



She later requested service at a residence in Taylorsville but was denied because of the amount owing for stolen services. Ms. Ortiz again claimed she did not owe the amount because Judge Atherton had dismissed the amount before closing her case. The Company asked for proof of that claim and Ms. Ortiz faxed a copy of the court docket. The court docket, however, mentioned her case was closed, but explicitly stated the restitution needed to be paid.

After Ms. Ortiz filed an informal complaint, the Company offered a payment arrangement, where she would pay \$108 a month on the balance owing, commencing September 2010 and continuing until the balance was satisfied. Ms. Ortiz declined to enter into the agreement.

Ms. Ortiz was again offered a payment agreement, but declined to enter into such an agreement claiming she did not owe the amount, again faxing copies of the Court docket to the Company. Again, however, the minute entry stated the case as closed, but explicitly stated the restitution was still owed pursuant to the civil judgment.

The Division of Public Utilities (Division) submitted its recommendation on October 13, 2010. It could find no evidence to substantiate Ms. Ortiz's claims that she did not owe the debt. The Division did state that it disapproved of Questar's provision of service to Ms. Ortiz despite her outstanding debt, without attempting to collect on the debt, but found no violation of statute, rule or tariff. It recommended dismissal.

Based on the evidence provided by the parties, the formal complaint should be dismissed. The Commission finds no evidence the Company violated any statute, rule, or tariff in refusing to provide new service to Ms. Ortiz without her satisfaction of the outstanding debt owed for stolen services.

ORDER

1. The formal complaint is dismissed;
2. The Company shall be free to pursue the outstanding debt through any legal means of collection;
3. Pursuant to Sections 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the Commission within 30 days after the issuance of this 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 does not grant a request for review or rehearing within 20 days after the filing of the request, 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 Sections 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 26<sup>th</sup> day of October 2010.

/s/ Ruben H. Arredondo  
Administrative Law Judge

DOCKET NO. 10-057-14

- 4 -

Approved and confirmed this 26<sup>th</sup> day of October, 2010, as the Order of Dismissal  
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#69295