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January 2, 2026

***VIA ELECTRONIC FILING***

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

Attention:      Gary Widerburg  
                    Commission Administrator

**Re:              Docket No. 25-035-65 – Formal Complaint of Chimso Onwuegbu 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 December 3, 2025, Rocky Mountain Power (“Company”) hereby submits for filing its Answer and Motion to Dismiss in the above referenced matter. Confidential Attachment C has been uploaded to the Commission’s SFTP site and is provided in accordance with Commission Rule R746-1-602 and 603.

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](mailto:datarequest@pacificorp.com)  
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Informal inquiries may be directed to Max Backlund at [max.backlund@pacificorp.com](mailto:max.backlund@pacificorp.com).

Sincerely,

Jana Saba  
Director, Regulation and Regulatory Affairs

## **CERTIFICATE OF SERVICE**

Docket No. 25-035-65

I hereby certify that on January 2, 2026, 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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**Division of Public Utilities**

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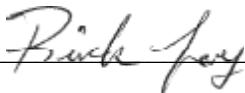
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**Rocky Mountain Power**

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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

Formal Complaint of Chimso Onwuegbu  
against Rocky Mountain Power

DOCKET NO. 25-035-65

**ANSWER AND MOTION TO DISMISS**

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 Chimso Onwuegbu (“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 for which relief can be sought.

Communications regarding this Docket should be addressed to:

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## **BACKGROUND AND ANSWER TO COMPLAINANT'S ALLEGATIONS**

1. Complainant is a residential customer of Rocky Mountain Power with onsite solar generation, taking service at the service address listed in the formal complaint filing submitted by the Complainant on December 1, 2025 ("Complaint").
2. On or around August 22, 2025, Complainant contacted the Company to inquire about a power surge he experienced at this residence that caused damage to his property.
3. The same day, on or around August 22, 2025, the Company created a work order to investigate the alleged power surge at Complainant's residence.
4. On or around August 28, 2025, the Company inspected the Complainant's meter and determined through visual inspections that the meter was not damaged and in normal working conditions.
5. On or around September 5, 2025, the Company informed Complainant that the Company would initiate a request for power quality inspection and sent Complainant a damage claim form for Complainant to fill out and return to the Company. Complainant submitted his damage claim form and submitted it to the Company, claiming damages to equipment including pool pumps, pool control board, electric vehicle charger, and Wi-Fi equipment.

6. On or around September 29, 2025, the Company determined there were no issues with or damage to the Company's equipment or infrastructure. The Company inspected the circuit and determined it was within normal range. The Company also reviewed records of Complainant's meter and Complaint's neighbor's meter; the readings presented no evidence of a suggested over or under voltage.

7. During its investigation, the Company determined Complainant did not have sufficient protective equipment, which is required under Rocky Mountain Power Electric Service Regulation No. 5.<sup>1</sup> Therefore, the Company denied Complainant's damage claim under Electric Service Regulation No. 5 and closed the damages claim investigation. Details of the Company's investigation are provided in Attachment A and Attachment B.

8. On or around October 3, 2025, Complainant disputed the Company's findings.

9. On or around November 24, 2025, the Company confirmed to Complainant that it would not accept liability for damages.<sup>2</sup> The Company explained it checked Complainant's meter and confirmed that the voltage supplied to Complainant's home was within acceptable levels on the day of the alleged power surge, as well as a statement that the Company's outage records show no significant trips or outages involving Company equipment. In sum, the Company found no evidence of a high voltage event and informed Complainant that for liability to apply, there must be evidence of negligence on the Company's part or equipment failure.<sup>3</sup>

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<sup>1</sup> Under Rocky Mountain Power Electric Service Regulation No. 5(2)(a), “[t]he Customer shall furnish, install, inspect and keep in good and safe condition all electrical wires and lines on the Customer's side of the point of delivery. The Customer shall provide devices to protect his/her equipment from high and low voltage, overload, single phasing, phase reversal or other abnormal conditions. Furthermore, under No. 5(2)(b), the Customer shall provide control equipment to eliminate excessive starting current or undesirable voltage fluctuations on the Company's circuits.”

<sup>2</sup> Confidential Attachment C – Rebuttal of Claim Denial-Claim #7494434

<sup>3</sup> As stated in Rocky Mountain Power Electric Service Regulation No. 5(4), “[n]othing in these Electric Service Regulations shall be construed as placing upon the Company any responsibility for the condition or maintenance of the Customer's wiring, current consuming devices or other equipment, and the Company shall not be held liable for

10. The same day, on or around November 24, 2025, Complainant emailed the Company, disputing the denial of his claim and filed an informal complaint with the Division of Public Utilities (“DPU”).

11. On or around December 1, 2025, the Company responded to the DPU, explaining the history of events and why the Company declined Complainant’s damages claim. That day, the DPU closed the informal complaint.

12. That same day, on or around December 1, 2025, Complainant filed this formal Complaint. In the Complaint, Complainant requests: (1) the Commission investigate the surge event; (2) require the Company to produce technical records for the period surrounding the incident; (3) determine whether the Company correctly applied Electric Serviced Regulation No. 5; (4) determine whether available evidence supports a utility-side origin for the alleged power surge; and (5) require the Company to provide clear, transparent, evidence-based explanation of its investigation and basis for denial.

### **MOTION TO DISMISS**

13. The Company requests the Commission dismiss the Complaint with prejudice under Utah Rule of Civil Procedure 12(b)(6) because Complainant has failed to allege or establish that the Company has violated any applicable law, Commission rule, or Company tariff for which relief can be sought.

14. In response to Complainant’s request for the Company to produce technical records from the period surrounding the event, the Company provides its response to the Complainant’s request for technical records as Attachment A. Additionally, the Company provides the SCADA

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any loss or damage resulting from defects in the Customer’s installation and shall not be held liable for damage to persons or property arising from the use of the service on the premises of the Customer.”

information and additional technical information such as breaker operations, outage history, and switching as Attachment B.

15. Based on the investigation, the Company did not find any damage to its equipment, and the Company's monitoring devices indicate that the damage was isolated to the customers' equipment. So, although the Company was unable to determine a definitive cause, the information available strongly suggests that the event was caused by a harmonic issue. Equipment such as micro inverters and electric vehicle chargers can cause harmonic issues.

16. Complainant disputes the Company's application of Electric Service Regulation No. 5 to Complainant's damage claim, arguing Complainant's damaged equipment could not reasonably be protected by surge devices.

17. Electric Service Regulation No. 5(2)(a) states "the Customer shall provide devices to protect his/her equipment from high and low voltage, overload, single phasing, phase reversal or other abnormal conditions." Complainant is responsible for installing protective equipment under Electric Service Regulation No. 5(2)(a).

18. Article 230.67 of the 2020 National Electric Code ("NEC") requires a Type 1 or Type 2 surge protection device for residential dwellings. Type 1 surge protective circuit breakers are designed to provide surge protection for an entire home.

19. As previously noted, Complainant has onsite solar generation. Under Electric Service Regulation No. 5(2)(c), which considers customers' onsite generation, it is the responsibility of the Customer to supply all equipment, including but not limited to, transfer switches, disconnects, overload protection, and any other protective devices necessary to safely connect to and operate from another power source. The Customer shall be liable for all costs and liability associated with damage or injury resulting from using another power source.

20. Furthermore, under Electric Service Regulation No. 5(4), nothing in Company regulations shall be construed as placing responsibility for the condition or maintenance of Complainant's wiring, current consuming devices or other equipment. Additionally, the Company shall not be held liable for damage to persons or property arising from the use of the service on the premises of the Customer.

21. The Company believes it properly applied Electric Service Regulation No. 5 when denying Complainant's damage claim. Company tariffs require customers to install protective equipment in their home to prevent damage due to abnormal service conditions. Complainant did not have sufficient protection equipment in his home.

22. Although Complainant claims he could not install a surge protector on his electric equipment, Complainant does have options for installing protective equipment, as exemplified in paragraph 18. Therefore, the Company believes the Commission should dismiss the Complaint, because Complainant has failed to establish that the Company has violated any applicable law, Commission rule, or Company tariff for which relief can be sought.

23. In the alternative, the Company believes it could have properly denied Complainant's damage claim under Electric Service Regulation No. 4, Continuity of Service. Under Electric Service Regulation No. 4(5)(a), "[u]nless otherwise specified in a service agreement, electric service is intended to be continuously available. It is inherent, however, that there will at times be some degree of failure, interruption, suspension, curtailment or fluctuations. The Company does not guarantee constant or uninterrupted delivery of Electric Service and shall have no liability to its Customers or any other persons for any interruption, suspension, curtailment or fluctuation in Electric Service or for any loss or damage caused thereby if such interruption,

suspension, curtailment or fluctuation results from... [c]auses beyond the Company's reasonable control.

24. The Company believes that even if the Commission determines the Company misapplied Electric Service Regulation No. 5 when denying Complainant's damages claim, the Company is still correct in denying Complainant's damages claim under Electric Service Regulation No. 4.

25. The Company does not have conclusive evidence as to what caused the alleged power surge event. However, even if the event was caused by an electrical issue caused by the Company or its equipment, the Company cannot guarantee continuity of service under Electric Service Regulation 4(5)(a), which is why customers are required to protect their requirement under Electric Service Regulation 5(2)(a) and protect their self-generation equipment under Electric Service Regulation 5(2)(c).

26. 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 for which relief can be sought.

## **CONCLUSION**

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

Dated this 2<sup>nd</sup> day of January 2026,

ROCKY MOUNTAIN POWER



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Katherine Smith (18823)  
1407 West North Temple, Suite 320  
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*Attorney for Rocky Mountain Power*

Attachment A  
Technical Records Request

**Complainant Request #1. Investigate the surge event that impacted my home (Claim #7494434) and my neighbors' home (Claim #7466814), both served by the same transformer.**

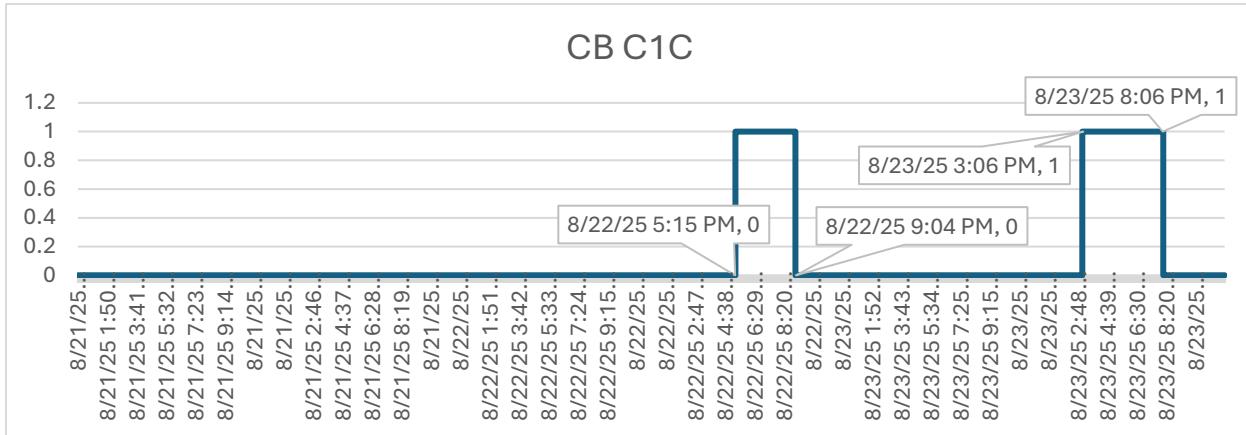
The Company conducted an investigation of the 8/22/2025 5:26PM event. Utility grid edge monitoring devices and meter alarm logs indicate that the equipment damage was isolated to an interaction of the customer equipment on the transformer secondary. The concentration of power electronics increases the probability of interaction. The event highlights the value of recent NEC code changes requiring whole home surge protection devices and arc fault circuit interruption devices.

Feeder voltage and AMI voltage trends were within ANSI C84.1 Service Range A and B levels. The Company does not dispute the customer's assertion that AMI 15-minute average voltage intervals do not capture voltage surge events. However, thermal runaway of devices to cause smoke sufficient to trigger smoke alarms requires immense power, such as a lightning strike, or sustained stress which can occur from the interaction of power electronics on the transformer secondary. A loose neutral at the transformer is an unlikely factor based on the fact that the customer's 240V EV charger was damaged. The loose neutral is also ruled out as the inspection of the transformer for this request did not identify neutral issues.

**Complainant Request #2. Require Rocky Mountain Power to produce technical records for the period surrounding the incident, including but not limited to:**

**a. Switching and recloser logs**

Casto substation utility logs were reviewed from 8/21/25 to 8/23/25. The Casto 1.2 MVAR capacitor bank 1C closed on 8/22 from 5:15PM to 9:04PM and 8/23 from 3:06PM to 8:06PM. No other substation or feeder switching events were logged in this timeframe.



**b. Protection device operation records (breakers, relays, fuses)**

Utility logs, provided as Attachment C, were reviewed from 8/21/25 to 8/23/25. No feeder breaker or fuse operations occurred during the event period.

**c. Transformer maintenance and event history**

Event history of the transformer for 2025 is provided below.

Date	Cause	Description	Direct Involvement
1/21/2025	Interference	Vehicle accident upstream	No
3/18/2025	Weather	Blown fuse – 3/17 state event	No
11/29/2025	Planned Outage	Switching to restore load on other circuit	No

**d. SCADA and feeder-level data**

Attachment B SCADA-CASTO12 provides 10 second substation bus voltage, circuit Casto 12 per phase amps, and breaker status of all feeders and cap banks. The Company notes that the information does not show a voltage swell.

**e. Any internal incident or disturbance reports related to the event**

The Company does not have any additional internal incident or disturbance reports beyond what is provided in this response.

Attachment B  
Requested Technical Records  
will be provided in its native form

Attachment C is Confidential In its  
entirety and provided under a separate cover