

-BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH-

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In the matter of the Request of Utah Power ) DOCKET NO. 06-035-12  
and Light for an Exemption from the )  
Security Deposit Criteria for BRUCE and )  
TAMMY LEE ) REPORT AND ORDER  
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ISSUED: February 1, 2006

By The Commission:

On January 11, 2006, Utah Power and Light (“Utah Power”) filed a request pursuant to its Electric Service Regulation No. 9 seeking exemption from the security deposit criteria contained in Electric Service Schedule No. 300 to permit Utah Power to charge Respondents Bruce and Tammy Lee a security deposit in the amount of \$300.00. Utah Power bases its request on Respondents’ failure to pay for electric service rendered, checks returned for non-sufficient funds, repeated bankruptcy filings, and analysis of Respondent’s account indicating a 60-day peak billing of approximately \$300.00.

Utah Power’s Electric Service Schedule No. 300 establishes the amount of a security deposit that may be charged by Utah Power as the lesser of the customer’s estimated 60-day peak billing at the premises or \$150.00. Electric Service Regulation No. 9, section 1(b), authorizes Utah Power to apply to the Commission for an exemption permitting Utah Power to charge an amount larger than that specified in Schedule 300. Utah Power claims the \$150.00 deposit cap is not sufficient to provide adequate assurance of payment given the above-noted

circumstances and the approximate 60-day lag between Respondents' use of service and Utah Power's ability to disconnect service. Respondents have failed to respond to Utah Power's request.

Therefore, based upon the foregoing information, and for good cause appearing, the Administrative Law Judge enters the following proposed

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. Utah Power and Light's request for exemption from its security deposit criteria to permit it to charge a security deposit of \$300.00 to Respondents BRUCE and TAMMY LEE is approved.
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 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.

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DATED at Salt Lake City, Utah, this 1<sup>st</sup> day of February, 2006.

/s/ Steven F. Goodwill  
Administrative Law Judge

Approved and Confirmed this 1<sup>st</sup> day of February, 2006, as the Report and Order  
of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

G#47521