. Some types of panels that are aesthetically appropriate. I think we all agreed that for support, you will need several tall weatherproof posts with some kind of panels or possibly a trellis that a year-round English Ivy vines, which is green all year, and could be grown to give you the privacy you had. This seems to be the next best solution to replacement trees. It is unfortunate that this is the only resolution.

I am sorry this happened to you as a homeowner and also to such beautiful trees. It does not seem that it was necessary at all.

Please let me know if you have additional questions.

Best regards,
Christopher Erickson
ISA Certified Arborist 2134-A



HOLLADAY
 2350 E ARBOR LN
 SALT LAKE CITY, UT 84117-9998
 (800)275-8777

11/16/2021 10:59 AM

Product	Qty	Unit Price	Price
Priority Mail® 2-Day 1 Flat Rate Env Portland, OR 97207 Flat Rate Expected Delivery Date Fri 11/19/2021 Tracking #: 9505 5150 5923 1320 4910 03 Insurance Up to \$50.00 included			\$8.70 \$0.00
Total			\$8.70
Sun Science	1	\$11.60	\$11.60

Grand Total: \$20.30

Credit Card Remitted \$20.30

Card Name: MasterCard
 Account #: XXXXXXXXXXXX2018
 Approval #: 11619W
 Transaction #: 802
 AID: A0000000041010 Chip
 AL: MASTERCARD
 PIN: Not Required

 USPS is experiencing unprecedented volume increases and limited employee availability due to the impacts of COVID-19. We appreciate your patience.

Text your tracking number to 28, to get the latest status. Standard and Data rates may apply. You may visit www.usps.com USPS Tracking or

Kip Swan & Dave Thompson

2967 East Branch Drive

Holladay, Utah 84117-5503

801-971-8144 / 385-630-9663

kip@1stutah.com / denimbird@aol.com

James Ingram
Pacific Corp

November 16, 2021

Dear Mr. Ingram,

As the attached email explains, I have had problems with my computer. I have attempted to send you two emails. The second email I asked you to confirm receipt. You did not confirm a receipt.

Therefore, I am sending this correspondence via US mail. We understand that it has taken some time to find a company to manufacture the product that we want to replace the damage done by your employee. This has been accomplished and we would like to get this issue resolved as soon as possible.

We look forward to hearing from you.

Thank you,

Kip Swan & Dave Thompson

Cc: Gwen Flores – via US Mail

Fw: [INTERNET] Inspection of damage by Christopher Erickson

Kip Swan <kip@1stutah.com>

Tue 11/9/2021 10:30 AM

To: Ingram, James (PacifiCorp) <James.Ingram@pacificorp.com>

 1 attachments (51 KB)

Panel for Tree ReplaceKip Swan QUO2315.pdf;

Hello James,

I have been having problems with my email server and not sure if emails are going out or not. The email listed below was supposed to go to you yesterday. Can you confirm that it was received? If not, the email below is the email that you should have received. I'm sorry for this inconvenience.

From: Kip Swan <kip@1stutah.com>**Sent:** Monday, November 8, 2021 2:49 PM**To:** Ingram, James (PacifiCorp) <James.Ingram@pacificorp.com>**Cc:** Dave Thompson (denimbird@aol.com) <denimbird@aol.com>; gflores@utah.gov <gflores@utah.gov>**Subject:** Re: [INTERNET] Inspection of damage by Christopher Erickson

Hello James,

This is Kip Swan. A voice from the past. I never did hear from the vegetation director.

In the meantime, I have been working with a company, decorworx, to come up with a solution to this unfortunate situation caused by one of the people your company contracts with. This has taken some time, but we finally came up with a resolution. I am attaching a bid for this product. This does not include installation. I'm working to get a bid on installation. The company who manufactures this product is located in Cedar City Utah. We are trying to find the best solution on the installation. Because of the height and the linear coverage of this space, this requires 5 panels.

Let's remember, the damage done, was the loss of our privacy that was caused by one of your people removing branches that DID NOT need to be removed. A person who felt so entitled to act at his own discretion destroying "our" privacy which had nothing to do with the safety or the two RMP electrical lines and or any electrical hazard by caused by Rocky Mountain Power wires. Those lines are way beyond 10 feet and far above the area he felt so empowered to remove branches on.

Also, I have not yet been reimbursed for the cost of the arborist that we used. You did tell us to find our own arborist and that we would be reimbursed. I submitted the letter from Christopher Erickson and told you about the charges in the last email dated July 6, 2021. Can you please clarify how this reimbursement is to happen. I will get you the installation cost as soon as we receive it.

Now that the deciduous trees have lost their leaves the missing privacy of pines is more horribly apparent.

Please let me know if you have any questions.

Kind regards,



Quote

#QUO2315

11/5/2021

Rainbow Sign and Design + Decorworx
451 N. Main Street
Cedar City UT 84721
United States

Bill To

Kip Swan
address needed
Cedar City UT 84720
United States

Ship To

Kip Swan
address needed
Cedar City UT 84720
United States

TOTAL

\$12,945.78

Expires

11/19/2021

Sales Rep

Ciara Fails

Shipping Method

Item

Amount

Custom Item

- Custom Metal Panels
- Qty: 5 panels
- Rust Finish w/ Clear Coat
- 15' steel post

\$12,190.00

This price does not included shipping or install.

Subtotal \$12,190.00

Tax Total (%) \$755.78

Total \$12,945.78

**This Bid is for material only.
Does not include: Freight,
Installation, & Vegetation**



QUO2315



November 10, 2021

Dear Mr. Swan,

We have reviewed your claim and determined that Trees, LLC, a tree contractor retained by Rocky Mountain Power, did not cut the branches underlying your complaint. Those branches were cut long ago. (Thus, we do not need to determine whether it would have been necessary or appropriate for Trees LLC to prune these particular branches.)

We acknowledge that you are upset with how the trees look now. And it is possible that pruning work done by Trees, LLC may have exposed, or highlighted, the absence of the branches that you are concerned about. Along these lines, the company understands that tree trimming can be a sensitive issue for homeowners, and the aesthetic impact of the trimming may not be to a customer's liking. Nonetheless, the company has the right and responsibility to maintain clearances between trees and high voltage power lines. Vegetation management is a key factor in ensuring electric reliability and safety.

We have diligently investigated the issue. Our senior arborist met with you on May 6, 2021 to discuss the work done by Trees, LLC. Based on his visual inspection, he determined that the cuts made on the lower portion of the pine tree at issue were made long before Trees, LLC was on site. He reached this conclusion because there was excessive amount of sap fully covering the wounds on the lower portion of the tree. It takes a substantial amount of time for a tree to complete this degree of healing. During the meeting, the senior arborist tried to explain this reasoning, but I understand that the discussion was cut short by you asking the company's arborist to leave. We understand that you had a different arborist, retained by you, evaluate the trees on your property and reach a different conclusion. We do not, however, understand this arborist's reasoning. Moreover, your arborist should have used a bucket truck to perform an aerial evaluation. The company reiterates its offer for your arborist to meet with one of our department foresters on site and evaluate the situation together. To address your concerns, the company is willing to provide use of a bucket truck, but you are responsible for the cost of your arborist.

We remain willing to listen to your arborist and consider any new observations or reasoning. At this time, however, Rocky Mountain Power has concluded that Trees, LLC performed its work correctly and did not prune the branches at issue.

Regards,

Kerry Favero
Director - Vegetation Management
1569 W. North Temple
Salt Lake City, Utah 84116
(801) 220-7229 office
(801) 540-3311 cell
Email : kerry.favero@pacificorp.com



Pacific Power
Rocky Mountain Power
Vegetation Management
1569 W North Temple
Salt Lake City, Utah 84116

SALT LAKE CITY UT 84116

18 NOV 2021 PM 2 1

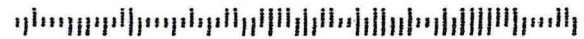


FP **US POSTAGE**
\$000.53⁰
First-Class -
ZIP 84116

034A 0081801252

Mr. Kip Swan
2967 E. Branch Dr.
Holladay, UT 84117

84117-550367



7:56



PW

White >

BEFORE



Another example of the density of pines. This is the north side of structure parallel to pines which used to provide total privacy. Until RMP contractor cut them. See open space photo after cutting.

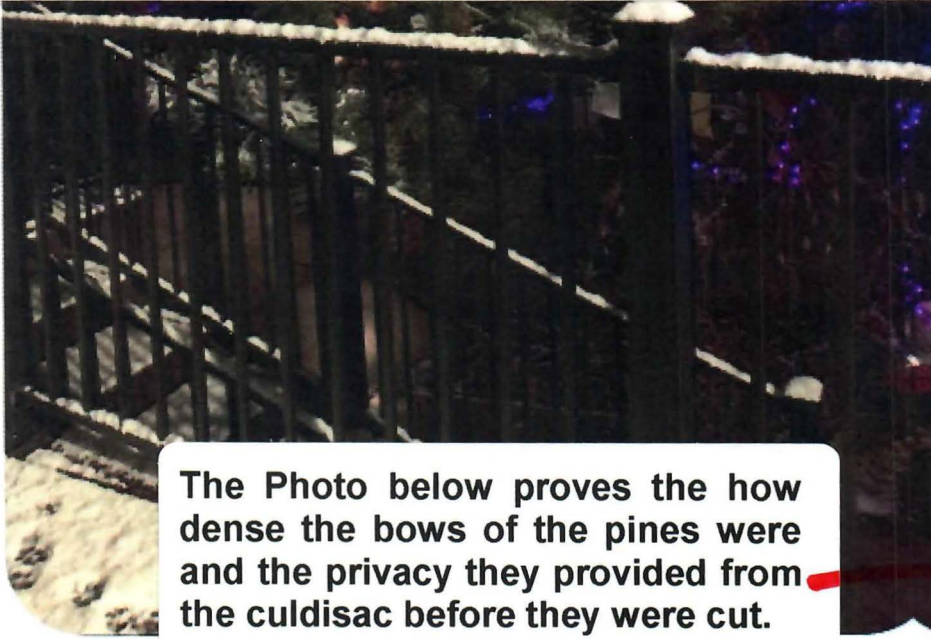
7:58 1



PW

White >

= "BEFORE"



The Photo below proves the how dense the bows of the pines were and the privacy they provided from the culdisac before they were cut.




The density of the pinese were part of our careful consideration used prior to adding the addition to our home. the was the deck prior the the solarium addition.





This photo shows how dense the branches were to our building "before"

BEFORE



We now look at asphalt and back of neighbors house + car headlights at night that shine into room and kitchen

This photo shows how open and the lack of privacy "after" contractor cut lower branches that DID NOT need to be cut.

We now look at asphalt and back of neighbors house + car headlights at night that shine into room and kitchen

AFTER

