

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Formal Complaint of Thomas and
Kimberly LaCoss against Rocky Mountain
Power

DOCKET NO. 26-035-13
ORDER DISMISSING COMPLAINT

ISSUED: August 17, 2026

1. Procedural History

On March 10, 2026, Thomas and Kimberly LaCoss ("Complainants") filed a formal complaint ("Complaint") with the Public Service Commission (PSC) against Rocky Mountain Power (RMP). The PSC issued a Notice of Filing and Comment Period ("Notice") on March 11, 2026, allowing RMP to file a response by April 9, 2026, and Complainants to file a reply by April 24, 2026.

RMP filed an Answer and Motion to Dismiss ("Motion") on April 8, 2026. Complainants did not timely file a reply in support of their Complaint or response to RMP's Motion. On May 12, 2026, Complainants submitted a request for additional time ("Request"), explaining their "responses were going to the incorrect email." RMP did not file a response to Complainants' Request.

On June 1, 2026, the PSC issued its Order Granting Request for Extension of Time, allowing Complainants to file a reply in support of their Complaint and response to RMP's Motion by June 16, 2026.

Notwithstanding the extension, Complainants have not filed any reply in support of their Complaint or response to RMP's Motion.

2. The Complaint

Complainants allege they received a 48-hour notice on their front door from RMP on Thursday, February 12, 2026, stating RMP would disconnect their service for lack of payment. Complainants allege they made a payment of \$200.00 to RMP on Saturday, February 14, 2026.

Complainants state RMP disconnected their service on February 17, 2026, at 3:10 p.m. Complainants allege they called their doctor's office immediately and inquired whether the office had sent a medical certificate to RMP as Complainants had requested. Complainants allege the doctor's office told them it had not yet been faxed. After Complainants emphasized it was an emergency and the certificate needed to be sent as soon as possible, Complainants allege the doctor's office faxed the form to RMP at 4:00 p.m. Complainants state they subsequently called RMP and were told at 4:50 p.m. that RMP had received the certificate but would not restore service until the following day.

Complainants allege RMP reconnected their service the following morning on February 18, 2026, around 11:00 a.m.

Complainants emphasize that one of them relies on oxygen and CPAP machines, and the disconnection caused them considerable distress. They request the PSC award them \$40,000 in damages.

3. RMP's Motion

RMP's Motion alleges, as of December 2025, Complainants' account balance exceeded \$6,400. On December 16, 2025, Complainants contacted RMP to inquire about a payment plan, and RMP advised them that a payment plan was available but that a payment of one-twelfth of the outstanding balance is required to establish a payment plan consistent with Electric Service Regulation No. 10(6). RMP alleges, on or about December 17, 2025, Complainants requested a medical certificate form, which RMP promptly provided, explaining such a certificate does not eliminate payment obligations and does not permanently prevent disconnection for non-payment.

RMP states it received Complainants' medical certificate on or about December 17, [2025], and RMP placed the account on a 30-day collection moratorium and issued a medical certificate confirmation, noting Complainants' certificate verified the existence of a qualifying medical condition but stated that loss of electric service was not life-threatening.

RMP's Motion explains the 30-day medical certificate expired on January 17, 2026, and Complainants had not established a payment arrangement nor made payments sufficient to cure the account balance. RMP states it mailed a past due notice to Complainants on January 23, 2026, indicating disconnection would occur on February 5, 2026, unless RMP received payment. "Because Complainants made no

payment or contact with [RMP] after the Past Due Notice, [RMP] 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.”¹

RMP represents that on February 12, 2026, it conducted a final field notice, providing physical notice, on-site to a member of Complainants’ household for pending disconnection. RMP states it also made a courtesy phone call through an automated system to the phone number associated with the account.

RMP alleges Complainants contacted RMP three days later, on February 15, 2026, and RMP explained Complainants’ account balance and advised them to submit a new medical certificate in order to temporarily abate disconnection of service for non-payment. RMP states Complainants represented they would obtain and submit the medical certificate and would contact the Home Energy Assistance Target Program (HEAT), a program the Utah Department of Workforce Services administers.

RMP states Complainants contacted RMP again on February 16, 2026, requesting it refrain from disconnecting service, and RMP again advised them to obtain and submit a medical certificate.

RMP affirms it disconnected Complainants’ service on February 17, 2026, at approximately 3:00 p.m., arguing the disconnection was in full compliance with its

¹ Motion at 3.

tariffs, as it had issued the required disconnection notices, received no payment or pledge from HEAT, and received no new medical certificate. RMP states Complainants contacted it multiple times that day, stating their physician submitted a medical certificate and checking the status as to whether RMP had received it.

RMP represents it received the medical certificate only after close of business on February 17, 2026. RMP states it informed Complainants that service would be restored within 24 hours and reconnected service on February 18, 2026, around 10:00 a.m.

4. Discussion, Findings, and Conclusions

As an initial matter, the PSC appreciates that Complainants' overnight service disconnection caused them distress. However, the PSC has no jurisdiction over civil claims nor authority to award compensatory damages. Therefore, even if the PSC found RMP violated applicable law, it could not award Complainants the relief they seek.

Rule 746-200-7 ("Rule") of the Utah Administrative Code governs termination of utility service for lack of payment, imposing notice requirements for any termination and additional protections for customers that have provided a statement from a physician indicating the customer has a serious illness or infirmity or requires life-supporting equipment.

Having reviewed the Complaint and Motion, the PSC finds no allegation suggesting RMP failed to comply with any applicable provision of the Rule. Similarly, the PSC finds no allegation that RMP violated any other applicable regulation, statute, tariff provision, or order of the PSC.

5. Order

For the foregoing reasons, the Complaint is dismissed.

DATED at Salt Lake City, Utah, August 17, 2026.

/s/ Michael J. Hammer
Presiding Officer

Approved and confirmed August 17, 2026, as the Order of the Public Service Commission of Utah.

/s/ Jerry D. Fenn, Chair

/s/ David R. Clark, Commissioner

/s/ John S. Harvey, Ph.D., Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#346464

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this written order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 30 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on August 17, 2026, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

Thomas and Kimberly LaCoss (neckus44444@yahoo.com)

Data Request Response Center (datareq@pacificorp.com)
(customeradvocacyteam@pacificorp.com)

PacifiCorp

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Office of Consumer Services

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Lead Paralegal