

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In Re Complaint of)
DAVID and LESLIE FURBUSH,)
Complainant)
vs.)
UTAH POWER & LIGHT CO.,)
Respondent)

DOCKET NO. 99-035-03
REPORT AND ORDER

ISSUED: May 31, 2000

SYNOPSIS

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

Appearances:

John M. Eriksson For UTAH POWER & LIGHT CO.

By the Commission:

PROCEDURAL HISTORY

Complainants above-named filed their complaint April 23, 1999, and Respondent filed its answer, together with a motion to dismiss, May 24, 1999. In its answer, Respondent avers that Complainant has made full payment and Respondent has restored power rendering the matter moot. Since Complainant has not pursued the matter since the filing of the answer, we can only assume Respondent's assertion is true. Since Complainants have received the only relief the Commission could afford them, we conclude the matter is moot and enter the following ORDER

WHEREFORE, IT IS HEREBY ORDERED that:

The complaint of DAVID and LESLIE FURBUSH against UTAH POWER & LIGHT CO. be, and the same hereby is, dismissed.

If DAVID and LESLIE FURBUSH wishes to proceed further, DAVID and LESLIE FURBUSH may file a written petition for review within 20 days of the date of this Order. Failure so to do will preclude the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 31st day of May, 2000.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary