



1407 W. North Temple, Suite 330

Salt Lake City, UT 84116

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Wednesday, May 10, 2023 11:12:35 AM
IDAHO PUBLIC
UTILITIES COMMISSION

May 10, 2023

VIA ELECTRONIC DELIVERY

Jan Noriyuki
Commission Secretary
Idaho Public Utilities Commission
11331 W Chinden Blvd.
Building 8 Suite 201A
Boise, ID 83714

**RE: CASE NOS. PAC-E-23-04; PAC-E-23-05; PAC-E-23-06; PAC-E-23-07; PAC-E-23-08; PAC-E-23-11
FORMAL COMPLAINT OF JACOBA H. VAN MASTRIGT ET AL**

Dear Ms. Noriyuki:

Please find Rocky Mountain Power's Answer in the above referenced matter.

Informal inquiries may be directed to Mark Alder, Idaho Regulatory Manager at (801) 220-2313.

Very truly yours,

A handwritten signature in black ink that reads "Joelle Steward". The signature is written in a cursive style with a large initial "J".

Joelle Steward

Senior Vice President of Regulation and Customer Solutions

Joe Dallas (ISB# 10330)
825 NE Multnomah, Suite 2000
Portland, OR 97232
Telephone: (360) 560-1937
Email: joseph.dallas@pacificorp.com

Attorney for Rocky Mountain Power

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

FORMAL COMPLAINT OF JACOBA H. VAN MASTRIGT ET AL VS PACIFICORP D/B/A ROCKY MOUNTAIN POWER	CASE NOS. PAC-E-23-04; PAC-E-23-05; PAC-E-23-06; PAC-E-23-07; PAC-E-23-08; PAC-E-23-11
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ANSWER AND MOTION TO DISMISS

1. In accordance with Rule 57 of the Rules of Procedure of the Idaho Public Utilities Commission (“Commission”), Rocky Mountain Power, a division of PacifiCorp (“Rocky Mountain Power” or the “Company”) hereby provides its answer to the formal complaint (“Complaints”) filed by six (“Complainants”) described as:

Name: Jacoba H. van Mastrigt
Case No: PAC-E-23-04
Formal Complaint Date: March 22, 2023

Name: Samuel and Peggy Edwards
Case No: PAC-E-23-05
Formal Complaint Date: March 23, 2023

Name: Judy Twede
Case No: PAC-E-23-06
Formal Complaint Date: March 24, 2023

Name: Karen Lane
Case No: PAC-E-23-07
Formal Complaint Date: March 28, 2023

Name: Christy Armbruster
Case No: PAC-E-23-08
Formal Complaint Date: March 27, 2023
Name: Diane Huskinson

Case No: PAC-E-23-11
Formal Complaint Date: March 30, 2023

2. The Company also moves to dismiss the Complaints in their entirety because Complainants have failed to state a claim upon which relief can be granted. As provided in more detail below, the Complaints do not identify any specific administrative rule, order, statute, or applicable provision of the Company's tariff that Rocky Mountain Power violated. The Company has acted in compliance with the applicable rules and regulations in providing notice and seeking termination of service for customers who refuse access to the meter. Accordingly, the Company requests that the Commission dismiss the Complaints with prejudice.

3. Communications regarding this Case should be addressed to:

By e-mail (preferred):

datarequest@pacificorp.com
joseph.dallas@pacificorp.com
mark.alder@pacificorp.com

By mail:

Data Request Response Center
Rocky Mountain Power
825 NE Multnomah St., Suite 2000
Portland, OR 97232

Mark Alder
Idaho Regulatory Affairs Manager
Rocky Mountain Power
1407 West North Temple, Suite 330
Salt Lake City, Utah 84116
Telephone: (801) 220-2313
Email: mark.alder@pacificorp.com

Joe Dallas (*ISB# 10330*)
Senior Attorney
Rocky Mountain Power
825 NE Multnomah, Suite 2000
Portland, OR 97232
Telephone: (360) 560-1937
Email: joseph.dallas@pacificorp.com

II. BACKGROUND

4. The Company has carefully planned and communicated its advanced metering infrastructure (“AMI”) rollout over the last several years and began formally communicating its plans to the Commission with a presentation on December 18, 2018. Formal presentations were also presented to the Commission on May 2019, March 2021, October 2022, and March 2023. In the presentations, the Company communicated to Commission staff that there would not be an opt-out option available to customers in the state of Idaho. The Commission has supported the Company’s no opt-out approach throughout this process.

5. AMI installations began in Idaho in October 2021 and the Company has completed 84,926 meter exchanges. The Company has communicated with customers throughout this process with letters, emails, and outbound phone calls informing customers of the Company’s AMI installation process. AMI allows for cost savings by reducing meter reading costs and provides improved customer service through enhanced information and billing options.

6. On August 16, 2022, the Commission issued Order No. 35504 dismissing the complaint of Tami Thatcher in Case No. PAC-E-22-09. This complaint requested the ability to opt-out of AMI installation based on safety claims. The Commission found that the allegations made against AMI safety went “against well-established evidence on smart meter safety” and that the Federal Communications Commission has approved smart meters as safe for consumers.¹ As a result, the Commission dismissed the complaint and found that an opt-out option for AMI installation was not required in that proceeding.²

¹ *Tami Thatcher v. PacifiCorp d/b/a Rocky Mountain Power Company*, Case No. PAC-E-22-09, Order No. 35504 at 3 (August 16, 2022).

² *Id.*

7. Over the course of the AMI installation project, approximately 160 customers refused AMI installations for various reasons – primarily due to fears of radio frequency or privacy of customer data. A team of trained customer service representatives fielded calls from customers and worked with customers to reach a resolution. The agents explained to customers that the Company was willing accommodate customers by relocating the meter to a different location of the property. However, any costs associated with doing so would be at the customer’s expense. Beginning in December 2022, PacifiCorp employees began working with utilities compliance investigators from the Commission to resolve issues raised by these customers. In those investigations, the Company clarified that customers were not allowing the Company to access the meter for the purposes of AMI installation and were asking the Company representatives to leave when attempting to exchange the meter. Additionally, the Company expressed a willingness to continue working directly with these customers to find a resolution. However, keeping their current meter is not an option for any of our customers in Idaho, and disconnection of service will only be used as a last resort after proper notice has been provided.

8. The Company successfully addressed the concerns of 110 customers and exchanged their meters. For the remaining 50 customers, the Company began the noticing requirements for termination of service under the Utility Customer Relations Rules (“UCRR”) of the Commission in February of 2023. The UCRR, which was approved by the Commission and reflected within the Company’s approved tariffs,³ “provide a set of fair, just, reasonable, and non-discriminatory rules with regard to ... termination of service.” According to UCRR 302, the denial of access to the meter is a ground for termination of service. UCRR 304 and 305 specify the notice

³ Electric Service Regulation No. 10 – Termination of Service and Payment Arrangement.

requirements that a utility must follow before termination of service for failure to grant utility access to the meter.

9. The Company initially sent a letter (“First Letter”) to the customers, notifying them of the Company’s inability to access the meter for the AMI installation. A second letter (“Second Letter”) was sent to explain the customer benefits of the AMI installation and the privacy protections in place for the meters. A final letter (“Final Letter”), which included the notice requirements in UCRR 304 and 305, was sent approximately 20-30 days from the date of the Second Letter. The Second and Third Letters were drafted with input from Commission staff. Following the delivery of the Final Letter, PacifiCorp employees began delivering doorhangers notices in person in a final attempt to resolve the customers’ issues before termination of service.

10. On April 21, 2023, the Company received by certified-mail Complainants’ Complaints from the Commission. Complainants’ formal complaints make several allegations:

- (a) The Company attempted unlawful intrusion onto Complainants’ property and into Complainants’ home by way of a wiretapping device. This is referred to as a “Breach of the Peace” in Case Nos. PAC-E-23-04, PAC-E-23-05, PAC-E-23-06, and PAC-E-23-08.
- (b) The Company used threats, duress, and coercion to induce Complainants to accept AMI installation with the threat of disconnection. This is referred to as “Attempted Extortion of complainant’s will” in Case Nos. PAC-E-23-04, PAC-E-23-05, PAC-E-23-06, and PAC-E-23-08.
- (c) The Company is violating its contract with the customer by unilaterally requiring AMI installation without the authorization of the customer. This is referred to as “Impairment of Contract” in Case No. PAC-E-23-04, PAC-E-23-05, PAC-E-23-

06, and PAC-E-23-08. In Case No. PAC-E-23-07 the complainant argues that Electric Service Regulation No. 6 does not apply because the complainant will allow access to the property but will not allow AMI installation.

- (d) The Company is attempting a takeover of Complainants' private property for commercial use in reference to AMI installation. This is referred to as "Attempted Extortion" in Case Nos. PAC-E-23-04, PAC-E-23-05, PAC-E-23-06, and PAC-E-23-08.
- (e) The Company is attempting to illegally wiretap Complainants' homes and extract personal and private information without a search warrant. This is referred to as "Attempted Illegal Wiretapping" in Case Nos. PAC-E-23-04, PAC-E-23-05, PAC-E-23-06, and PAC-E-23-08.
- (f) The Company is threatening with the intent to commit harm by threatening to shut off electrical power to Complainants' house since termination could cause severe physical and emotional harm. This is referred to as "Threat with Intent to Commit Harm" in Case Nos. PAC-E-23-04, PAC-E-23-05, PAC-E-23-06, and PAC-E-23-08.
- (g) The Company is being reckless by failing to inform Complainants of the actual dangers of AMI technology. Also, the Company's behavior is "hazardous negligence" since the Company is attempting to expose Complainants to the "very great danger" of AMI technology. This is referred to as "Gross Negligence; Hazardous Negligence" in Case Nos. PAC-E-23-04, PAC-E-23-05, and PAC-E-23-06.

- (h) The Company has made “a material representation which is knowingly false” about the safety of AMI. This is referred to as “Actionable Fraud” in Case Nos. PAC-E-23-04, PAC-E-23-05, and PAC-E-23-06.
- (i) The Company “continues to acknowledge their intent to abuse complainant by negligent infliction of physical pain and mental injury by continuing their strong-arm intimidation tactics, threats” etc. This is referred to as “Elder Abuse” in Case Nos. PAC-E-23-04 and PAC-E-23-06.

11. In addition to the allegations listed above, the complainant in Case Nos. PAC-E-23-11 requests the Company to allow an opt-out option for AMI installation because it is offered by Idaho Falls Power and Fall River Rural Electric.

12. As of April 27, 2023, no customer has yet to have their service terminated for refusing AMI installation, although the Company does still plan to pursue termination of service for customers that fail to allow an AMI meter on their site.

III. ANSWER TO COMPLAINANT’S ALLEGATIONS

13. Rocky Mountain Power operates in compliance with the rules and regulations approved by the Commission. The Company has followed the applicable rules under the UCRR at all relevant times in providing notice and seeking to terminate service due to the failure to grant access to meters for AMI installation. The Company has also sought the input from Commission staff in the notices contained in the Second and Final Letters sent to customers. The First, Second and Final Letters are provided with this Answer as Attachment A.

14. Contrary to the allegations in the Complaints, the Company has not used threats, duress, or coercion to induce Complainants to accept AMI installation, which is the basis for the allegations of “Attempted Extortion of complainant’s will” and “Elder Abuse.” In the Second

Letter, Rocky Mountain Power requested that customers contact the Company to allow access to their meters for AMI installation and informed customers that if access was not allowed, the Company would initiate the termination of service process for their account. The Final Letter also warned customers that their service would be terminated if the Company were not allowed access. Both the Final Letter and the Second Letter informed customers of the actions required to avoid termination of service. Additionally, the Final Letter also stated that “a certificate notifying the utility of a serious illness or medical emergency in the household may delay termination of service as prescribed by Rule 308.”

15. The Final Letter and the Second Letter were developed in accordance with the UCRRs approved by the Commission and were reviewed by Commission staff. These letters clearly informed customers of the possibility of termination of service if they refused access to the meter for AMI installation, without including any threats, duress, or coercion. The Complainants’ have failed to provide any evidence that the Company has violated any other rule or law. The Company is allowed to terminate service of customers who deny the Company access to the meter, and there is no opt-out option available for such customers in the State of Idaho.⁴ The Final Letter further explains that termination may be delayed with a certificate for those with a serious illness. In certain cases, the Company has discussed alternate options for the customers, such as relocating the meter to a different location on the property at the customer’s expense. These actions do not violate any rule or law and are not classified as elder abuse, a “threat with intent to commit harm,” or extortion as alleged by the Complainants.

⁴ See *Tami Thatcher v. PacifiCorp d/b/a Rocky Mountain Power Company*, Case No. PAC-E-22-09, Order No. 35504 at 3 (August 16, 2022).

16. The Complaints allege unlawful entry, but customers who receive service from the Company agree to abide by the Company's tariff, including Electric Service Regulation No. 6(2)(d) which states:

The Customer shall provide safe, unencumbered access to Company's representatives at reasonable times, for the purpose of reading meters, inspecting, repairing or removing metering devices and wiring of the Company.

The Complainants further argue that the Company *can* access the meter, so they are not in violation of the tariff. However, the Complainants have also explained, despite physical access to the meter, that they do not want AMI installation. The Company believes that having a meter that is physically accessible but where the customer is refusing a meter upgrade is not safe and unencumbered access as defined in Electric Service Regulation No. 6.

17. Electric Service Regulation No. 7 allows for the Company to "furnish and maintain all meters and other metering equipment." The rule does not prohibit the upgrade of any meters. Electric Service Regulation No. 6 and No. 7 allow for the Company to upgrade its meters and requires customers to provide physical and actual access to the meters for this process. The implementation of AMI is an upgrade that allows for cost savings by reducing meter reading costs and provides improved customer service through enhanced information and billing options. Therefore, the Company is operating consistent with its approved tariff by requiring access to meters for AMI installation.

18. Safety is Rocky Mountain Power's first concern, for customers, the community, and our employees. The Complainants allege the Company's behavior is "hazardous negligence" since the Company is attempting to expose Complainants to the "very great danger and imminent peril" of AMI technology and the Company has made "a material representation which is knowingly false" about the safety of AMI meters. While the Company respects our customers'

input and health concerns, we strongly disagree with Complainants' claim that AMI meters are unsafe.

19. The Federal Communications Commission ("FCC") has jurisdiction over the approval and use of radio frequency devices, including AMI meters. One of the FCC's roles is to ensure the safety of equipment that produces radio frequencies. The FCC is required by the National Environmental Policy Act of 1969, among other laws, to evaluate the effect of emissions from FCC-regulated transmitters on the quality of the human environment.

20. Industry research and standards agencies, such as the American National Standards Institute ("ANSI") and the Institute of Electrical and Electronics Engineers, Inc. ("IEEE") have compiled the research associated with human exposure of radio frequencies energy and created guidelines that the FCC and the federal Occupational Safety and Health Administration ("OSHA") have adopted.

21. These standards incorporate frequency of the energy to define maximum permissible exposure levels ("MPE") correlated to frequency. The standards are most conservative at frequencies where the wavelength of the energy is near humans. The FCC defined two categories: the occupational or controlled environment, intended for workers and other trained professionals that have the most potential for whole body exposure, and the general public or uncontrolled environment. The resulting MPE levels incorporated by the FCC into the safety requirements included a 10:1 safety ratio to account for variations in size, weight, and physical condition of the person. Therefore, exposure even at 100 percent of the MPE level authorized by the FCC for the occupational or controlled environment level will not cause physical harm.

22. As a precautionary step for the general public or uncontrolled environment criteria, the FCC added an additional 5:1 safety factor over the occupational safety level. Thus, the FCC's MPE limit for the general public is 50 times less than the level research shows could cause harm.

23. AMI meters emit 100 times less radio frequency density than a laptop computer, 300 times less than a cell phone, and 50,000 times less than standing next to your microwave oven while it's in use. All of these devices have been approved by the FCC as safe for human use. In sum, and consistent with a prior finding of the Commission, the safety allegations in the Complaints go "against well-established evidence on smart meter safety."⁵

24. Complainants also allege that the Company has attempted unlawful intrusion onto Complainants' property and into Complainants' home through the installation of a wiretapping device, and that Rocky Mountain Power is attempting to illegally wiretap their' homes in order to extract personal and private information without a search warrant. The Complainants further allege the Company is attempting a takeover of Complainants' private property for commercial use by installing an AMI meter. However, the Complainants have failed to provide any evidence to support these allegations. The Company denies these allegations, takes customer data privacy seriously, and does not engage in the sale of customer data.

25. The Company respectfully requests that the Commission dismiss the Complaints and not allow an opt-out option for several reasons.

26. First, the Company's AMI project is not new to the state of Idaho as other public utilities, such as Idaho Power Company and Avista Corporation, have installed AMI. Instead of installing AMI meters almost two decades ago, when first available, the Company chose to wait

⁵ *Tami Thatcher v. PacifiCorp d/b/a Rocky Mountain Power Company*, Case No. PAC-E-22-09, Order No. 35504 at 3 (August 16, 2022).

until it was confident that the technology had fully matured and that AMI meters would exceed all the Company's safety and security standards.

27. Second, the Company provided five presentations⁶ regarding its AMI project to the Commission, noting in each presentation that there would not be an opt-out option available to customers in the state of Idaho. The Commission has supported the Company's no opt-out approach throughout this process and the Company has already successfully completed 84,926 meter exchanges.

28. Third, previous Commission orders have dismissed complaints pertaining to AMI meters, and the Commission has upheld the utilities' installation of AMI meters and disallowed the complainants' ability to opt-out of AMI installation. *See Thatcher v. Rocky Mountain Power Company*, Case No. PAC-E-22-09, Order No. 35504 (August 16, 2022), *Baenen v. Avista Corporation*, Case No. AVU-E-17-11, Order No. 33979 (February 2, 2018), and *Menth v. Idaho Power Company*, Case No. IPC-E-12-04, Order No. 32500 (March 27, 2012). Despite previous complaints, at no time has the Commission ruled that a public utility's AMI project, which does not include an opt-out option, violates an administrative rule, order, statute, or applicable provision of the Company's tariff.

29. Finally, as noted previously industry research and standards agencies such as ANSI, IEEE, the FCC, and OSHA have all determined that AMI meters are safe and provide no threat or harm to the public. The Company has not threatened Complainants by following required noticing requirements, the Company has not and does not intend to wiretap Complainants' homes, and the Company has not violated any contract, rule, or procedure by requiring AMI installations.

⁶ *See* Rocky Mountain Power Idaho Advanced Metering Infrastructure Project (December 2018, May 2019, March 2021, October 2022, and March 2023).

30. The Company denies all factual allegations in the Complaint not specifically admitted herein.

III. MOTION TO DISMISS

31. Rocky Mountain Power incorporates by reference paragraphs 4 through 30 as if set forth herein.

32. Based on the foregoing, Rocky Mountain Power moves to dismiss the Complaints under Rule 256 of the Rules of Procedure of the Idaho Public Utilities Commission for failure to state a claim. The Complaints do not identify any specific administrative rule, order, statute, or applicable provision of the Company's tariff that Rocky Mountain Power violated. The Company has acted in compliance with the applicable rules and regulations in providing notice and seeking termination of service for customers who refuse access to the meter. Accordingly, the Company requests that the Commission dismiss the Complaint with prejudice.

IV. CONCLUSION

33. The Company respectfully requests that the Commission deny the relief sought in the Complaints, dismiss the Complaint with prejudice, and not allow an opt-out option for AMI installation. In the event the Commission dismisses the Complaints, the Company also respectfully requests that the Commission waive the noticing requirements under Rule 304 and 305 of the Utility Customer Relations Rules, consistent with the principals of Rule of Procedure 13.⁷ Complainants have already received the required notices and restarting the process will result in unnecessary expenses for the Company. Moreover, Complainants may use the notices as a basis for additional complaints, which will further increase costs and create additional administrative burden for the Commission.

⁷ Rule of Procedure 13: ("Unless prohibited by statute, the Commission may permit deviation from these rules when it finds compliance with them is impracticable, unnecessary or not in the public interest.").

DATED this 10th day of May, 2023.

Respectfully submitted,

ROCKY MOUNTAIN POWER

A handwritten signature in blue ink, appearing to read "Joe Dallas", is written over a horizontal line.

Joe Dallas (*ISB# 10330*)

Senior Attorney

Rocky Mountain Power

825 NE Multnomah, Suite 2000

Portland, OR 97232

Telephone: (360) 560-1937

Email: joseph.dallas@pacificorp.com

Attorney for Rocky Mountain Power

ATTACHMENT A



1407 West North Temple
Salt Lake City, Utah 84116

(Customer Name)
(Mailing Address)
(City, State Zip)

Dear (Customer Name):

You can count on us to provide the affordable and consistent power you need. We're using state-of-the-art technology to deliver dependable power as we plan for the future.

We were recently in your area to upgrade your existing electric meter, but our installer couldn't access the meter base at (Site Address). As required by the Idaho Public Service Commission, clear and safe access must be available to electric meters for inspection, maintenance, meter upgrades, and to enable us to respond to any emergencies.

The Idaho Public Utilities Commission has reviewed smart meter technology, and the prevailing scientific research on consumer safety, and concluded that smart meters are allowed in Idaho without any alternative metering options.

Please call 1-800-895-0631 within 15 days of receiving this letter to resolve any access issues and set an appointment to have your meter updated. We are happy to answer any questions you may have regarding the new meter and look forward to working with you.

Kind Regards,

Rocky Mountain Power

Para más información, llame al 1-888-225-2611 para hablar con un especialista en español.

DATE

(Customer Name)
(Mailing Address)
(City, State Zip)

RE: **SECOND NOTICE: Required Access for Meter Upgrade at {SITE ADDRESS}**

Dear (Customer Name):

Thank you for your immediate attention to this matter. If you are not responsible for the electric service at the site listed above, please pass this request to the property manager or owner as soon as possible.

Our contractor was refused access to perform a meter exchange at the address listed above. This is our second written notice. We have also attempted to reach you by telephone. To avoid termination of electric service at this address, you must contact us at the number provided below.

You are contractually obligated to allow us safe and unencumbered access to our equipment. Meter access is a condition of electric service, as expressed in the Idaho Public Utilities Commission's Customer Relation Rules, namely Electric Service Regulation No. 6, a copy of which is enclosed for your convenience. Moreover, to the extent that access was denied because of the type of meter being installed, please be aware that the Idaho Public Utilities Commission has reviewed smart meter technology, including the prevailing scientific research on consumer safety, and concluded that smart meters are safe and allowed for all customers in Idaho. If you would like additional information regarding the electric regulations that governs Rocky Mountain Power's operations, review them at the Idaho Commission's website at puc.idaho.gov.

Our new meters bring with them a host of benefits, enabling our customers to securely –

- View Daily/Hourly/15-Minute interval usage data through your Rocky Mountain Power account
- Set billing thresholds and alerts through our website and mobile application
- Automatically send notifications whenever your power is interrupted and subsequently restored

Rocky Mountain Power will also be able to troubleshoot abnormal electric voltage or current issues on our lines that could impact the quality of your service. Our meters deliver whole home usage data through a secure LTE network and do not connect with any additional smart devices installed at your site or external networks. Your data is safe and no personal information is ever shared with outside parties.

(continued on reverse side)

Please contact us at 1-800-895-0631 immediately to resolve access issues and to set an appointment to have your meter updated. We are happy to answer any additional questions you may have regarding the new meter and look forward to working with you.

If we do not hear from you within 15 days from the date of this letter to resolve this issue, we will refer your account to our service disconnection process. We look forward to hearing from you and will always consider it a privilege to serve you.

Kind Regards,
Rocky Mountain Power

Para más información, llame al 1-888-225-2611 para hablar con un especialista en español.



L.P.U.C. No. 1

Second Revision of Sheet No. 6R.1
Canceling First Revision of Sheet No. 6R.1

ELECTRIC SERVICE REGULATION NO. 6

STATE OF IDAHO

Company's Installation

1. COMPANY'S INSTALLATION

Except as otherwise provided in these Regulations, an Electric Service Agreement, or the Electric Service Schedules, the Company will install and maintain its lines and equipment on its side of the Point of Delivery, but shall not be required to install or maintain any lines or equipment except meters and accessories beyond that point. Only the Company is authorized to make the connections at the Point of Delivery. Electric service furnished under this tariff will be alternating current, 60 hertz, single or three-phase. Primary service voltage will be at one of the nominal standard voltages available from the Company at or near the Customer's location. Secondary service voltage will be limited to:

- Single-phase, 120 volts, 2-wire, grounded
- Single-phase, 120/240 volts, 3-wire, grounded
- Single-phase, 240/480 volts, 3-wire, grounded
- Three-phase, 208Y/120 volts, 4-wire, grounded, wye
- Three-phase, 480Y/277 volts, 4-wire, grounded, wye

2. COMPANY FACILITIES ON CUSTOMER'S PREMISES

- (a) All materials furnished and installed by the Company on the Customer's premises, shall be, and remain, the property of the Company. The Customer shall not break the Company's meter seals. In the event of loss or damage to the Company's property, arising from neglect, carelessness, or misuse by the Customer, the cost of necessary repairs or replacement shall be paid by the Customer.
- (b) Customer without expense to the Company shall make or procure conveyance to the Company of satisfactory Rights-of-Way Easements across the property owned or controlled by the Customer for the Company's lines or extensions thereof necessary or incidental to the furnishing of service to the Customer.
- (c) The Customer shall permit safe, access to Company's representatives at all hours to maintain the Company's electric distribution facilities. The Customer shall also permit the Company to trim trees and other vegetation to the extent necessary to avoid interference with the Company's lines and to protect public safety.
- (d) The Customer shall provide safe, unencumbered access to Company's representatives at reasonable times, for the purpose of reading meters, inspecting, repairing or removing metering devices and wiring of the Company.

Submitted Under Case No. PAC-E-19-12

ISSUED: September 13, 2019

EFFECTIVE: January 8, 2020



1407 West North Temple
Salt Lake City, Utah 84116

(Customer Name)
(Mailing Address)
(City, State Zip)

DATE

RE: FINAL NOTICE: Required Access for Meter Upgrade at (SITE ADDRESS)

Dear (Customer Name):

Thank you for your immediate attention to this matter. If you are not responsible for the electric service at the site, please pass this request to the property manager or owner as soon as possible.

As required by 31.21.01 – Customer Relations Rules for Gas, Electric, and Water Public Utilities (“Utility Customer Relations Rules”) – Rule 304 (**Requirements for Notice to Customers Before Termination of Service**). This letter will serve as final notice of termination of electric service, which will occur on **(DATE)** for failure to provide access as required under Utility Customer Relations Rules- Rule 302(e). If access to property is acquired prior to this date to enable Rocky Mountain Power to install an upgraded meter at the site, termination will be canceled.

Please contact us at 1-800-895-0631 if you wish to resolve this issue.

Kind Regards,

Rocky Mountain Power

REQUIRED DISCLOSURES:

IDAHO ADMINISTRATIVE CODE IDAPA 31.21.01
Public Utilities Commission Utility Customer Relations Rules 305.

CONTENTS OF NOTICE OF INTENT TO TERMINATE SERVICE (RULE 305).

01. Contents of Notice. The written or oral notice of intent to terminate service required by Rule 304 will state:
 - a. The reason(s), citing these rules, why service will be terminated and the proposed date of termination.
 - b. Actions the customer may take to avoid termination of service.
 - c. That a certificate notifying the utility of a serious illness or medical emergency in the household may delay termination as prescribed by Rule 308.
 - d. That an informal or formal complaint concerning termination may be filed with the utility or the Commission, and that service will not be terminated on the ground relating to the dispute between the customer and the utility before resolution of the complaint.

The Idaho Public Utility Commission can be reached at 208-334-0369, or 1-800-432-0369, or online at puc.idaho.gov/form/consumerassistance, or by mail at Idaho Public Utilities Commission, P.O. Box 83720, Boise, ID 83720-0074. A copy of the Utility Customer Relation Rules can be found at <https://adminrules.idaho.gov/rules/current/31/312101.pdf>

Para más información, llame al 1-888-225-2611 para hablar con un especialista en español.