

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Formal Complaint of )  
Joann Allen against Rocky Mountain Power )      DOCKET NO. 08-035-34  
    )  
    )      REPORT AND ORDER DISMISSING  
    )      COMPLAINT  
    )

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ISSUED: May 27, 2008

By The Commission:

On March 26, 2008, Complainant Joann Allen filed a formal complaint against Respondent Rocky Mountain Power complaining that Respondent spends money on Utah Jazz tickets and other advertising, and seeking a halt to all paid advertising by public utilities.

On April 16, 2008, Respondent filed a memorandum noting revenues from customer rates are not used to support sponsorships. Instead, promotions like those with the Utah Jazz are charged as a shareholder expense. Furthermore, ratepayer dollars are only used for customer education efforts and Utah utility regulators regularly review Respondent's expenses and limit charges in customer rates to legitimate costs of providing service to customers. Respondent therefore requests this matter be dismissed.

On April 18, 2008, the Division of Public Utilities ("Division") filed a memorandum detailing its investigation of this matter and recommending dismissal of the same since Respondent has violated no applicable statutory, regulatory, or tariff provision.

Since there appears to be no factual dispute requiring an evidentiary proceeding, the Administrative Law Judge ("ALJ") proposes to dispose of this matter without further proceedings. Having reviewed all filings in this matter, the ALJ concludes Complainant has

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failed to state a claim upon which relief can be granted and therefore recommends this matter be dismissed.

Wherefore, 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:

The complaint filed herein is dismissed.

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 27<sup>th</sup> day of May, 2008.

/s/ Steven F. Goodwill  
Administrative Law Judge

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Approved and Confirmed this 27<sup>th</sup> day of May, 2008, as the Report and Order of  
the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary  
G#57513