

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>FORMAL COMPLAINT OF MARY DRAKE AGAINST ATLANTA POWER COMPANY, INC.</b>	) ) ) )	CASE NO. <i>ATL-E-21-01</i>  <b>AFFIDAVIT OF MARIA BARRATT- RILEY</b>
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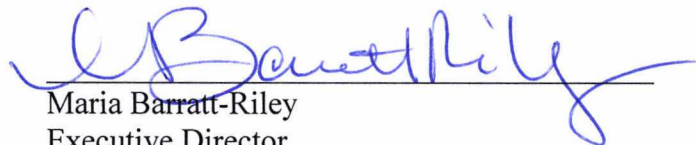
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STATE OF IDAHO     )  
                                 ss.  
 County of Ada     )

I, Maria Barratt-Riley, being first duly sworn under oath, depose and state as follows:

1. I have personal knowledge of the facts stated in this affidavit.
2. The information contained herein is true and correct to the best of my knowledge and belief.
3. I am the Executive Director at the Idaho Public Utilities Commission (the "Commission").
4. In my position I am aware that Atlanta Power Company, Inc. ("Company") has failed to file its Gross Intrastate Operating Revenue (GIOR) reports for 2020 and 2021. Further, the Company has failed to pay its annual assessment for 2020 and 2021.
5. I have also verified that the Company has failed to file an annual report with the Commission since 2007.
6. Last, the 2021 assessment invoice sent to the Company by the Commission Staff to two different addresses that the Company provided to the Commission have been returned as undeliverable.

Dated this *19<sup>th</sup>* day of August 2021.



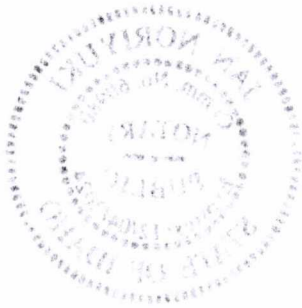
\_\_\_\_\_  
 Maria Barratt-Riley  
 Executive Director  
 Idaho Public Utilities Commission

SUBSCRIBED AND SWORN to before me this 19th day of August 2021.



Jan Noriyuki  
Notary Public for Idaho  
Residing at: Boise  
Commission expires: 12-4-2024

Handwritten notes and scribbles, including the number '200' and some illegible text.



Name: Mary Drake  
Email: [flute.md@gmail.com](mailto:flute.md@gmail.com)  
Telephone: 2088642171  
Address: 72 E PINE ST  
ATLANTAID,83716

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IDAHO PUBLIC  
UTILITIES COMMISSION

Name of Utility Company: Atlanta Power Company Contacted Utility: Yes

Complaint: Mary E. Drake  
72 E. Pine  
Atlanta, Idaho 83716

Idaho Public Utilities Commission  
472 W. Washington  
Boise, Idaho 83702

Dear Commissioners:

Please consider this a formal complaint against Atlanta Power Company for failing to fulfill their lawful duty of providing and maintaining adequate services of electricity to the town of Atlanta, Idaho, per Idaho Statute 61-301. The Statute reads: "DUTIES OF PUBLIC UTILITIES 61-302. MAINTENANCE OF ADEQUATE SERVICE. Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable."

I have been a resident of Atlanta, Idaho for 20 years. I have experienced the change of ownership of the Atlanta Power Company. I am also aware of previous complaints about the services provided by the company, and the ensuing Final Order of May 13, 2010. There is plenty of historical evidence that shows there has been a problem with Atlanta Power Company outages for many years.

This complaint, today, is to inform you that Atlanta Power Company is NOT DOING WHAT they agreed to do per the Final Order dated May 13, 2010 (Order # 31086) in which It states: "It is further ordered that Atlanta Power Company continue to monitor the power concerns. If the power concerns are not mitigated, then the staff and company will advise the commission on appropriate course of action." It has been 7 years since this order, and the power outages still occur. Many people have complained to the PUC, yet no action is taken. This complaint poses the question: Why is the Atlanta Power Company not being held accountable to uphold its duties as a utility provider by the PUC? Please, we need help!

Also, after an investigation into Atlanta Power Company by PUC in February, 2005, Order #29706, it states that "It appears Dave Gill's availability has changed. He is available in Atlanta for immediate system repairs most of the time." This is NO LONGER TRUE. Dave Gill no longer lives in Atlanta, Idaho. Hence, this formal complaint, filed here, now is:

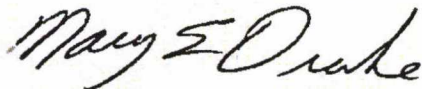


1. There continues to be frequent power outages in Atlanta, Idaho.
2. Power outages HARM the safety of Atlanta residents, due to needing access to electronics for emergencies, drinking water (for those with electronic water pumps), and access to healthy food (refrigerators go out and food spoils during outages).
3. There is no one in town who knows how to fix the system when the owner of Atlanta Power Company (Israel Ray) is out of town.
4. Israel Ray does not hire anybody to be available to diagnose problems and fix problems during outages.
5. Although there is a generator up here, in Atlanta, it does not function in cold weather, due to diesel fuel.
6. Israel Ray, as owner of Atlanta Power Company is not fulfilling his lawful duty as a utility company per statute 61-302 which states: DUTIES OF PUBLIC UTILITIES: 61-302. MAINTENANCE OF ADEQUATE SERVICE. Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable." Evidence that demonstrates Failure to comply with this statute includes, but not limited to:
  - a. There is no telephone number to call for assistance when the power goes out in Atlanta, Idaho. The number to call is Israel's, and the message inbox is ALWAYS FULL. No other number to call, or way to contact him or anybody who knows how to help during a power outage. This is blatant disregard for us, consumers, customers, residents of Atlanta, who pay our bills to Atlanta Power Company every month for services we EXPECT to receive in exchange!
  - b. Israel Ray leaves town and nobody has any way to contact him. He leaves town and is nowhere to be found during a power outage, nor has he trained anybody to help during his absence. This is simply irresponsible, and a blatant disregard for Statute 61-302.
7. After many, many years of problems with the power in Atlanta, Idaho, there seems to be no resolution. If something gets fixed, it's momentary. Granted, there is a generator up here now, but it doesn't start in the winter, and in the summer, it runs out of gas and we need to wait days before we get diesel gas up here. Therefore, the time is NOW to fix the problem!! When will this be resolved??

Please, please give attention to this formal complaint. The situation in Atlanta needs ATTENTION now! Israel Ray and The Atlanta Power Company need to be held accountable for their LACK of ACTIONS in adhering to the law for public utilities. For, I, myself am a paying customer, as are many others in this town and we simply WANT TO NOT HAVE TO DEAL WITH THE CONSTANT POWER OUTAGES and TOTAL LACK OF CUSTOMER CONSIDERATION, and the lack of ACCOUNTABILITY demonstrated by Israel Ray and the Atlanta Power Company.

Thank you for your action in this matter.

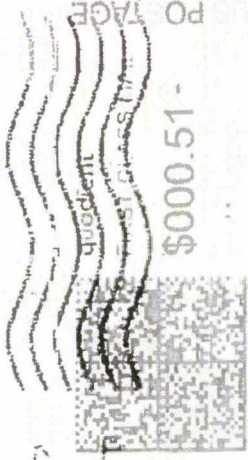
Sincerely,



Mary E. Drake

BOISE ID 83720

30 JUN 2021 PM 1



Idaho Public Utilities Commission  
P.O. Box 83720  
Boise, ID 83720-0074