

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF RANDY DEAN</b>	)	<b>CASE NO. PAC-E-25-15</b>
<b>PETERSON'S AND LEISA MARIE</b>	)	
<b>PETERSON'S FORMAL COMPLAINT</b>	)	
<b>AGAINST PACIFICORP</b>	)	<b>ORDER NO. 36753</b>
	)	

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On August 18, 2025, Randy Dean Peterson and Leisa Marie Peterson (“Complainants”) filed a formal complaint with the Idaho Public Utilities Commission (“Commission”) against Rocky Mountain Power, a division of PacifiCorp (“Company”) regarding the Company’s notification to terminate electric service for to allow the installation of a smart meter at their residence (“Complaint”).

Based on our review of the record, the Commission now issues this Final Order dismissing the Complaint.

**THE COMPLAINT**

The Complainants alleged that the Company attempted to unlawfully install a smart meter on their property, without their consent. Complaint at 1. The Complainants claimed their refusal of the smart meter was due to safety and privacy reasons. *Id.* at 2. The Complainants represented that, in response to their refusal to allow the Company to install the smart meter on their property, the Company had issued a “FINAL NOTICE: Required access for Meter Upgrade at 336 North 100 West, Downey, Idaho,” and “Final Notice of Termination of Electrical Service” on August 8, 2025, in person and via USPS priority mail. *Id.* The Complainants requested that the Commission prevent the installation of the smart meter on their property and open an investigation into the matter within ten days. *Id.* at 7-8.

**COMMISSION FINDINGS AND DECISION**

The Commission has jurisdiction over this matter under Idaho Code Title 61 and IDAPA 31.01.01. The Commission is charged with determining all rules and regulations of a public utility are just and reasonable. *Idaho Code* § 61-303. The Commission is empowered to investigate rates, charges, rules, regulations, practices, and contracts of all public utilities and to determine whether they are just, reasonable, preferential, discriminatory, or in violation of any provisions of law, and to fix the same by order. *Idaho Code* §§ 61-501 through 503.

Having reviewed the Complaint and all submitted materials, the Commission finds that the Complaint fails to allege a specific violation of statute, Commission order, or rule as required by *Idaho Code* § 61-612, and that the underlying issues have already been adjudicated and affirmed on appeal.

Under *Idaho Code* § 61-612, a formal complaint must articulate an act or omission by a utility that allegedly violates a statute, Commission order, or rule. Further, Idaho Administrative Procedure Act (“IDAPA”) 31.01.01.054.03 (“Rule 54”) requires the complaint identify the specific provision of law—such as a statute, rule, order, notice, tariff or other controlling authority—that the utility is alleged to have violated.

The Commission finds that the Complaint fails to satisfy the requirements of both *Idaho Code* § 61-612 and Rule 54. Specifically, the Complaint does not cite any specific statute, rule, order, notice, tariff, or other controlling law that the Company allegedly violated. The Complainants rely instead on a conclusory allegation that the Company “attempt[ed] to unlawfully install a ‘Smart Meter’ on the private home” of the Complainants “against their will and without their consent.” Complaint at 1. The Complainants fail to identify how the Company’s conduct was unlawful under any applicable legal authority. Conclusory statements, without identification of controlling legal provisions, are insufficient to meet the standards required of a complaint under *Idaho Code* § 61-612 and Rule 54.

In addition, the Commission finds that the issues in this Complaint have already been adjudicated. In Order No. 35849, the Commission upheld the Company’s authority to install smart meters under its approved tariff. That Order was affirmed by the Idaho Supreme Court in *Edwards v. Idaho Pub. Utilities Comm’n*, 568 P.3d 107 (Idaho 2025). There, the Court held that the Commission correctly interpreted the tariff as providing the Company with authority to access customers’ property to replace its existing power meter with a smart meter. *Edwards*, 568 P.3d 107 at 6-7. The Court affirmed the Commission’s Order dismissing the Edwards’ complaint and denying their motion for reconsideration. *Id.* at 4. As no changes have been made to the Company’s tariff since this decision, and because the underlying legal questions have already been adjudicated and affirmed on appeal, the Commission finds no basis to re-litigate the matter.

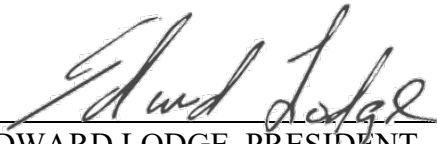
As the Complaint fails to allege a specific violation of statute, Commission order, or rule as required by *Idaho Code* § 61-612, and because the underlying issues have already been adjudicated and affirmed on appeal, the Commission dismisses the Complaint.

## ORDER

IT IS HEREBY ORDERED that the Complaint filed in the above captioned case 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. *See Idaho Code* § 61-626.

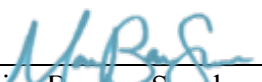
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 8<sup>th</sup> day of September, 2025.

  
EDWARD LODGE, PRESIDENT

  
JOHN R. HAMMOND JR., COMMISSIONER

  
DAYN HARDIE, COMMISSIONER

ATTEST:

  
Monica Barrios-Sanchez  
Commission Secretary

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