

# Complaint Report

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**Complaint Number:** C19-0218

## Customer Information

**Customer Name:** McCubbin, Ian

**Account Number:**

**Phone Number:** 9708192842

**Email Address:** imccubbin@gmail.com

**Service Address:** 555 Northmont Way  
Salt Lake City , UT 84103

## Complaint Information

**Company Name:** Rocky Mountain Power

**Date Received:** 10/9/2019

**Type of Call:** Complaint

**Complaint Received By:** Cynthia Dumas

**Gone Formal:** NO

**Date Resolved:** 10/15/2019

**Complaint Type:** Repair

**Utility Company Analyst:** Risa Talo

**Complaint Description:**

The following complaint was received via e-mail and has been copied and sent exactly as received.

From: DPU Web Server  
Date: Wed, Oct 9, 2019 at 9:22 AM  
Subject: Online Complaint Submission  
To:

## DPU ONLINE COMPLAINT

## UTILITY CUSTOMER

FROM: Ian McCubbin  
PHONE: 9708192842  
EMAIL: imccubbin@gmail.com  
SERVICE ADDRESS:  
555 Northmont Way Salt Lake City, UT 84103

## INCIDENT DETAILS

UTILITY: Rocky Moutain Power  
ACCOUNT NUMBER: 01433312-001  
COMPLAINT TYPE: Repair

## COMPLAINT:

Our community is located at the top of the City Creek Canyon Open Space, which is owned by Salt Lake City Corp. Annually SLCFD has notified our 11 homes that we have extreme wildfire risk associated with the dry grass and gamble oaks. As homeowners we all try to manage the wildfire hazard by removing dry dead gas, installing sprinklers and keeping a defensible space at our property borders. We face risk of wildfire from fireworks being launched from the LDS Ward Parking Lot, or from wildfires from homeless encampments in the City Creek Park. There is the additional wildfire risk from the vegetation in the City Creek Park Open Space during wildfire season. Our concern is that with above ground wires running through the wildfire zone, we face increased risk to damage to our homes if a small wildfire was amplified by a downed power line into the dry standing vegetation. The RMP power lines that service our homes were installed with the subdivision was originally built in the 1950s. An additional subdivision was planned behind our homes, which the plans for have been abandoned and has now been converted to Salt Lake City Corp open space. If these lines were in between homes, and not running through wildfire areas, we would not be requesting the lines to be moved from above ground to below ground. We met with RMP and SLCFD in May to discuss the wildfire risk. Following that meeting RMP determined that all poles needed to be replaced, based on us asking them for a status on the infrastructure. We requested at that time that RMP explore moving the wires to below ground to reduce wildfire risks. RMP is referring us to Rocky Mountain Power Electric Service Regulation No. 12 State Of Utah Issued by authority of Report and Order of the

Public Service Commission of Utah in Advice No. 18-04 that all costs associated with changing from above ground service to below ground are at the expense of the customer. Section 2.F states: Company will construct Extensions underground when requested by the Applicant or if required by local ordinance or conditions. In addition to the requirements of the preceding sections, the Applicant shall provide, at their expense, all trenching and backfilling, imported backfill material, conduits, and equipment foundations that the Company requires for the Extension. The Applicant must also pay for the conversion of any existing overhead facilities to underground, under the terms of Section 6 of this Regulation. Our high-risk wildfire neighborhood is not requesting an extension, we are requesting that RMP bring their outdated lines up to current building standards given the real risk of wildfire conditions at our site. The conditions are our home warrant buried lines, and our complaint is that the given current reality, and increasing frequency, associated with wildfires that if these power lines were installed now underground lines would be the only option for RMP. As we are seeing in other western states, such as PG&E in California, electrical utility companies are managing the risks by burring residential power lines: <https://www.kqed.org/news/11749445/pge-pledges-to-bury-its-distribution-power-lines-in-paradise> Our complaint is that RMP is using the PSC approved regulation to offset the costs to us the rate payers rather than addressing their outdated infrastructure in a high risk wildfire area. Our conditions warrant burial, and we are not asking for power line extension. We think that the Service Regulation actually holds RMP accountable given the conditions at our site and real and increasing risks associated with wildfires. RMP is saying that they are following PSC approved regulation, yet this is for approved regulation the should have wording that addresses the liability RMP faces with their power lines running through wildfire areas. This approved regulation does not have specific wording for addressing real risks associated with outdated infrastructure, nor does it allow RMP to push the costs onto the rate payer for wildfire risk reduction.

SUGGESTED RESOLUTION: RMP cover cost of the line burial associated with Work Order #: 6717938 Cust. Acct. #:01433312-001 Currently RMP is providing a discount for the pole replacement, yet we the customers believe they should cover more of the cost of this project which reduces their liability if a fire were to occur associated with the above ground lines in City Creek open space. We the customers will cover the cost associated for conversion/relocation of our meters and associated connection to the line power.

**Complaint Response:**

From: Talo, Florisa  
Date: Mon, Oct 14, 2019 at 9:57 AM  
Subject: RE: Rocky Mountain Power  
To: imccubbin@gmail.com  
Cc: Cynthia Dumas , \_Tariff Policy

Good Morning Ian,

The Division of Public Utilities notified us of the concerns you filed with their office and asked that we investigate and respond. I hope you will find the information below beneficial.

I understand you are interested in having the current overhead facilities changed to underground facilities and that you have spoken to several Rocky Mountain Power representatives regarding this matter. For review, I have attached a copy of RMP Regulation No. 12 - Line Extensions, and the work agreement we provided you. Your request falls under RMP Regulation No. 12 Section 6 (b), Overhead to Underground Conversions. Section 6 (b) states:Overhead to Underground Conversions

For overhead to underground conversions, the new underground system must not impair the use of the remaining overhead system. The Applicant or Customer must elect either:to provide all trenching and backfilling, imported back fill material, conduits, and equipment foundations that the Company requires for the relocation; or, to pay the Company to provide these items.In addition, the Applicant or Customer must advance the following:(1)The estimated installed cost of the new facilities plus the estimated removal expense of the existing facilities, less(2)The estimated salvage value of the removed facilities and depreciation on the original facilities.

As mentioned above, the cost for the requested conversion falls to the applicant or customer making the request. Rocky Mountain Power has provided an estimate of \$134,692 in order to convert the existing lines from overhead to underground. I understand your concerns with how high the estimated cost is, but please understand a great deal of work is involved with the conversion. Rocky Mountain Power has reviewed the estimate and confirms the estimate you have been provided is correct.

If you have any additional questions or concerns please feel to let us know.

Thank you for your time,  
Risa Talo  
Customer Advocacy and Tariff Policy  
801-955-2435

**Additional Info:**

10/15/2019 - I thanked Risa for her response and marked the complaint as resolved. -  
C.Dumas

From: Cynthia Dumas  
Date: Mon, Nov 4, 2019 at 12:24 PM  
Subject: Formal Complaint Instructions  
To:

Good Afternoon Mr. McCubbin,  
I hope all is well. I have asked the company if they're willing to entertain mediation, once I receive their response I'll let you know.  
Attached are the instructions for the Formal Complaint. If you have any questions in regards to the Formal complaint please contact the Public Service Commission at 801-530-6716.  
Thank you,  
Cynthia Dumas

\*\*\* Email to RMP regarding Mediation \*\*\*

From: Cynthia Dumas  
Date: Mon, Nov 4, 2019 at 12:21 PM  
Subject: Re: Rocky Mountain Power  
To: Talo, Florisa  
Cc: \_Tariff Policy

Good Afternoon Florisa,  
I hope all is well. I just spoke with Mr. McCubbin regarding the response he received from RMP. He's unsatisfied with the response and is wondering if the company is willing to entertain mediation? Please let me know what the answer is. If RMP agrees I'll be the one the schedule it for both parties.  
Please advise,  
  
Thank you,  
Cynthia Dumas

From: Ian McCubbin  
Date: Mon, Nov 4, 2019 at 9:13 PM  
Subject: Re: Formal Complaint Instructions  
To: Cynthia Dumas  
Cc: David Goldsmith

Hi Cynthia

Thank you for the time on the phone today. Yes, we would like to have mediation with RMP on reducing wildfire risk by having the lines behind our homes buried in the front of our properties. This would also give RMP better access to the lines in the future. Reliability has been a challenge, and we see that improving the infrastructure would benefit RMP and our community.

Please see contract from RMP. We think there are several options for moving forward, and look forward to a positive outcome. Given the reality we see in CA with PG&E, it seems beneficial to us that RMP work with us as rate payers to come up with a mutually beneficial resolution.

Be Well,  
Ian McCubbin970-819-2842

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From: Cynthia Dumas  
Date: Fri, Nov 8, 2019 at 1:28 PM  
Subject: Mediation for McCubbin and RMP  
To: Ian McCubbin , Talo, Florisa

Dear Ian McCubbin and Florisa/Rocky Mountain Power,

Your mediation is scheduled for:Thursday, November 21, 2019, at 1:30 P.M.  
The venue for the event is:Heber M. Wells Building, 160 East 300 South, Salt Lake City, Fourth Floor, Room 464. (Please allow yourself enough time to establish parking.)

Please review the attached documents, and a copy of the Agreement will be provided the day of the meeting for both parties to sign.

Please let me know as soon as possible any questions or updates you may have.  
Thank you, Cynthia Dumas

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From: Ian McCubbin  
Date: Fri, Nov 22, 2019 at 3:33 PM  
Subject: Re: OH Rebuild Scope & Cost  
To: Turner, Thomas  
Cc: Braithwaite, Autumn , Talo, Florisa , Tanner, Travis , Allen, Brady , Lester, Dustin , Mansfield, Curtis , Spencer, Christopher , Favero, Kerry , Wharton, Chris , Demmons, Lisa , Cynthia Dumas , Wood, Jemar , David Goldsmith , Tessa Arneson , Tim Watcke , Kimmel, Austin , Milne, Christopher

Hello TJ,

Thanks for the time yesterday and providing more detail. Given the terms of the meditation, and the fact that our discussion yesterday is strictly confidential, it would be beneficial if RMP could provide to us in writing a summary of the proposed options that we could share with our neighbors. It was not clear to me in previous discussions or emails exactly what the scope of the RMP proposed upgrades are to the current electrical infrastructure behind our homes. The scope of the line burial project in the work order has been clearly communicated to me by Jemar Wood over the past 2 months.

The infrastructure behind our homes is over 60 years old. We have extreme wildfire risk associated with the dry grass and gamble oaks, as shown in the Utah DNR maps attached, and are considered High Fire Risk Area (HFRA) or what RMP considers Fire High Consequence Areas (FHCA). Our concern is that with above ground (AG) wires running through the wildfire zone, we face increased risk to damage to our homes if a small wildfire is amplified by a downed power line into the dry standing vegetation. As homeowners we all try to manage the wildfire hazard by removing dry dead gas, installing sprinklers, keeping a defensible space at our property borders, and regularly hire goats to manage the vegetation behind are homes. We face risk of wildfire from fireworks being launched from the LDS Ward Parking Lot, or from wildfires from homeless encampments in the City Creek Park. There is the additional wildfire risk from the vegetation in the City Creek Park Open Space during wildfire season and homeless encampments. We firmly believe that burial of the lines is an industry standard that is quickly being adopted by other major utilizes in the western US. SLC Fire Department has even pointed out to us that “the obvious statement that underground lines will result in fewer fires that overhead lines”.

Some points we want to follow up with this distribution:

This is not an aesthetic request, this is based on real concern about aged infrastructure and extreme wildfire risk.

What risk assessment has RMP done for our properties, what is the outcome, and what is RMP proposed solution for addressing the risk vs our preferred risk reduction approach of burial of lines?

Where on SLC Wasatch Front are the similar areas which are adjacent to the Wildland Urban Interface with Above Ground (AG) lines with similar age of infrastructure? It seems that RMP would maintain a Geographic Information System (GIS) data set of all power lines, and that could be compared to the DNR wildfire risk zones. Please provide the details of the planned approach, and cost of updating the old infrastructure by RMP in the HFRA/FHCA? We have RMP Work Order #: 6717938. It does not have the detail for us to understand how the pole replacement project would provide us more wildfire resiliency in the HFRA/FHCA. Is RMP considering the upgrades to the 2 sets of power lines to the north of the power lines describe in Work Order 6717938?

We have brought to RMP’s attention a high fire risk area, and appreciate the prioritization on this project. We view this project as working hand in hand with the

local community to improve wildfire resiliency in the HFRA/FHCA. Given the looming deadline and some still open questions we need to answer for the neighbors, we request that RMP grant an extension on the deadline for the work order. Please confirm if this is possible.

Thank you,  
Ian McCubbin and David Goldsmith.

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11/25/2019 - The Division received a call from Mr. McCubbin stating that he had yet to receive a response from RMP. Once we got off the phone I spoke with RMP and they said they would respond to the email. Afterwards, I email both Mr. McCubbin and Mr. Goldsmith letting them know they would be receiving a response from RMP. - C. Dumas

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From: Ian McCubbin  
Date: Wed, Dec 4, 2019 at 3:09 PM  
Subject: Re: OH Rebuild Scope & Cost  
To: Turner, Thomas  
Cc: Braithwaite, Autumn , Talo, Florisa , Tanner, Travis , Allen, Brady , Lester, Dustin , Mansfield, Curtis , Spencer, Christopher , Favero, Kerry , Wharton, Chris , Demmons, Lisa , Cynthia Dumas , Wood, Jemar , David Goldsmith , Tessa Arneson , Tim Watcke , Kimmel, Austin , Milne, Christopher

Hello Curt,

To date we have not had a response from RMP on this email. Attached is an overview of what we see as critical talking points.

All of our neighbors would like to move forward with this project of moving the above ground power lines to below ground power lines. Our community vies see the outdated infrastructure and the wildfire risk reduction would be vastly improved via undergrounding the power lines to the front of the properties located from 469-569 Northmont Way SLC UT 84103. On Thanksgiving my power lines were downed yet again this calendar year due to wind and snowfall, and there was no tree branch damage (please see attached). The line tension, wind loading on the old poles (that visibly sway in the wind) and snow load on the line is the cause of the downed lines.

RMP has not presented any comparison between the benefits of a pole upgrade versus undergrounding of the power lines. Based on our research in CA, and the feedback from SLCFD, there is obvious benefits to under-ground power lines in comparison to above ground power lines. Both from a wild-fire risk reduction and in order to prevent winter time outages associated with high winds and snow fall. Additionally we are requesting that RMP perform a Environmental Impact Analysis on the potential impact from pole replacement on the slope stability behind our homes. Many neighbors already have slope stability issues, and a pole replacement project would only cause more damage to the slope behind many of the homes.

The current work order to move from AG is set to expire on Dec 5. Several new approaches were presented in the Utah Division of Public Utilities mediation we are not able to share with our neighbors given the confidentiality clause of the mediation. Given all the uncertainty right now with project scope, we are requesting an extension on that date. Please confirm that RMP is going to grant an extension on the work order 6717938?

Thanks  
Ian

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From: Mansfield, Curtis  
Date: Mon, Dec 9, 2019 at 6:06 PM  
Subject: RE: [INTERNET] Re: OH Rebuild Scope & Cost  
To: Ian McCubbin  
Cc: Braithwaite, Autumn , Talo, Florisa , Tanner, Travis , Allen, Brady , Lester, Dustin , Spencer, Christopher , Favero, Kerry , Wharton, Chris , Demmons, Lisa , Cynthia Dumas , Wood, Jemar , David Goldsmith , Tessa Arneson , Tim Watcke , Kimmel, Austin , Milne, Christopher , Clark, Tim , Turner, Thomas

Mr. McCubbin,

Please see my attached response.  
Sincerely,  
Curt Mansfield

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From: Ian McCubbin  
Date: Mon, Jan 6, 2020 at 11:20 PM  
Subject: Re: [INTERNET] Re: OH Rebuild Scope & Cost  
To: Mansfield, Curtis  
Cc: Braithwaite, Autumn , Talo, Florisa , Tanner, Travis , Allen, Brady , Lester, Dustin , Spencer, Christopher , Favero, Kerry , Wharton, Chris , Demmons, Lisa , Cynthia Dumas , Wood, Jemar , David Goldsmith , Tessa Arneson , Tim Watcke , Kimmel, Austin , Milne, Christopher , Clark, Tim , Turner, Thomas

Hello Curt,

Happy New Year. Thank you for your response. We have been working with our 11 neighbors to move forward on this project. We have the easement documents signed and are ready to submit the signed Work Order #: 6717938. The cost of \$134,692 (12,244.73 per Homeowner) as a lump sum payment up front is a financial hardship to some of the neighbors, and given that we are all current RMP customers, we would like to find out what other billing options are available for this work. Chris Spencer is investigating this and has been in touch by phone with David Goldsmith. We will have the signed documents to RMP within a week. One challenge we have had with this effort is the lack

of direct communication from RMP about the process and how it will unfold. Chris has proposed that RMP setup a meeting with all the rate payers from 469-569 Northmont to discuss how the underground conversion project will happen. We think that direct communication from a RMP representative at this point would help and look forward to getting that scheduled. The goal of the above ground to underground line burial project is twofold for our community; first to reduce wildfire risk and second is to improve the infrastructure so we do not have winter time outages associated with wind and snow/ice that results in power outages. The March and November 2019 downed lines at my property were both associated with heavy snow and winds. Your point about the plastic anchors failing in the November downed line incident was only part of the issue, as the line tension, heavy snow and wind were all contributing factors to the line going down. Our community believes that underground wires in the front of homes will reduce wildfire risk by moving the above ground lines away from the wildland urban interface in a high risk fire zone, and will also prevent storm damage to above ground lines in the winter months which results in loss of service.

Thank you

Ian McCubbin  
970-819-2842

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From: Ian McCubbin

Date: Wed, Jan 15, 2020 at 4:29 PM

Subject: Re: [INTERNET] Re: OH Rebuild Scope & Cost

To: Mansfield, Curtis , Turner, Thomas , Wood, Jemar , Spencer, Christopher

Cc: Braithwaite, Autumn , Talo, Florisa , Tanner, Travis , Allen, Brady , Lester, Dustin , Favero, Kerry , Wharton, Chris , Demmons, Lisa , Cynthia Dumas , David Goldsmith , Tessa Arneson , Tim Watcke , Kimmel, Austin , Milne, Christopher , Clark, Tim , ComeBackShane , [joshua.rebollo@slcgov.com](mailto:joshua.rebollo@slcgov.com)

Hello

Today is the Jan 15 deadline that was given in the RMP letter dated 9 Dec 2019. As discussed on the phone with RMP over the last few weeks, and confirmed in this email from Jan 6, we are ready to move forward with this project as a community. Please find the easement documents for Northmont residents. I was prepared to send the signed RMP work order #6717938 today, and based on conversations with Chris Spencer And TJ Turner, the guidance from RMP was to not submit the current work order as RMP legal is working on a revised work order. Please confirm the receipt of this email, and that what has been communicated via phone is in fact the plan moving forward with this project. We want to make sure that we have provided RMP the confirmation that we want this project to move forward.

We are committed to improving the RMP infrastructure and reducing wildfire risk by moving the above ground lines along to the SLC Corp open space, that is extreme wildfire rating by Utah DNR, to below ground along Northmont Way. We are currently working directly

with Century Link and Comcast/Xfinity on plans for the communications lines conversion. We do like the idea of a meeting with the RMP customers that will be part of this project, and have spoken with Century Link and Comcast about being a part of that meeting.

Thank you,  
Ian McCubbin  
970-819-2842

\*\*\* RMP Response to Mr. McCubbin \*\*\*

From: Turner, Thomas  
Date: Thu, Jan 16, 2020 at 8:18 AM  
Subject: [INTERNET] Re: [INTERNET] Re: OH Rebuild Scope & Cost  
To: Ian McCubbin , Mansfield, Curtis , Wood, Jemar , Spencer, Christopher  
Cc: Braithwaite, Autumn , Talo, Florisa , Tanner, Travis , Allen, Brady , Lester, Dustin , Favero, Kerry , Wharton, Chris , Demmons, Lisa , Cynthia Dumas , David Goldsmith , Tessa Arneson , Tim Watcke , Kimmel, Austin , Milne, Christopher , Clark, Tim , ComeBackShane , joshua.rebollo@slcgov.com

Ian,

Thank you for submitting these easement documents on the 15th as we agreed. We are committed to moving forward with your request as outlined in the contract and look forward to sitting down with you and the other residents to discuss next steps. Please let me know some dates and times that will work for your community and we can schedule that meeting.

Thanks again.  
T.J. Turner

\*\*\* another response to email \*\*\*

From: ComeBackShane  
Date: Thu, Jan 16, 2020 at 8:33 AM  
Subject: Re: [INTERNET] Re: OH Rebuild Scope & Cost  
To: Ian McCubbin , Mansfield, Curtis , Turner, Thomas , Wood, Jemar , Spencer, Christopher  
Cc: Braithwaite, Autumn , Talo, Florisa , Tanner, Travis , Allen, Brady , Lester, Dustin , Favero, Kerry , Wharton, Chris , Demmons, Lisa , Cynthia Dumas , David Goldsmith , Tessa Arneson , Tim Watcke , Kimmel, Austin , Milne, Christopher , Clark, Tim , joshua.rebollo@slcgov.com

Ian,

Thanks for all your efforts on this. I spoke with David on Tuesday and hope by the end of the week to begin the efforts of organizing the community meeting with RMP..

Shane