

January 3, 2026

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. 25-035-65 – Formal Complaint of Chimso Onwuegbu against Rocky Mountain Power**

**REPLY TO ANSWER AND OPPOSITION TO MOTION TO DISMISS**

Please find attached for filing in Docket No. 25-035-65 (Formal Complaint of Munachimso Onwuegbu v. Rocky Mountain Power) the following document:

This filing is submitted pursuant to the deadline established in the Notice of Filing and Comment Period.

Please confirm receipt and docketing of this filing at your convenience. If there are any deficiencies or additional steps required, I will promptly address them.

Thank you for your assistance.

Sincerely,



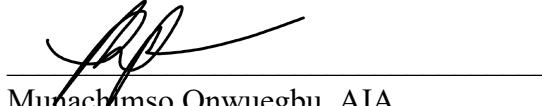
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**CERTIFICATE OF SERVICE**

**DOCKET NO. 25-035-65**

I hereby certify that on the 3<sup>rd</sup> day of January 2026, a true and correct copy of the foregoing Reply to Answer and Opposition to Motion to Dismiss was served by electronic mail upon the following:

Data Request Response Center	datareq@pacificorp.com customeradvocacyteam@pacificorp.com
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Munachimso Onwuegbu, AIA

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Formal Complaint of Munachimso Onwuegbu against Rocky Mountain Power

**DOCKET NO. 25-035-65**

**REPLY TO ANSWER AND OPPOSITION TO MOTION TO DISMISS**

**I. The Motion to Dismiss should be denied**

A motion to dismiss is appropriate only when, even assuming all facts in the complaint are true, no claim exists. Material facts are disputed and causation remains unresolved. Rocky Mountain Power (RMP) itself admits it cannot determine a definitive cause of the event. Accordingly, dismissal at this stage would be improper.

**II. RMP misstates the nature of the complaint**

This proceeding is not a suit for damages. The Complaint seeks Commission review regarding adequacy and reliability of service, sufficiency of RMP's investigation, proper application of Electric Service Regulations, and the provision of technical records necessary to evaluate a multi-customer disturbance. These matters fall squarely within the Commission's jurisdiction.

**III. Multiple customers on the same transformer experienced simultaneous damage**

It is undisputed that my residence and my neighbors' residence are served by the same transformer, and that both homes experienced damage at the same time. This pattern is consistent with a utility-side service disturbance and warrants further investigation, not dismissal.

**IV. RMP relies primarily on 15-minute and 10-second data that cannot detect surge events**

RMP's filing is based largely on 15-minute AMI meter data and 10-second SCADA data. RMP expressly acknowledges that AMI interval data cannot detect millisecond-scale transient events. These datasets therefore cannot establish that no surge or transient occurred and are insufficient to justify dismissal.

## **V. RMP’s “harmonic interaction” theory is speculative and unsupported**

RMP asserts that the likely cause of the event was harmonic interaction between customer-owned devices. However, no harmonic study was performed, no waveform capture exists, no frequency-domain analysis was provided, and no engineering report accompanies the assertion. The theory is therefore speculative and cannot support dismissal.

## **VI. NEC 230.67 surge requirements do not cover the damaged devices in this event**

The equipment damaged in my home includes hardwired lighting switches, outlets, smart controls, and other branch-circuit devices. These are not fully protected by typical Type 1 or Type 2 surge protective devices contemplated by NEC 230.67. Many such devices lack any practical means of customer-installed surge protection. Accordingly, the tariff provisions cited do not resolve this matter or justify dismissal.

Rocky Mountain Power’s filing references whole-home surge protection requirements. For clarity, the National Electrical Code (NEC) in effect at the time my system was installed did not require service-entrance surge protective devices for dwelling units. The requirement for Type 1 or Type 2 surge protection at dwelling unit services was first adopted in NEC 2020, Section 230.67, and was not present in NEC 2014 or NEC 2017. While earlier NEC editions included provisions governing surge protective devices generally, they did not mandate residential installation. Accordingly, there was no code requirement that my home be equipped with a whole-home surge protective device, and the absence of such a device cannot reasonably be used to deny the complaint or shift responsibility to the customer.

## **VII. RMP’s own records show switching activity within the event window**

RMP’s Attachment B indicates switching operations occurred near the time of the event. Switching operations are well-known sources of utility-side transients. This alone creates a disputed factual issue inappropriate for dismissal.

## **VIII. Material technical records have not yet been produced**

High-speed relay event logs, capacitor and regulator switching event records, transformer secondary inspection findings, and waveform or power-quality recorder data have not been provided. Without such records, the cause of the disturbance cannot be determined. The absence of necessary records weighs against dismissal.

## **IX. RMP's statements about my EV charger and neutral conductor are incorrect**

RMP asserts that an open or disturbed neutral could not have been involved because my EV charger was damaged and EV chargers do not utilize a neutral conductor. This is incorrect. My EV charger was a plug-in type Webasto charger supplied from a 60-amp two-pole breaker, wired directly with a 6/3 wire to the meter/main panel, includes a neutral conductor, and shares the same service neutral as the rest of the premises. My pool equipment is also fed from the meter panel, and other failed devices are served from the interior main panel. All of these loads share the same service neutral upstream.

Damage to the EV charger therefore does not rule out a neutral disturbance, and RMP's conclusions based upon that incorrect assumption are incorrect.

## **X. The observed device-level damage pattern is consistent with neutral involvement**

The pattern of failed devices in my home is specific and reproducible. The devices that failed, including smart switches and certain outlets, had a neutral conductor terminated directly to the device. By contrast, switches and devices without a neutral landed directly on the device, or where neutrals were only spliced through the box, did not fail. This pattern is consistent with a neutral-reference disturbance or transient overvoltage involving the grounded conductor and is inconsistent with RMP's unsupported customer-harmonics theory. This factual dispute alone precludes dismissal and favors ruling in my favor.

## **XI. Relief Requested (Revised)**

For the reasons stated above, Complainant respectfully requests that the Commission:

1. Deny Rocky Mountain Power's Motion to Dismiss in its entirety;
2. Enter findings of fact that:
  - a. multiple customers served from the same transformer experienced equipment damage during the same time period;
  - b. Rocky Mountain Power relied primarily on AMI interval data and SCADA data that are incapable of detecting transient or millisecond-scale events;
  - c. Rocky Mountain Power's asserted "customer-generated harmonics" explanation is speculative and unsupported by any engineering study or data; and
  - d. Rocky Mountain Power misapplied Electric Service Regulation No. 5 by treating the absence of whole-home surge protection as dispositive, despite no such requirement in effect at the time of installation and despite the nature of the damage sustained;

3. Enter conclusions of law that:
  - a. the investigation conducted by Rocky Mountain Power was inadequate under applicable standards of reasonable utility practice; and
  - b. Rocky Mountain Power's claim denial was not supported by substantial evidence;
4. Order Rocky Mountain Power to:
  - a. reopen and reconsider Complainant's claim consistent with the Commission's findings and conclusions;
  - b. produce all technical system records reasonably necessary to evaluate the service disturbance, including high-speed event logs, regulator and capacitor switching records, and transformer inspection results; and
  - c. conduct and provide the results of a competent engineering analysis addressing neutral disturbance, switching transients, and transformer-level events affecting multiple customers;
5. Based on the foregoing findings and conclusions, grant the Complaint and such further relief as the Commission deems just and appropriate within its jurisdiction.

## **XII. Conclusion**

Material facts remain in dispute and the cause of the event is undetermined. RMP's motion seeks dismissal without full investigation. For these reasons, the Motion to Dismiss should be denied and the relief requested above should be granted.

DATED this 3rd day of January, 2026.



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Munachimso Onwuegbu, AIA  
Complainant