
Investigation of Rocky Mountain Power's
Transfer of Assets and Customers to
Hurricane City

DOCKET NO. 24-035-03

NOTICE OF INVESTIGATORY DOCKET AND
REQUEST TO THE DIVISION OF PUBLIC
UTILITIES TO INVESTIGATE AND ADVISE

ISSUED: January 11, 2024

The Public Service Commission (PSC) has learned through a customer complaint ("Complaint Docket")¹ that Rocky Mountain Power (RMP) sold distribution assets it owned in Washington County to Hurricane City ("City") under a written agreement, dated August 3, 2023.² The transaction closed on, or prior to, November 1, 2023 and affected customers were subsequently transferred to Hurricane Power. While RMP represented in the Complaint Docket that it sold the assets to the City and transferred the customers because the City intends to annex the area, the City had not annexed the area when the transfer occurred.³ The PSC is concerned RMP and the City did not present an agreement to the PSC for approval, as Utah Code Ann. § 10-8-14 appears to have required under the circumstances.

While the PSC has no jurisdiction over the City, the PSC opens this docket to investigate RMP's compliance with applicable law as regards this transfer of assets and customers.

¹ *Formal Complaint of Kevin House against Rocky Mountain Power*, Docket No. 23-035-48 (hereafter "Complaint Docket").

² *See* Complaint Docket, RMP's Answer and Motion to Dismiss at Ex. 5.

³ *See id.* at 4-5.

The PSC asks the Division of Public Utilities (DPU) to investigate and submit comments to the PSC by **Wednesday, February 21, 2024**, addressing whether (1) RMP violated any applicable provision of statute, administrative rule, or prior administrative order in relation to these events; and (2) advise as to any appropriate action by the PSC to ensure future compliance in the event RMP committed a violation.

RMP may submit a response to the DPU's comments by **Thursday, March 7, 2024**.

After reviewing these filings, the PSC will determine what additional process, if any, is necessary and appropriate.

DATED at Salt Lake City, Utah, January 11, 2024.

/s/ Michael J. Hammer
Presiding Officer

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#331787

CERTIFICATE OF SERVICE

I CERTIFY that on January 11, 2024, a true and correct copy of the foregoing was delivered upon the following as indicated below:

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