

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

SAMUEL AND PEGGY EDWARDS,)	
Complainants-Appellants,)	Idaho Supreme Court
v.)	Docket No. 51238-2023
IDAHO PUBLIC UTILITIES)	IPUC CASE NOS. PAC-E-23-05
COMMISSION and PACIFICORP, d/b/a)	SUP-E-23-02
ROCKY MOUNTAIN POWER COMPANY,)	
Respondents.)	IPUC ORDER NO. 35972
)	
)	

On September 28, 2023, Samuel and Peggy Edwards filed a Notice of Appeal from Order No. 35904 in Case No. PAC-E-23-05. The appeal is currently titled “SAMUEL and PEGGY EDWARDS, Complainants-Appellants, and JACOBA H. VAN MASTRIGT, JUDY TWEDE, KAREN LANE, CHRISTY ARMBRUSTER, and DIANE HUSKINSON, Complainants, v. PACIFICORP, dba ROCKY MOUNTAIN POWER, Respondent.”¹ Per Idaho Appellate Rule 6, and Idaho Public Utilities Commission Rules of Procedure 343, the agency may, by order, correct the title of an appeal at any time before the agency’s record is lodged with the Idaho Supreme Court.

Having considered the record in this case, the Commission finds that an amendment to the title is necessary to appropriately reflect the positions of the parties on appeal. The Edwards’ formal complaint, filed in Case No. PAC-E-23-05, was consolidated with five other complaints all concerning the Company’s notification to terminate electric service if the customers refused to allow the installation of advanced metering infrastructure meters (“AMI meter(s)”) at their residences.²

However, only the Edwards sought reconsideration of Order No. 35849, which dismissed the complaints. Accordingly, the Edwards are the only party aggrieved by Order No. 35904, which denied their petition for reconsideration. *See Idaho Code* § 61-627 (authorizing parties aggrieved

¹ The original caption that appeared in the Notice of Appeal filed by the Edwards titled the case “JACOBA H. VAN MASTRIGT, et al, APPELLANTS vs. IDAHO PUBLIC UTILITIES COMMISSION AND PACIFICORP, d/b/a ROCKY MOUNTAIN POWER, RESPONDENTS.” However, the Idaho Supreme Court subsequently issued a notice setting a due date for the submission of the Agency Record using the title described in the first paragraph of this order.

² The Commission assigned the Edwards’ formal complaint Case No. PAC-E-23-05, and processed the case along with Case Nos. PAC-E-23-04, PAC-E-23-06, PAC-E-23-07, PAC-E-23-08, and PAC-E-23-11. Ultimately, the Commission issued Order No. 35849, dismissing each.

by order denying a petition for reconsideration to appeal to the Idaho Supreme Court); *see also* Procedural Rule 341.02 (providing that no person is aggrieved by an order denying reconsideration unless the party petitioned for reconsideration). IDAPA 31.01.01.341.02. Additionally, only the Edwards have filed a notice of appeal from Order No. 35904 within 42 days of the issuance of Order No. 35904. Consequently, only the Edwards have an appeal pending before the Idaho Supreme Court. *See* I.A.R. 14(b) (providing a party 42 days from the date evidenced by the filing stamp of the secretary of the Idaho Public Utilities Commission on the order denying rehearing to file a notice of appeal).

ORDER

IT IS HEREBY ORDERED that the title of the appeal in this matter shall be corrected as reflected above to show Samual and Peggy Edwards as the Appellants, with the Idaho Public Utilities Commission and PacifiCorp, d/b/a Rocky Mountain Power as the Respondents on Appeal. Likewise, all Idaho Public Utilities Commission Case Numbers shall be deleted from the caption except for the those corresponding to the Edwards' formal complaint.

IT IS FURTHER ORDERED that the Commission Secretary shall file a copy of this Order changing the title of the appeal with the Idaho Supreme Court.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 27th day of October 2023.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Jan Noriyuki
Commission Secretary