

September 14, 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. 26-035-36—Formal Complaint of Tyeller Brownlee 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 August 14, 2026, Rocky Mountain Power ("Company") hereby submits for filing its Answer and Motion to Dismiss in the above referenced matter. Confidential materials have been uploaded to the Commission's SFTP site and are provided in accordance with Commission Rule R746-1-602 and 603.

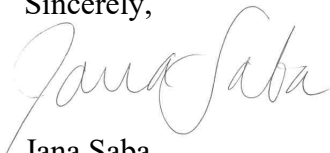
The Company respectfully requests that all formal correspondence and requests for additional information regarding this filing be addressed to the following:

By E-mail (preferred): datarequest@pacificorp.com
max.backlund@pacificorp.com
zachary.rogala@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

CERTIFICATE OF SERVICE

Docket No. 26-035-36

I hereby certify that on September 14, 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

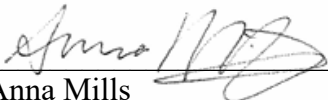
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Attorney for Rocky Mountain Power

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Formal Complaint of Tyeller Brownlee against Rocky Mountain Power	Docket No. 26-035-36 Answer and Motion to Dismiss
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1. 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”) the formal complaint (“Complaint”) filed by Tyeller Brownlee (“Complainant”) with the Public Service Commission of Utah (“Commission”), and 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.

2. Communications regarding this Docket should be addressed to:

By e-mail (preferred): datarequest@pacificorp.com
max.backlund@pacificorp.com
zachary.rogala@pacificorp.com

By mail: Data Request Response Center
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ANSWER

3. Rocky Mountain Power has provided Complainant with Schedule 1 Residential Service¹ at the address listed in the Complaint since May of 2025. Shortly after taking service, Complainant's account became delinquent for non-payment.

4. Approximately one year later, on April 20, 2026, service was disconnected for nonpayment of \$ [REDACTED] that had accrued over the prior 6 months. That day, Complainant re-established service after Rocky Mountain Power received a partial payment of \$ [REDACTED] of past due balances.

5. Three weeks later, on May 15, 2026, Rocky Mountain Power again disconnected service for nonpayment of \$ [REDACTED]

6. On May 15 and May 16, 2026, two separate individuals besides Complainant attempted to establish service at the same residence. Neither of these service requests were fulfilled based on subsequent service requests from Complainant on May 16, 2026. On that date, Complainant again re-established service after Rocky Mountain Power received a partial payment of \$ [REDACTED] of past due balances. At the request of the Complainant, Rocky Mountain Power and Complainant entered into a six-month payment agreement for the remaining balance of \$ [REDACTED].

¹ Rocky Mountain Power's Schedule 1 is available [here](#).

7. On May 19, 2026, Complainant's first payment of \$[REDACTED] was returned to the customer because the customer stopped payment.

8. On May 22, 2026, Rocky Mountain Power received another payment of \$[REDACTED] to partially address past due balances. On May 28, 2026, Complainant's second payment of \$[REDACTED] was again returned as the Complainant closed the bank account.

9. Due to Complainant's inability to provide a \$[REDACTED] down payment on the six-month payment plan, Rocky Mountain Power terminated the payment plan for nonpayment on June 19, 2026.

10. On July 21, 2026, Rocky Mountain Power sent Complainant a Past Due notice indicating \$[REDACTED] of unpaid balances.² This Past Due Notice provided Complainant notice of various actions Complainant could take to avoid service disconnection. These actions included paying the past amount, discussing payment arrangements, or hiring a qualified medical professional to establish a medical exemption from service disconnection, as well as indicated Rocky Mountain Power's winter moratorium on service disconnection policy.³ Relevant here, this notice also provided a detailed statement of Complainant's Rights and Responsibilities as a utility customer, including that Rocky Mountain Power will: offer at least one 12 month Time Payment Plan if a customer has a financial emergency; and follow specific procedures for service disconnection which include providing notice postmarked at least 10 days before service is disconnected.⁴

11. On July 23, 2026, Rocky Mountain Power received a payment of \$[REDACTED] from Complainant.

² Confidential Attachment A.

³ *Id.* at 3.

⁴ *Id.* at 4.

12. On July 28, 2026, Rocky Mountain Power sent Complainant a Final Notice indicating that Rocky Mountain Power must receive an unpaid balance of \$ [REDACTED] by August 4, 2026, to avoid service disconnection.⁵ Similar to the prior Past Due Notice, this Final Notice provided Complainant with various actions required to avoid service disconnection. This included paying the past amount, discussing payment arrangements, or hiring a qualified medical professional to establish a medical exemption from service disconnection, as well as indicated Rocky Mountain Power's winter moratorium on service disconnection policy.⁶

13. On August 7, 2026, Rocky Mountain Power sent Complainant a Final Field Notice that indicated that service could be disconnected as early as August 10, 2026, if Rocky Mountain Power did not receive payment of Complainant's unpaid balance.

14. On August 11, 2026, Rocky Mountain Power received notice of the informal complaint from the Division of Public Utilities, and formal complaint on August 12, 2026.

15. As of August 13, 2026, Complainant's unpaid balance is currently \$ [REDACTED]. Rocky Mountain Power has suspended its disconnection operations at Complainant's address, pending resolution of this Complaint.

MOTION TO DISMISS

16. The Company requests the Commission dismiss this Complaint with prejudice under Utah Rule of Civil Procedure 12(b)(6) and Utah Code Ann. § 54-7-9, because the 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, nor has the Complaint satisfied the requirements to assert a valid claim of unreasonable rates or charges.

⁵ Confidential Attachment B.

⁶ *Id.* at 2.

17. Utah provides the Commission with at least two opportunities to review complaints against public utilities: (a) when a utility has violated any provision of law, order, or rule of the Commission; or (b) when a utility rate or charge is unreasonable.⁷

18. The Complainant does not satisfy either standard.

19. The Complainant alleges that Rocky Mountain Power “shut the door on negotiations” to address his unpaid balance.⁸ Read liberally, Complainant asserts a violation of Rocky Mountain Power’s disconnection or repayment policies.

20. Complainant’s allegations are factually unsupported. The Commission has provided Rocky Mountain Power with the power to terminate service to residential customers when accounts are delinquent,⁹ and provides specific procedures that the Company must follow prior to doing so.¹⁰

21. The Company adhered to these Commission-approved tariffs regarding its interactions with Complainant. Relevant here, Rocky Mountain Power has endeavored in good faith discussions over at least a six-month period to establish a reasonable and modest payment plan with Complainant. This included establishing a six-month payment plan with Complainant. Yet Complainant was unable to satisfy the conditions of the payment plan, as the plan required a deposit of (\$[REDACTED]). While Complainant ostensibly paid this deposit to Rocky Mountain Power in two separate occasions in May of 2026, both deposits were either refunded or canceled by Complainant before Rocky Mountain Power could receive these funds. Rocky Mountain Power

⁷ *E.g.*, Utah Code Ann. § 54-7-9(1)-(3).

⁸ Informal Complaint, at 2 (“Because Rocky Mountain Power has shut the door on negotiations and I am facing an imminent utility emergency with no ability to pay upfront, I am requesting that the Division of Public Utilities intervene.”).

⁹ Rocky Mountain Power Electric Service Regulation No. 10 (available [here](#)), Original Sheet No. 10R.2,§2(a) (“A residential utility service bill which has remained unpaid beyond the statement due date is a delinquent account. When an account is a delinquent account, the Company, before termination, will issue a written late notice to inform the account holder of the delinquent status.”).

¹⁰ *E.g.*, *Id.* at Original Sheet No. 10R.2-8.

has also delayed moving forward with scheduled disconnections of service pending further discussions with Brownlee beginning in June; and to this day, Brownlee continues to receive power from Rocky Mountain Power, despite accruing over a year-and-a-half of unpaid bills.

22. This conduct indicates that Complainant has not been willing or able to implement prior payment plans. Rocky Mountain Power has not “shut the door on negotiations,” rather Complainant’s balance remains outstanding, and he has indicated he has no means to either repay Rocky Mountain Power services already provided, or for services to be provided in the future.

23. As Rocky Mountain Power has not violated any Utah law, regulation, Commission order, or Rocky Mountain Power tariff, and Rocky Mountain Power has worked in good faith to resolve Complainant’s unpaid balances for the better part of a year, the Commission should dismiss the Complaint for failure to state a claim where relief could be granted.

CONCLUSION

24. The Company respectfully requests the Commission dismiss the Complaint with prejudice.

Dated this 14th day of September, 2026,

/s/ Zachary Rogala
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Salt Lake City, Utah 84116
(435) 319-5010

Attorney for Rocky Mountain Power

CONFIDENTIAL ATTACHMENT A & B

ARE CONFIDENTIAL IN ITS ENTIRETY AND IS PROVIDED UNDER SEPARATE
COVER