

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Ismet Ruznic vs. Rocky Mountain Power) DOCKET NO. 06-035-115
) REPORT AND ORDER
)

ISSUED: November 16, 2006

SYNOPSIS

Complainant having failed to show any violation of Respondent's published tariffs or of the applicable statutes and Commission rules, we dismiss.

By The Commission:

On September 18, 2006, Complainant Izmet Ruznic filed a formal complaint against Respondent Rocky Mountain Power disputing the basic charge, customer efficiency charge, Home Electric Lifeline charge, and seasonal rates levied by Respondent on Complainant's monthly bill.

On October 2, 2006, the Division of Public Utilities ("Division") filed a memorandum detailing its investigation of this matter and recommending the Commission dismiss the same based on its conclusion that Respondent has violated no provision of statute, rule, or tariff.

On October 18, 2006, Respondent filed a memorandum arguing all of the disputed charges have been levied in accordance with Commission orders and requesting dismissal of the complaint.

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There are no disputed facts in this matter. We will therefore address Respondent's request for dismissal based upon the pleadings on file.

In Docket No. 03-035-09, the Commission dealt with a complaint regarding the Lifeline Electric Service Rate ordered and approved in Docket Nos. 99-035-10 and 00-035-T07. In our Report and Order of September 2, 2003, in Docket No. 03-035-09, the Commission concluded the Lifeline "charges imposed on Complainant are lawful, and [Rocky Mountain Power] is entitled to collect the same. The complaint must be dismissed."

Similarly, Complainant herein has provided no evidence to indicate that the charges complained of are unlawful or have been wrongly levied. Indeed, we find that each of the charges complained of has been previously approved by the Commission and that Rocky Mountain Power is entitled to levy these charges as alleged. Based upon the pleadings, we conclude that Rocky Mountain Power has violated no provision of tariff, regulation or statute and therefore determine to dismiss the complaint.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The complaint filed herein is dismissed.
2. Pursuant to *Utah Code Annotated* §§ 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

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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 Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 16th day of November, 2006.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#51356