

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF BRENDA CHARLES') CASE NO. IPC-E-26-11
FORMAL COMPLAINT AGAINST IDAHO)
POWER COMPANY) ORDER NO. 37057
)

On April 14, 2026, Brenda Charles emailed the Idaho Public Utilities Commission (“Commission”) secretary alleging that actions taken by Idaho Power Company (“Company”) against Ms. Charles violated provisions of the Idaho Administrative Procedure Act (“Email”). Email at 1. On April 29, 2026, the Commission issued Order No. 37017 conditionally dismissing Ms. Charles’ complaint and providing her with seven days to file an amended complaint that satisfies the relevant pleading requirements.

On May 6, 2026, Ms. Charles filed an amended formal complaint (“Amended Complaint”) with the Commission. Based on our review of the Amended Complaint and record, we issue this Final Order dismissing Ms. Charles’ Amended Complaint for failure to satisfy the relevant pleading requirements.

AMENDED COMPLAINT

I. Factual Allegations

Ms. Charles represented that on June 8, 2025, the Company charged approximately \$6,908.00 to her account. Amended Complaint at 1. Ms. Charles alleged that on June 10, 2025, the Company transferred additional charges to her account that resulted in a total amount of \$7,270.67 and that she disputed (“Charges”). *Id.* Ms. Charles explained that the Charges were for electric services to 2060 West Shy Creek Pl., Nampa, Idaho (“2060 West Shy Creek”). *Id.*

Ms. Charles’ argued she was not responsible for the Charges because she did not sign a contract, assume liability, and was not the account holder for 2060 West Shy Creek. *Id.* Ms. Charles claimed the Company did not provide her with notice of the Charges or of the Company’s intent to transfer the Charges to her name, until June 8, 2025, and June 10, 2025. *Id.* Ms. Charles filed copies of a payment arrangement notification, service termination notices, billing statements, account and service usage summaries, and a table of information with handwritten notes with the Amended Complaint.

II. Alleged Violations of Law

Ms. Charles alleged that the Company violated her rights under the Utility Customer Relations Rules (“UCRR”) (IDAPA 31.21.01 et seq.). *Id.* Specifically, Ms. Charles alleged that the Company violated her rights under IDAPA 31.21.01.206 (“UCRR 206”) because she claimed the Company did not provide her with notice of the Charges or of the Company’s intent to transfer the Charges. *Id.* Further, Ms. Charles claimed that the Company was violating IDAPA 31.21.01.308 (“UCRR 308”) by holding her liable for the Charges that she did not contract for and for “violating standards for determining customer liability.” *Id.*

III. Relief Requested

Ms. Charles requested that the Commission: (1) order the Company to remove the Charges from her account; (2) issue a formal finding that Ms. Charles was not responsible for the Charges; and (3) protect her utility service from being disconnected by the Company due to the Charges and the dispute between her and the Company. *Id.*

COMMISSION FINDINGS AND DECISION

The Commission has authority to adjudicate complaints alleging acts or omissions by public utilities that violate the law of a Commission order or rule. *Idaho Code* §§ 61-612, -618. Idaho Public Utilities Commission Rule of Procedure 54 (“Rule 54”) requires Formal Complaints to articulate the act or omission by the Company that is alleged to violate a statute, Commission order, or rule. IDAPA 31.01.01.054.02. Additionally, under Rule 54, a Formal Complaint must “[r]efer to the specific provision of statute, rule, order, notice, tariff or other controlling law that the utility or person has violated.” IDAPA 31.01.01.054.03.

The Amended Complaint stated that on June 8, 2025, and June 10, 2025, the Company transferred the Charges for 2060 West Shy Creek to Ms. Charles’ account. Amended Complaint at 1. Ms. Charles alleged that the Company’s actions violated UCRR 206. *Id.* Further, Ms. Charles requested the Commission find and issue an order establishing that she was not financially responsible for the Charges. *Id.* By detailing the act or omission of the Company that allegedly violated a Commission rule, when the act or omission allegedly occurred, and articulating what action should be taken by the Commission to resolve her complaints, we find that the Amended Complaint partially satisfies the requirements under *Idaho Code* § 61-612 and Rule 54.03.

However, under Rule 54.02, a Formal Complaint must “[f]ully state the facts constituting the acts or commissions of the utility...” Further, the Commission’s “procedural rules do not

contain a provision allowing unpleaded issues to be tried by consent; therefore, issues not raised in an initial or amended pleading are not properly before the PUC for determination.” *Edwards V. Idaho Pub. Utilities Comm’n*, 568 P.3d 107, 112 (Idaho 2025)). Thus:

[t]he Commission will not attempt to cure deficient pleadings by piecing together the facts alleged to determine how a complainant believes a utility’s acts or omissions may constitute a violation of an unspecified statute, rule, order, notice, tariff, or other controlling law. Moreover, because the Commission’s procedural rules do not allow unpleaded issues to be tried by consent, it is critical that a complainant explicitly assert and elucidate how a utility allegedly violated a specific legal provision.

Order No. 36739 at 1–2 (citing *Edwards*, 568 P.3d at 111). In short, the Commission cannot, and will not, attempt to cure deficient pleadings by synthesizing the underlying facts and circumstances, or assuming pieces of information, that a complainant does not clearly and expressly set forth in their complaint.

Regarding Ms. Charles’ contention that the Company violated UCRR 206, UCRR 206 concerns residential customers responsibility for service bills from a utility. IDAPA 31.21.01.206. The Commission finds that the Amended Complaint does not satisfy the pleading requirements for a Formal Complaint under Rule 54 because the Amended Complaint does not provide context and/or relevant factual evidence to support the allegations. While the Amended Complaint articulates acts by the Company that allegedly violate UCRR 206, and UCRR 206 governs customers responsibility for service bills, the Amended Complaint does not provide sufficient explanations as to why or how the Company’s acts of holding Ms. Charles liable for the Charges at 2060 West Shy Creek violates UCRR 206. By failing to provide sufficient explanations and supporting evidence, Ms. Charles is asking the Commission to supplement incomplete information in her allegations to determine why and how the Company’s actions violate UCRR 206. Only stating an applicable Commission rule without expounding on how a utility’s actions allegedly violate said rule does not satisfy the pleading requirements for a Formal Complaint under Rule 54.

Regarding Ms. Charles’ contention that the Company violated UCRR 308, UCRR 308 concerns the procedures for postponing termination of service when a utility receives a medical form by a qualified medical professional that establishes terminating service would adversely affect the health of a customer. IDAPA 31.21.01.308. UCRR 308 does not govern determining a customer’s financial responsibility for charges from the Company. *Id.* Because UCRR 308 does not stand for the legal proposition offered by Ms. Charles, the Commission finds that the Amended

Complaint does not correctly identify UCRR 308 as an authority that the Company allegedly violated and thus fails to satisfy the requirements under Rule 54.

While Ms. Charles alleged in her Email that an employee of the Company (“IPC Employee”) refused to send a medical form to a medical provider at Ms. Charles’ request, in violation of her rights under UCRR 308, the Amended Complaint did not discuss the IPC Employee and/or their failure to provide the medical form. Further, the Amended Complaint did not detail when the IPC Employee’s alleged inaction occurred. Instead, Ms. Charles alleged that the Company violated UCRR 308 because it was holding her liable for charges she did not contract. Amended Complaint at 1. Because UCRR 308 does not govern Ms. Charles’ financial responsibility for a service bill with the Company, the Amended Complaint does not correctly identify an applicable legal authority and thus fails to satisfy the requirements under Rule 54.

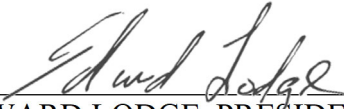
Since the Amended Complaint fails to provide sufficient factual evidence and explanations to support the allegation that the Company violated UCRR 206, and incorrectly identifies UCRR 308 as a rule that the Company allegedly violated, the Commission finds it does not meet the pleading requirements of *Idaho Code* § 61-612 and Rule 54 and thus finds that it must be dismissed.

ORDER

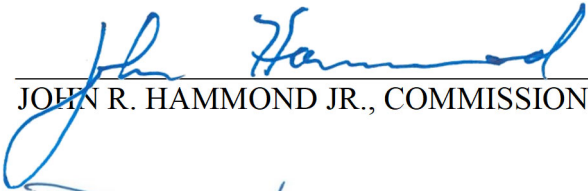
IT IS HEREBY ORDERED that Ms. Charles’ Amended Complaint is dismissed for the reasons set forth above.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within 21 days of the service date of this Order regarding any matter decided in this Order. Within seven days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 2nd day of June 2026.



EDWARD LODGE, PRESIDENT




JOHN R. HAMMOND JR., COMMISSIONER



DAYN HARDIE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary
I:\Legal\ELECTRIC\PC-E-26-11_Charles/orders\PC2611_FO_kr.docx