

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Formal Complaint of Edward Armstrong
against Rocky Mountain Power

DOCKET NO. 22-035-21
ORDER GRANTING MOTION TO DISMISS

ISSUED: August 22, 2022

On May 23, 2022, Edward Armstrong (“Complainant”) filed a Formal Complaint (“Complaint”) with the Public Service Commission (PSC) against Rocky Mountain Power (RMP). Complainant identifies the following as the basis for his Complaint: “[E]ach year RMP removes all of the accumulated power credit I have generated by my solar [generation system] over the year without any compensation to me.” Complainant further explains he is a “snowbird” and would like to use surplus credits he generates in the winter during the summer months.

On May 23, 2022, the PSC issued a Notice of Filing and Comment Period, allowing RMP to file a response by June 22, 2022 and Complainant to file a reply by July 7, 2022.

On June 22, 2022, RMP filed its Motion to Dismiss and Answer (“Motion”). RMP asks the PSC to dismiss the Complaint because Complainant is a customer under Schedule 136 of RMP’s tariff, which expressly provides all unused credits shall expire after the regularly scheduled meter reading for the month of March. RMP represents this tariff language is consistent with applicable orders of the PSC. Consequently, RMP asks the PSC dismiss the Complaint.

Complainant did not file a reply.

Having reviewed the Complaint and RMP’s Motion, the PSC concludes the annual expiration about which Complainant complains is consistent with RMP’s tariff and the PSC’s orders on the matter. Complainant filed no reply, and the PSC can discern no alleged violation of

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an applicable provision of tariff, rule, statute, or administrative order. The PSC concludes the Complaint fails to allege any such violation. The Motion is granted and the Complaint is dismissed.

DATED at Salt Lake City, Utah, August 22, 2022.

/s/ Michael J. Hammer
Presiding Officer

Approved and confirmed August 22, 2022 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#325196

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 30 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on August 22, 2022, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

Edward Armstrong (pocoredi@gmail.com)

Data Request Response Center (datareq@pacificorp.com),
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