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Salt Lake City, UT 84116

June 6, 2024

VIA ELECTRONIC FILING

Utah Public Service Commission
Heber M. Wells Building, 4th Floor
160 East 300 South
Salt Lake City, UT 84114

Attention: Gary Widerburg
Commission Administrator

RE: Docket No. 24-035-23
In the Matter of the Formal Complaint of Michael Orlinsky Against Rocky Mountain Power
Rocky Mountain Power's Answer and Motion to Dismiss

Pursuant to the Notice of Filing and Comment Period issued by the Public Service Commission of Utah on May 8, 2024, Rocky Mountain Power ("Company") hereby submits for filing its Answer and Motion to Dismiss in the above referenced matter.

The Company respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): datarequest@pacificorp.com
utahdockets@pacificorp.com
jana.saba@pacificorp.com
katherine.smith@pacificorp.com

By regular mail: Data Request Response Center
PacifiCorp
825 NE Multnomah, Suite 2000
Portland, OR 97232

Informal inquiries may be directed to Jana Saba at (801) 220-2823.

Sincerely,

A handwritten signature in blue ink that reads "Joelle Steward".

Joelle Steward
Senior Vice President, Regulation

Enclosures

CERTIFICATE OF SERVICE

Docket No. 24-035-23

I hereby certify that on June 6, 2024, a true and correct copy of the foregoing was served by electronic mail to the following:

Utah Office of Consumer Services

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Rocky Mountain Power

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Complainant

Michael Orlinsky orlincom@gmail.com



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Attorney for Rocky Mountain Power

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Formal Complaint of Michael Orlinsky against Rocky Mountain Power	DOCKET NO. 24-035-23 ANSWER AND MOTION TO DISMISS
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Pursuant to Utah Code Ann. § 63G-4-204(1) and Utah Admin. Code §§ R746-1-206, and R746-1-301, Rocky Mountain Power, a division of PacifiCorp (“Rocky Mountain Power” or the “Company”) answers the formal complaint (“Complaint”) filed by Michael Orlinsky (“Complainant”) with the Public Service Commission of Utah (“Commission”). The Company also moves to dismiss the Complaint with prejudice because Rocky Mountain Power has not violated any provision of law, Commission order or rule, or Company tariff.

Communications regarding this Docket should be addressed to:

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BACKGROUND AND ANSWER TO COMPLAINANT’S ALLEGATIONS

1. Mr. Orlinsky is a residential customer of Rocky Mountain Power, taking service on Electric Service Schedule No. 1 at the service address listed in the formal complaint filing submitted by the Complainant on May 7, 2024 (“Complaint”).

2. On or around January 16, 2024, a different tenant (“Tenant”) in Mr. Orlinsky’s apartment complex contacted the Company to apply for service, and inadvertently provided Mr. Orlinsky’s address as their own.

3. The Company accepted the Tenant’s application, without knowing that Tenant provided an incorrect address. By opening an account for this Tenant under Mr. Orlinsky’s service address, Mr. Orlinsky’s account was automatically closed.

4. The Tenant called the Company again later that day to report the error in service address and spoke to a different customer care specialist at the Company’s call center.

5. The Company notes that although this situation is not common, it does happen infrequently. To properly remedy these situations, the Company trains its customer care specialists in proper protocols to correct the address associated with the new connection request and then reinstate the account that was mistakenly closed.

6. The Company’s customer care specialist corrected the Tenant’s service address but failed to re-activate Mr. Orlinsky’s account under his service address.

7. As standard practice for service addresses owned by a landlord, the Company offers landlords the option for electric service to be transferred to a landlord account for periods that are in between tenants instead of disconnection of service at the location. Mr. Orlinsky's landlord has a landlord account. Thus, the Company's mistake resulted in Mr. Orlinsky's service address being billed to Mr. Orlinsky's landlord's account and Mr. Orlinsky's electric service was not interrupted.

8. On or around May 2, 2024, Mr. Orlinsky contacted the Company to determine why his electric service was being billed to his landlord. When Mr. Orlinsky brought this issue to the Company's attention, the Company corrected its mistake and explained to Mr. Orlinsky what happened.

9. On or around May 3, 2024, the Company received the informal complaint from the Division of Public Utilities ("DPU") regarding Mr. Orlinsky's concerns. A member of the Company's customer advocacy team contacted Mr. Orlinsky to discuss his concerns and applied a goodwill credit to Mr. Orlinsky's account for all electric charges for his February, March, and April invoices as he was not the customer of record during that period. The Company also offered to provide Mr. Orlinsky with letters to his landlord explaining its mistake in this matter.

10. On May 7, 2024, the Company received notice of the Complainant's formal complaint filing.

MOTION TO DISMISS

11. The Company requests the Commission dismiss the Complaint with prejudice under Utah Rule of Civil Procedure 12(b)(6) because Mr. Orlinsky has failed to allege or establish that the Company has violated any applicable law, Commission rule, or Company tariff.

12. Mr. Orlinsky claims the Company accessed and deactivated Mr. Orlinsky's account without his authorization. Additionally, Mr. Orlinsky argues the Company must improve security as it relates to customer accounts. Finally, Mr. Orlinsky requests the Company reimburse him.

13. The Company does not dispute that Mr. Orlinsky's account was deactivated by mistake of the Company. This was not intentional; the Company's system automatically deactivates accounts as service addresses are updated when new tenants take occupancy and open new accounts. In this case, the Company should have reactivated Mr. Orlinsky's account when the Tenant called back to correct the Tenant's service address.

14. The Company asserts that Mr. Orlinsky's personal information was not shared with Tenant or Mr. Orlinsky's landlord. Instead, the billing amount for Mr. Orlinsky's service was billed to Mr. Orlinsky's landlord's account.

15. Mr. Orlinsky also requested the Company establish a practice of confirming a customer's address when a new customer service agreement is created. In 2023, the Company received over 475,000 requests for new customer service agreements across its six state service territory, approximately 250,000 of those were Utah customers. Considering the volume of requests for new customer service agreements, requiring the Company to confirm every service address provided for each new customer service agreement is not feasible and would result in significant delays in the processing times for new accounts.

16. The Company remedied this unfortunate situation by communicating what happened with Mr. Orlinsky and applying a goodwill credit towards Mr. Orlinsky's account for electric charges for his February, March, and April invoices. The Company also took action to provide additional training for the customer care specialist to reinforce proper protocols are followed for this situation.

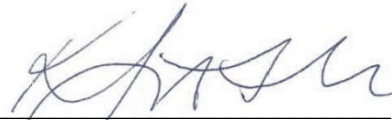
17. Therefore, the Company requests the Commission dismiss the Complaint with prejudice because the Company has not violated any provision of law, Commission order or rule, or Company tariff.

CONCLUSION

18. For the foregoing reasons, the Company respectfully requests that the Commission dismiss the Complaint with prejudice.

Dated this 6th day of June 2024,

ROCKY MOUNTAIN POWER



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