



1407 W. North Temple, Suite 330
Salt Lake City, UT 84116

April 8, 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. 26-035-13 – Formal Complaint of Thomas and Kimberly LaCoss
against Rocky Mountain Power**
Answer and Motion to Dismiss

Pursuant to the Notice of Filing and Comment Period issued by the Public Service Commission of Utah on March 11, 2026, Rocky Mountain Power (“Company”) hereby submits for filing its Answer and Motion to Dismiss in the above referenced matter. Confidential Attachments A-E have been uploaded to the Commission’s SFTP site and are 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): datareq@pacificorp.com
max.backlund@pacificorp.com
katherine.smith@pacificorp.com
utahdockets@pacificorp.com

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

Informal inquiries may be directed to Max Backlund at max.backlund@pacificorp.com.

Sincerely,

Jana Saba
Director, Regulation and Regulatory Affairs

Katherine Smith (18823)
Rocky Mountain Power
1407 West North Temple, Suite 320
Salt Lake City, Utah 84116
Telephone No. (435) 776-6980
katherine.smith@pacificorp.com

Attorney for Rocky Mountain Power

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Formal Complaint of Thomas and Kimberly LaCoss against Rocky Mountain Power	DOCKET NO. 26-035-13 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 Thomas and Kimberly LaCoss (“Complainants”) 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 granted.

Communications regarding this Docket should be addressed to:

By e-mail (preferred):

datareq@pacificorp.com
katherine.smith@pacificorp.com
max.backlund@pacificorp.com

By mail:

Data Request Response Center
Rocky Mountain Power
825 NE Multnomah St., Suite 2000
Portland, OR 97232

Max Backlund
Rocky Mountain Power
1407 W North Temple, Suite 310
Salt Lake City, UT 84116
Telephone: (801) 220-3121

Katherine Smith
1407 West North Temple, Suite 320
Salt Lake City, Utah 84116
Telephone: (435) 776-6980

BACKGROUND AND ANSWER TO COMPLAINANT’S ALLEGATIONS

1. Complainants are customers of Rocky Mountain Power, taking service under Schedule 3 at the service address listed in the formal complaint filing submitted by Complainant on March 10, 2026 (“Complaint”).

2. As of December 2025, Complainants’ account carried a balance exceeding \$6,400.

3. On December 16, 2025, Complainants contacted the Company, inquiring about a payment plan. The Company advised Complainants that a payment plan was an option but that a payment of one-twelfth of the outstanding balance is required to establish a payment plan.¹

4. On or around December 17, 2025, Complainants requested a medical certificate form. The Company promptly provided Complainants with the form and explained a medical certificate does not eliminate payment obligations and does not permanently prevent disconnection for non-payment.

¹ Under Rocky Mountain Power Electric Service Regulation No. 10(6) – Residential Deferred Payment Agreement, “an applicant or account holder who is unable to pay a delinquent account balance on demand has the right to receive residential electric service under a deferred payment agreement... consisting of 12 months of equal monthly payments if the full amount of the delinquent balance plus interest shall be paid within 12 months and if the applicant or account holder agrees to pay the initial monthly installment.”

5. Around December 17, 2026, the Company received Complainants' medical certificate, indicating Complainants have a qualifying medical condition but stated loss of electric service was not life-threatening.² The Company placed the account on a 30-day collection moratorium for the medical condition and issued the Medical Certificate Confirmation.³

6. On January 17, 2026, Complainants' initial 30-day medical certificate expired. Complainants did not establish a payment arrangement and made no payments sufficient to cure the account balance prior to the medical certificate's expiration.

7. On January 23, 2026, the Company mailed Complainants a Past Due Notice.⁴ The Company issued a billing statement reflecting the past-due balance, providing a disconnection date of February 5, 2026 if payment was not received.

8. Because Complainants made no payment or contact with the Company after the Past Due Notice, the Company issued a Final Notice to Complainants on January 29, 2026, warning that service would be disconnected after February 5, 2026 due to nonpayment and explaining all available options for Complainants.⁵

9. On February 12, 2026, the Company conducted a Final Field Notice, where a Company representative provided physical notice, on-site to a member of Complainants' household for pending disconnection due to non-payment.

10. On February 13, 2026, the Company conducted a courtesy phone call to Complainants, which is an automated call to the primary phone number on Complainants' file to inform Complainants of the pending disconnection for non-payment.

² Confidential Attachment A – LaCoss Medical Certificate.

³ Confidential Attachment B – 12.17.25 Medical Certificate Confirmation Letter.

⁴ Confidential Attachment C – Past Due Notice.

⁵ Confidential Attachment D – Final Notice.

11. On February 15, 2026, Complainants contacted the Company. During the phone call, the Company explained Complainants' account balance and advised Complainants to submit a new medical certificate in order to temporarily stop disconnection of serviced for non-payment.⁶ Complainants explained they would obtain and submit a medical certificate to the Company and contact the Home Energy Assistance Target Program ("HEAT").⁷

12. On February 16, 2026, Complainants contacted the Company again requesting the Company refrain from disconnecting service due to non-payment. The Company representative advised Complainants again to obtain and submit a medical certificate to temporarily stop disconnection. Complainants said they understood.

13. On February 17, 2026, around 3:00 pm, the Company disconnected service in compliance with its tariffs, as the required disconnection notices had been issued, there was no payment or pledge from HEAT, and no new medical certificate on file.

14. Later that day, Complainants contacted the Company multiple times, stating their physician submitted a medical certificate and checking the status of whether the Company received the medical certificate.

15. The Company did not receive Complainants' medical certificate until after close of business on February 17, 2026. Subsequently, the Company issued a request to reconnect service with no payment or reconnection fee. The Company informed Complainants that the Company would reconnect service within 24 hours.

⁶ Under Utah Administrative Rule 746-200-7(D)(1), if a public utility receives a serious illness or infirmity statement, the public utility shall continue to restore residential utility service for the period set forth in the statement or one month, whichever less... and the public utility is not requires to provide continuation of service or restoration for more than two times to an individual customer or residence during the same calendar year.. and the account holder is liable for the cost of residential utility service during the period of continued or restored service.

⁷ To qualify for Schedule 3, a customer must meet income qualification guidelines for the Utah Home Energy Assistance ("HEAT") Program. The HEAT Program is administered by the Utah Department of Workforce Services ("DWS"), not the Company. For more information, please visit: [Home Energy Assistance Target](#).

16. The Company reconnected service on the morning of February 18, 2026, around 10:00 am. Despite reconnection, the account continues to carry a significant balance. The Company also issued a Medical Certificate Confirmation, which states the Medical Certificate is approved through March 18, 2026.⁸

17. On March 3, 2026, Complainants filed an Informal Complaint with the Division of Public Utilities (“DPU”), requesting compensation for the Company’s alleged negligence.

18. On March 6, 2026, the DPU closed the Informal Complaint after the Company explained the factual background and the continued efforts the Company is making to work with Complainants.

19. On March 10, Complainant filed the Complaint, requesting \$40,000 in compensation and alleging the Company was negligent with Complainants’ life, causing mental anguish.⁹

MOTION TO DISMISS

20. 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 granted.

21. In the Complaint, Complainant alleged the Company should not have disconnected power for multiple reasons, including a claim that the Company had Complainants’ 12-month medical forms on file for five years.

⁸ Confidential Attachment E – 2.18.26 Medical Certificate Confirmation Letter.

⁹ *Formal Complaint of Thomas and Kimberly LaCoss against Rocky Mountain Power*, Docket No. 26-035-13, Formal Complaint (March 10, 2026).

22. The Company honored each medical certificate submitted by Complainants upon receiving the medical certificates. Subsequently, the Company provided written confirmation of the applicable 30-day extensions and refrained from disconnection during those periods in accordance with Utah Administrative Rule 746-200-7(D)(1).

23. In the Complaint, Complainant argues the Company has had a medical certificate on file since December 2025. However, Complainants' medical certificate expired after 30 days, on January 17, 2025. The Company advised the Complainants that the medical certificate would expire, that Complainants are still responsible for paying their bill each month, and that having a medical certificate does not guarantee Complainants' electricity will not be disconnected for non-payment.¹⁰

24. Furthermore, upon receipt of a new medical certificate after disconnection on February 17, 2026, the Company responded swiftly and restored service in less than 24 hours. Complainants fail to cite any requirements of the Company to maintain service indefinitely in the absence of payment.

25. The Company repeatedly attempted to work with Complainants to provide payment plans and communicate impending disconnects due to non-payment. After expiration of Complainants' medical certificate on January 17, 2026, and issuance of both a past-due billing statement and Final Notice, the Company believes it was authorized to disconnect service due to non-payment.

¹⁰ Confidential Attachment E – 2.18.26 Medical Certificate Confirmation Letter.


26. The Company requests the Commission dismiss the Complaint with prejudice because Complainant has failed to show the Company violated any provision of law, Commission order or rule, or Company tariff for which relief can be granted.

CONCLUSION

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

Dated this 8th day of April 2026,

ROCKY MOUNTAIN POWER



Katherine Smith (18823)
1407 West North Temple, Suite 320
Salt Lake City, Utah 84116
Telephone No. (435) 776-6980

Attorney for Rocky Mountain Power

CERTIFICATE OF SERVICE

Docket No. 26-035-13

I hereby certify that on April 8, 2026, a true and correct copy of the foregoing was served by electronic mail to the following:

Utah Office of Consumer Services

Michele Beck mbeck@utah.gov
ocs@utah.gov

Division of Public Utilities

dpudatarequest@utah.gov

Assistant Attorney General

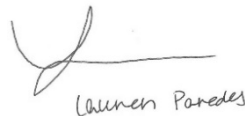
Patricia Schmid pschmid@agutah.gov
Robert Moore rmoore@agutah.gov
Patrick Grecu pgrecu@agutah.gov

Complainant

Thomas and Kimberly LaCoss neckus44444@yahoo.com

Rocky Mountain Power

Data Request Response Center datareq@pacificorp.com
Jana Saba jana.saba@pacificorp.com
utahdockets@pacificorp.com
Max Backlund max.backlund@pacificorp.com
Katherine Smith Katherine.smith@pacificorp.com



Lauren Paredes

Lauren Paredes
Coordinator, Regulatory Operations

CONFIDENTIAL ATTACHMENTS A, B, C, D & E
ARE CONFIDENTIAL IN THEIR ENTIRETY AND ARE
PROVIDED UNDER SEPARATE COVER