

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

SHERRY COLE,)	CASE NO. PAC-E-23-12
)	
PETITIONER,)	ORDER NO. 35856
)	
vs.)	
)	
PACIFICORP, d/b/a ROCKY MOUNTAIN)	
POWER COMPANY,)	
)	
RESPONDENT.)	
)	

On March 16, 2023, Sherry Cole (“Petitioner”) filed a formal complaint (“Complaint”) with the Idaho Public Utilities Commission (“Commission”) alleging that Rocky Mountain Power, a division of PacifiCorp (“Company”), overcharged her while her meter was cross-connected with her neighbor’s meter. The Petitioner asserted that she was billed for her neighbor’s power consumption. While acknowledging some remedial actions and compensation by the Company, the Petitioner believed further compensation was necessary to be made whole.

On May 18, 2023, the Commission issued a Summons with the Complaint attached. The Company filed an Answer and Motion to Dismiss on June 8, 2023. The Petitioner submitted a reply in the form of a Public Comment on June 12, 2023.

The Commission now issues this Order dismissing the Complaint.

THE FORMAL COMPLAINT

The Petitioner stated that she has been arguing with the Company for approximately five years—apparently starting when the Company moved her meter banks. At some point not clearly specified in the Complaint,¹ the Petitioner alleges that the Company inspected the Petitioner’s meter and informed her that it was cross-connected with her neighbor’s meter. The Petitioner represented that, as part of the inspection, the Company tried to turn off her power; instead, the neighbor’s power was turned off. The Petitioner asserted that the Company then told her that a workman would come to fix the issue. The Petitioner explained that no one came out until she called the Company in January 2023. The Petitioner stated the Company then sent someone out

¹ The Company stated that the Petitioner initially raised her concerns with the Company on January 3, 2023.

who fixed the allegedly cross-connected meters. The Petitioner stated that she was then provided a written report that was dated January 25, 2023.² The Petitioner also stated that a \$1,620.08 credit was subsequently applied to her bill in January. Regarding her issue with the Company, the Petitioner stated that “[w]e were good at this point.” Complaint at 1.

However, the Petitioner explained that when she received her bill for February, she saw that the \$1,620.08 credit had been reversed. The Petitioner stated that the Company told her that the Petitioner’s meter had actually never been cross-connected with her neighbor’s meter. The Petitioner stated that her neighbor also called the Company because the neighbor’s bill was also “different” than expected. *Id.* The Petitioner stated that the Company ignored her after the meters in question were allegedly fixed. The Petitioner stated that the Company offered her \$450.00 as a sign of good will. However, the Petitioner explained that the \$1,620.08 credit (which she stated was a credit for six months of usage) should have remained in place. The Petitioner requested that the Commission order the Company to reinstate the \$1,620.08 credit.

THE COMPANY’S ANSWER

On June 8, 2023, the Company filed an Answer and Motion to Dismiss (“Answer”). The Company stated that its technician visited the Petitioner’s property on January 13, 2023, and that this technician did not initially utilize the proper process to accurately read the Petitioner’s meter; this led to an erroneous belief that the meter had been cross-connected. The Company stated that the initial net credit provided to the Petitioner was \$1,256.45. The Company provided supplemental exhibits to support the Company’s position.

The Company stated that a February 8, 2023, breaker test showed that the Petitioner’s meter was working properly and never cross-connected with her neighbors’ meter. The Company thus stated that the previous credit was provided in error. The Company stated the Petitioner contacted the Company on March 2, 2023; the Petitioner was very upset at the reversal of the previous credit. The Company stated that a meter reader revisited the property on March 13, 2023, and again confirmed the accuracy of the meters in question. The Company stated that on March 15, 2023, it offered the Petitioner a \$450.00 credit for any inconvenience. Despite this goodwill credit, the Company maintained that the Petitioner had not identified any legal authority that would require the Company to provide the Petitioner with any compensation. The Company thus requested that this case be dismissed with prejudice.

² The January 25, 2023, report referenced by the Petitioner was not included as part of the record.

PETITIONER'S REPLY

On June 12, 2023, the Petitioner filed a public comment in which she expressed that she “need[ed] to talk to the judge [*sic*] about some issues with the procedures with this case. . . .” Public Comment at 1. The Petitioner expressed displeasure regarding the veracity and presentation of the evidence in this case and stated that she was seeking an attorney.

COMMISSION DISCUSSION AND FINDINGS

The Commission has jurisdiction over this matter under Idaho Code Title 61 and IDAPA 31.01.01. Having reviewed the Complaint, Answer, and the Petitioner's reply, we dismiss the Complaint. Other than her statements, the Petitioner has not provided anything in the record to substantiate that she was overcharged. Despite the lack of a clear duty to do so, the Company has provided the Petitioner with \$450.00 for the inconvenience it caused. The Commission finds that this Complaint should be dismissed.

In matters like these the Commission's Utility Customer Relations Rules provide guidance and direction. *See* IDAPA 31.21.01. The Commission believes that consistent application of these rules can help to prevent these situations from occurring.

ORDER

IT IS HEREBY ORDERED the Complaint filed by the Petitioner is dismissed.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order regarding any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* § 61-626.

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24th day of July 2023.



ERIC ANDERSON, PRESIDENT

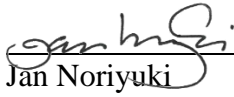


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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