

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Request of Utah)
Power and Light for an Exemption to)
the Deposit Criteria for Bryan Scott)

DOCKET NO. 05-035-28

ORDER

ISSUED: May 12, 2005

SYNOPSIS

The Public Service Commission of Utah grants Utah Power and Light's request for an exemption from the security deposit criteria specified in the Company's Schedule 300 and authorizes UP&L to charge a \$500.00 security deposit to Bryan Scott.

By The Commission:

On April 19, 2005, Utah Power and Light ("UP&L" or "Company") requested exemption from its Electric Service Schedule No. 300 in accordance with Section 1(b) of Electric Service Regulation No. 9 in order to charge Mr. Bryan Scott a \$500.00 security deposit. UP&L noted that Schedule 300 establishes the amount of a security deposit as the lesser of the estimated sixty-day peak billing period at the customer premises or \$150.00. However, UP&L stated that Mr. Scott currently has a past due balance with UP&L of \$4052.91 and has eleven returned checks on file with the Company. UP&L further stated that the deposit amount based on the sixty-day peak billing period would be \$535.00. UP&L claims that a \$150.00 deposit would not provide adequate assurance of payment, given Mr. Scott's history with the Company and the approximately sixty-day lag between use of service and the Company's ability to terminate service.

UP&L Electric Service Regulation No. 9 section 1(b) provides that UP&L "may apply to the Public Service Commission of Utah for an exemption to the deposit criteria specified in Schedule 300 to allow the Company to charge a larger security deposit than the amount specified in Schedule 300." Based upon the foregoing information, we conclude that the requested exemption is in the public interest. Noting that the requested security deposit amount is slightly less than the sixty-day peak billing period amount for Mr. Scott's premises, we find UP&L's request to be

reasonable under the circumstances.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. Utah Power and Light's request for an exemption from the requirements of Schedule 300 is in the public interest and is approved. Utah Power and Light is authorized to assess Mr. Bryan Scott a \$500.00 security deposit as requested. Pursuant to Utah Code 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission 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 Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission'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 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah this 12th day of May, 2005.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

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