

DECISION MEMORANDUM

**TO: COMMISSIONER ANDERSON
COMMISSIONER HAMMOND
COMMISSIONER LODGE
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL**

DATE: JANUARY 16, 2024

**SUBJECT: IN THE MATTER OF SHERRY COLE’S FORMAL COMPLAINT
AGAINST ROCKY MOUNTAIN POWER; CASE NOS. PAC-E-23-12; SUP-
E-23-01.**

On March 16, 2023, Sherry Cole (“Petitioner-Appellant”) filed a formal 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. Petitioner-Appellant stated she was inappropriately charged for her neighbor’s higher power consumption. While acknowledging some remedial actions and compensation by the Company, Petitioner-Appellant believed further compensation was necessary to be made whole.

On July 24, 2023, the Commission issued a Final Order in this case dismissing the Petitioner-Appellant’s complaint and referencing the Commission’s Utility Customer Relations Rules as found under IDAPA 31.21.01. Order No. 35856. On July 28, 2023, Petitioner-Appellant filed a Motion for Reconsideration. After careful review, Petitioner-Appellant’s Motion for Reconsideration was denied in Commission Order No. 35903.

Petitioner-Appellant appealed to the Idaho Supreme Court. On September 19, 2023, a Notice of Appeal was filed. Since that time, Petitioner-Appellant has filed various motions—mostly requesting that the Commission be removed as a respondent in Petitioner-Appellant’s appeal—these requests have been denied by the Idaho Supreme Court.

THE PETITIONER-APPELLANT’S OBJECTION

On December 22, 2023, Petitioner-Appellant objected to the record that was to be submitted to the Idaho Supreme Court. Idaho Appellate Rule 29 outlines the proper process for the objections to the record. It includes the following:

Any objection made to the reporter's transcript or clerk's or agency's record must be accompanied by a notice setting the objection for hearing and shall be heard and determined by the district court or administrative agency from which the appeal is taken; provided, however, that no hearing shall be necessary if the opposing party stipulates to, or otherwise indicates in writing that it does not oppose, the relief requested in the objection. After such determination is made, the reporter's transcript and clerk's or agency's record shall be deemed settled as ordered by the district court or administrative agency.

Idaho Appellate Rule 29(a). Accordingly, the record in this case must be settled by a hearing before the Commission or by a stipulation of the parties. Even if a stipulation is reached, the record must then be approved by the Commission. Petitioner-Appellant's objections included that certain orders were included more than once in the record (which was done to illustrate the procedural history of the case). Petitioner-Appellant also objected to the inclusion of Jon Kruck's Affidavit and certain supporting materials totaling approximately 200 pages. After negotiations, the parties proposed to stipulate a reduced record ("Updated Record"). The orders from PAC-E-23-12 would only be included one time and certain supporting materials from Jon Kruck's Affidavit would also be omitted—greatly reducing the size of the record. In an email sent on January 5, 2024, Petitioner-Appellant stated: "I am willing to accept these changes as that was all I was asking of the agency to do besides remove themselves as defendants." Exhibit B.

However, Petitioner-Appellant continued to send several emails to the parties, the Idaho Supreme Court, and the Attorney General's Office. These emails contained statements that could be interpreted as her accepting the record or rejecting the record—often such contradictory sentiments were expressed within the same email. Representatives from the Commission and the Company repeatedly explained Idaho Appellate Rule 29(a) to Petitioner-Appellant and then sought her clarification on these matters. This correspondence to her repeatedly, clearly, and unambiguously informed the Petitioner-Appellant that she must either stipulate to the record with the parties or argue for her proposals at a hearing before the Commission. The Petitioner-Appellant's replies were passionate but not easily discernable as to her preference. The only thing that remained consistent is that she did not want to argue her position at a hearing before the Commission. Petitioner-Appellant had stated previously, that she "[o]bject[ed] to any more hearings with the agency itself. . . ." Exhibit C at 1. While Petitioner-Appellant was not later able to formulate a clearly discernable reply, this seemed to be her continued position.

To clarify potential internal contradictions in Ms. Cole's correspondence, the Company's representative sent Ms. Cole an email on January 11, 2024. It stated: "From reading [a previous]

email, it is my interpretation that you would like to withdraw your original objection to the record and want the original version submitted. If this is incorrect please let us know.” Exhibit D. Ms. Cole’s subsequent replies indicated her frustration with the case but appeared to confirm the general impression that Ms. Cole wanted the Updated Record sent to the Supreme Court. In fact, in a January 7, 2024, Motion for Default Judgment with the Idaho Supreme Court, Petitioner-Appellant complained that the case should be dismissed because “the defendants failed to submit the records requested in a timely manner to this court.” Exhibit E at 1. This seems to clearly indicate that Petitioner-Appellant wants the record to be sent to the Idaho Supreme Court. A copy of this memorandum has been sent to Ms. Cole with instructions to let the parties know if she would rather have a hearing before the Commission than send the Updated Record to the Idaho Supreme Court.

Pending Commission approval, it now appears that the parties in this case have a proposed stipulation as to the record pursuant to Idaho Appellate Rule 29(a).

RECOMMENDATION

It is recommended that the Commission approve the Updated Record as found in Exhibit A.

COMMISSION DECISION

1. Does the Commission wish to approve the Updated Record and submit it to the Idaho Supreme Court?
2. Anything else?



Michael Duval
Deputy Attorney General

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EXHIBIT A: The Updated Record

DOCKET NO. 51148

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DOCKET NO. 51148

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dated July 28, 202347
SHERRY COLE NOTICE OF APPEAL
dated September 6, 202368

From: S Cole <slordaz@hotmail.com>
Sent: Thursday, March 16, 2023 2:21 PM
To: Jan Noriyuki <jan.noriyuki@puc.idaho.gov>
Subject: Fw: Rocky Mountain Power

CASE NO. PAC-E-23-12

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Jan,

This needs to be done in formal complaint please if I am understanding Jon on this as he has steeped out of the informal with this

Concerning complaint about Rocky Mountain Power

Fact one when they came out and replaced the meter on 22, I had been arguing with them since not sure on date but it was approx 5 years ago when they moved the meter banks , they let me know that the meters were crossed due to my power having an issue and when they turned off the meter that was supposedly mine it turned off the neighbors power instead of mine, when the workman left he said someone would be out to get it fixed, in January I called as nobody had been out they sent someone out to check and fix the issue, which I received written report Dated January 25th 2023 of their findings and that it was corrected and billing also was corrected which reflected on my January bill dated due February. We were good at this point.

When I received the February Bill due in March they had reversed the credit given for the improper billed meter , 1620.08 claiming they reversed the charges due to the meters never being crossed according to them which we already had the proof and had sent it to Jon, but my neighbor had called cause her bill was different apparently after being corrected from what they were telling Jon. Issue here is because it was corrected in January when Neighbor called in February they said no the meters were not crossed so Rocky mountain Power ignored the crossed meters being fixed in January and charged me this amount which they had given credit for their over charging me before.

I know it's a mess and add in they sent out another on March 13 as per Jons request. This is very complicated but meters haven't been crossed since January 2023. but they should not have reversed charged the 6 months credit given in January when they were uncrossed, on Feb and March visits, of 1620.08 the 450 they agreed with Jon to give me as sign of good will but that does not cover the taking back of the credit as I was billed for wrong meter of 1620.08 I was not saying the lines were crossed after January I was explaining why that credit was given on my account.

I just want the proper credit reinstated that they took away since it was uncrossed in January and that is confirmed by the subsequent visits now minus the 450 credit they issued, and that's not anything for my time and a guarantee this is over cause this credit ,reverse, credit is just complicating things worse.

Hopefully we can get this straightened out and finally done, I am preparing paper work to take it to small claims if I need to and having trouble pinning down where to send legal paperwork to them

Thank you for your help and time
Sherry Cole

DECISION MEMORANDUM

**TO: COMMISSIONER ANDERSON
COMMISSIONER HAMMOND
COMMISSIONER LODGE
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL**

DATE: APRIL 25, 2023

**SUBJECT: IN THE MATTER OF SHERRY COLE'S FORMAL COMPLAINT
AGAINST ROCKY MOUNTAIN POWER; CASE NO. PAC-E-23-12.**

On March 16, 2023, Sherry Cole ("Petitioner") filed a formal complaint ("Complaint") with the Idaho Public Utilities Commission ("Commission"). Petitioner alleges that Rocky Mountain Power, a division of PacifiCorp ("Company"), overcharged her while her meter was cross-connected with her neighbor's meter. Petitioner states her subsequent bill was inappropriately correlated to her neighbor's higher power consumption. The Company investigated the matter and made changes to correct the meter bases. While acknowledging some remedial actions and compensation by the Company, Petitioner believes further compensation is necessary to be made whole.

Petitioner requests further compensation from the Company.

RECOMMENDATION

Commission Staff ("Staff") recommends the Commission issue a Summons to the Company directing it to answer or otherwise respond to the Complaint within 21 days.

COMMISSION DECISION

1. Does the Commission wish to issue a Summons to the Company directing it to answer or otherwise respond to the Complaint within twenty-one (21) days?
2. Anything else?



Michael Duval
Deputy Attorney General



Idaho Public Utilities Commission

P.O. Box 83720, Boise, ID 83720-0074

Brad Little, Governor

Eric Anderson, President
John R. Hammond, Jr., Commissioner
Edward Lodge, Commissioner

May 5, 2023

Via Certified Mail

PacifiCorp d/b/a Rocky Mountain Power Company
1407 West North Temple, Suite 330
Salt Lake City, UT 84116

Re: IPUC Case No. PAC-E-23-12
Sherry Cole vs. PacifiCorp d/b/a Rocky Mountain Power Company

To Whom It May Concern,

Enclosed please find a Summons and Formal Complaint issued against PacifiCorp d/b/a Rocky Mountain Power Company in the above-mentioned case. As directed in the Summons, you are to file a written response to the Complaint with this Commission within twenty-one (21) days of the service date of the Summons.

Sincerely,

Jan Noriyuki
Commission Secretary

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Idaho Public Utilities Commission

P.O. Box 83720, Boise, ID 83720-0074

Brad Little, Governor

Eric Anderson, President
John R. Hammond, Jr., Commissioner
Edward Lodge, Commissioner

May 18, 2023

Via Certified Mail

PacifiCorp d/b/a Rocky Mountain Power
1407 West North Temple, Suite 330
Salt Lake City, UT 84116

Re: IPUC Case No. PAC-E-23-12
Sherry Cole vs. PacifiCorp d/b/a Rocky Mountain Power Company

To Whom It May Concern,

Enclosed please find a Summons and Formal Complaint issued against PacifiCorp d/b/a Rocky Mountain Power Company in the above-mentioned case. As directed in the Summons, you are to file a written response to the Complaint with this Commission within twenty-one (21) days of the service date of the Summons.

Sincerely,

Jan Noriyuki
Commission Secretary

Enclosure(s)

I:\Legal\ELECTRIC\PAC_RMP Smart Meter Complaints\Summons_CvrLtr_dh.docx

From: S Cole <slordaz@hotmail.com>
Sent: Thursday, March 16, 2023 2:21 PM
To: Jan Noriyuki <jan.noriyuki@puc.idaho.gov>
Subject: Fw: Rocky Mountain Power

CASE NO. PAC-E-23-12

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Jan,

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Hopefully we can get this straightened out and finally done, I am preparing paper work to take it to small claims if I need to and having trouble pinning down where to send legal paperwork to them

Thank you for your help and time
Sherry Cole

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- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postage

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Total Postage and Fees

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PAC-E-23-12

Sent To

PACIFIC COOP

Street and Apt. No., or PO Box No.

1407 W NORTH TEMPLE, SUITE 330

City, State, ZIP+4®

SALT LAKE CITY, UT 84116

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

7016 0600 0000 5236 375J



1407 West North Temple, Suite 330
Salt Lake City, Utah 84116

RECEIVED
Thursday, June 8, 2023 5:10:15 PM
IDAHO PUBLIC
UTILITIES COMMISSION

June 8, 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 NO. PAC-E-23-12
FORMAL COMPLAINT OF SHERRY COLE**

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,

Joelle Steward
Senior Vice President of Regulation and Customer/Community 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 SHERRY COLE VS PACIFICORP D/B/A ROCKY MOUNTAIN POWER | CASE NO. PAC-E-23-12 |
|--|----------------------|

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 (“Complaint”) filed by Sherry Cole (“Complainant” or “Ms. Cole”) with the Commission on April 4, 2023. In addition, the Company moves to dismiss the Complaint in its entirety because Complainant has failed to state a claim upon which relief can be granted. Complainant has not alleged that Rocky Mountain Power violated any specific statute, administrative rule, Commission order, or Company tariff in resolving the billing errors at issue in this proceeding.

2. 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

I. INTRODUCTION

3. The Complainant alleges that the Company owes her \$1170.08 for charges that were mistakenly billed to her due to an error in calculating her billing based on her neighbor's meter. According to the Complainant, her meter and her neighbor's meter were initially crossed approximately 5 years ago. The Company initially credited Ms. Cole's account with \$1850.52 in error, believing that her meter was indeed crossed with her neighbor's. However, a subsequent breaker test conducted by the Company confirmed that Ms. Cole's meter is accurately associated with her own account. Consequently, the Company reversed the initial credit of \$1850.52, but provided a goodwill compensation of \$450 to address the inconvenience caused by the bill credit and reversal. The Company has carefully reviewed and verified that Ms. Cole has been appropriately billed for the electric usage associated with her account. Throughout this process, the Company has acted in good faith and in accordance with its tariffs, specifically Electric Service Regulation No. 7(a), which allows the Company to rectify certain billing errors. Therefore, based on the foregoing and the Company's adherence to its applicable tariffs, the Rocky Mountain Power respectfully requests that the Complaint be dismissed.

II. BACKGROUND INFORMATION ON BILLING ERROR

4. The following is a timeline of events:

- January 3, 2023: Ms. Cole contacted the Company and expressed her belief that her meter was crossed with her neighbor's meter. In response, the Company's customer service agent initiated a work order to have her meter checked.
- January 13, 2023: The Company's meter reader visited the location to inspect the meters. However, during this visit, the meter reader misunderstood the purpose of the visit and did not conduct a breaker test to electrically verify if the meters were crossed. A breaker test is a procedure performed to determine whether there is a cross-connection or misalignment in the electrical wiring between meters. It involves temporarily disconnecting the electrical supply to each meter and observing any impact on neighboring meters to identify potential cross-connections. The main service disconnect breaker is utilized, if available, to turn off the electrical supply downstream from a specific meter, allowing an individual to assess what is served (or not served) by that meter. This helps in identifying any cross-connections or misalignments in the electrical wiring between meters. Instead of conducting a breaker test, the meter reader concluded that the meters were crossed based on a visual inspection of the meters and information provided by Ms. Cole.
- January 25, 2023: Based on the information provided by the meter reader, the Company's billing agent made adjustments to the billing.¹ The adjustment was made pursuant to Electric Service Regulation No. 7(a) which states that the corrected billing

¹ It is important to note that the Company subsequently rectified this error by conducting a subsequent breaker test. The breaker test confirmed the accurate association of Ms. Cole's meter with her own account, thereby resolving any doubts or confusion. The Company took prompt action to correct the issue and ensure that Ms. Cole's billing and meter were properly aligned.

should not exceed six months if the time when the malfunction or error began cannot be reasonable determined. However, the billing agent made a seven-month adjustment,² reconciling the neighbor's and Ms. Cole's meter. As a result, Ms. Cole received a bill on January 30, 2023, which removed \$1,857.20 in charges and added \$600.75 in charges, resulting in net credit of \$1,256.45 for the period from June 2022 to December 2022. The January 30, 2023 bill, detailing these adjustments, is attached to this Answer as Confidential Exhibit No. 1 – Customer Bills.

- February 8, 2023: A Company meter reader revisited the property and conducted a breaker test, which confirmed that the meters were not crossed.
- February 20, 2023: The initial billing adjustment made on January 30, 2023, was reversed which removed \$596.20 in charges and added \$1850.52 in charges resulting in \$1,254.20 net credit reversal for the months from June 2022 to December 2022. The net credit reversal was \$2.25 less than the net credit due to the Company's system which automatically calculates prorations when making monthly adjustments. The details of this adjustment are included with Ms. Cole's February 28, 2023 billing statement which is included in Confidential Exhibit No. 1 – Customer Bills. The calculation for the net credit and net credit reversal are attached as Exhibit No. 2 – Credit Reversal Calculations.
- On March 2, 2023, Ms. Cole contacted the Company after receiving the adjusted bill. She was extremely upset and wanted the charges removed. The Company's billing agent attempted to explain the reason for the reversal, but Ms. Cole was convinced that

² The Company acknowledges that the adjustment made on January 25, 2023 should have been for six months as required by Electric Service Regulation No. 7(a). However, the Company believes that the customer was not harmed by this additional month since the Company has since reversed this charge.

the meters were crossed and believed she had been paying for her neighbor's bill for years. She expressed she would contact the public utility commission and ended the phone call.

- March 13, 2023: A Company meter reader revisited the location once again and verified that the meters were not crossed by conducting a second breaker test. The meter reader performed the breaker test to ensure the accuracy of the meter readings. During this visit, Ms. Cole was present at home and was informed about the results of the breaker test.
- March 15, 2023: The Company credited Ms. Cole with a goodwill credit of \$450 for the inconvenience caused by the bill credit and reversal. The credit is on Ms. Cole's March 29, 2023 billing statement which is included with Confidential Exhibit No. 1 – Customer Bills.
- May 17, 2023: The Company confirmed electronic receipt of Complainant's Complaint from Staff and notification that the Company would have 21 days from May 18, 2023, to respond to the Complaint.

III. ANSWER TO COMPLAINANT'S ALLEGATIONS

5. On January 30, 2023, a credit of \$1,256.45 was applied to Ms. Cole's bill in accordance with Electric Service Regulation No. 7(a). The rule specifies that corrected billing should not exceed six months if the time when the malfunction or error began cannot be reasonable determined. The credit was initially given based on the assumption that Ms. Cole's meter was crossed with her neighbor's. However, a breaker test performed by the Company confirmed that Ms. Cole's meter was never actually physically crossed with her neighbor's. Therefore, the credit of \$1,256.45 credit was given in error and was subsequently reversed by the Company. The

Company acknowledges that there was an initial error during the January 13 visit when the meter reader relayed the incorrect information to the customer service representative. As a gesture of goodwill, the Company credited Ms. Cole \$450 for the inconvenience caused by the credit and its subsequent reversal. The Company recognizes that utility bills can be a substantial fixed costs for its customers and expresses regret for the initial billing error made in this case.

6. Electric Service Regulation No. 7(a) specifically anticipates the occurrence of billings errors during operations and outlines the appropriate procedures to follow once an error is discovered. The Company has acted in good faith and in accordance with this rule throughout the entire process.³ Furthermore, after thorough investigation, the Company has confirmed that Ms. Cole's meter is not crossed with her neighbor's meter. Both Ms. Cole and her neighbor are being billed appropriately for their electric usage. The verification of the meters through the breaker tests confirmed that the billing is accurate and reflective of their actual electricity consumption. Moreover, the Company has already provided the customer with an adequate credit to address the inconvenience caused by the billing error. Granting any additional credits or compensation to the customer would result in an excessively large credit, which would not be aligned with Rocky Mountain Power's ability to effectively and reliably serve all of its customers in a cost-effective manner. Consequently, the Company respectfully requests that the relief sought in the Compliant be denied based on its compliance with Electric Service Regulation No. 7(a), confirmation of meter accuracy, and the credit already provided to address the initial billing error.

IV. MOTION TO DISMISS

7. Rocky Mountain Power incorporates by reference paragraphs 4 through 6 as if set forth herein.

³ *Supra* footnote 2.

8. 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 Complainant has not identified any specific administrative rule, order, statute, or applicable provision of the Company's tariff that Rocky Mountain Power violated. The Company has acted in accordance with Electric Service Regulation No. 7(a) to rectifying the billing error identified in this case. Additionally, the Company has conducted thorough verification confirming that the customer's meter is not crossed with her neighbor's and has already provided the customer with an appropriate credit to address the inconvenience caused by the billing error. Accordingly, the Company requests that the Commission dismiss the Complaint with prejudice.

V. CONCLUSION

9. For the foregoing reasons, the Company requests that the Commission deny the relief sought in the Compliant and dismiss the Complaint with prejudice.

DATED this 8th day of June, 2023.

Respectfully submitted,

ROCKY MOUNTAIN POWER



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

REDACTED EXHIBIT 1

SHERRY COLE
FRANCISCO L SANTIBANEZ
SAINT ANTHONY ID 83445-1752

REDACTED



Questions: Call
1-888-221-7070
24 hours a day,
7 days a week
rockymountainpower.net



BILLING DATE: **Jan 30, 2023**
ACCOUNT NUMBER: **75048095-001 3**

DUE DATE: Feb 25, 2023

AMOUNT DUE: \$0.00



Your Balance With Us

| | |
|--------------------------------|------------------|
| Previous Account Balance | 365.53 |
| Payments/Credits | -150.00 |
| New Charges | +669.18 |
| Adjustments | -1,857.20 |
| Current Account Balance | -\$972.49 |

Payments Received

| DATE | DESCRIPTION | AMOUNT |
|-----------------------|------------------------------|-----------------|
| Jan 3, 2023 | Payment Received - Thank You | 150.00 |
| Total Payments | | \$150.00 |

Note: One or more of your services has been adjusted. If you would like more information or have any questions, please call us anytime toll free at 1-888-221-7070.

Detailed Account Activity

ITEM 6 - ELECTRIC SERVICE

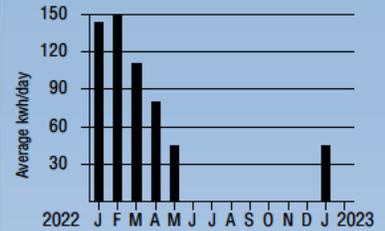
Residential Schedule 1

| METER NUMBER | SERVICE PERIOD | | ELAPSED DAYS | METER READINGS | | METER MULTIPLIER | AMOUNT USED THIS MONTH |
|--------------|----------------|--------------|--------------|----------------|---------|------------------|------------------------|
| | From | To | | Previous | Current | | |
| 342852591 | May 25, 2022 | May 26, 2022 | 1 | 5971 | 6016 | 1.0 | 45 kwh |

Current Month Estimated. Your bill may not reflect actual usage.

| NEW CHARGES 05/22 | UNITS | COST PER UNIT | CHARGE |
|--|--------|---------------|--------|
| CLOSING CHARGES | | | |
| Basic Charge - Single Phase for 1 day(s) | | | 0.27 |
| Energy Charge Winter Block 1 for 1 day(s) | 33 kwh | 0.0933050 | 3.08 |
| Energy Charge Winter Block 2 for 1 day(s) | 12 kwh | 0.1091650 | 1.31 |
| Energy Cost Adjustment for 1 day(s) | 45 kwh | 0.0035400 | 0.16 |
| Customer Efficiency Services | | 0.0225000 | 0.11 |
| Tax Act Adjustment for 1 day(s) | 45 kwh | -0.0018200 | -0.08 |
| B P A Columbia River Benefits for 1 day(s) | 45 kwh | -0.0101330 | -0.46 |

Historical Data - ITEM 6



Your Average Daily kwh Usage by Month

| PERIOD ENDING | Jan 2023 | Jan 2022 |
|------------------|----------|----------|
| Avg. Daily Temp. | 49 | 53 |
| Total kwh | 0 | 4316 |
| Avg. kwh per Day | 45 | 144 |
| Cost per Day | \$0.00 | \$14.75 |

Effective March 6, 2023, residential fees for all phone payments and online card payments will increase from \$1.75 to \$1.99 per payment with a \$500 maximum.

Effective March 6, 2023, commercial fees for all phone payments and online card payments will increase from \$1.75 to \$7.99 per payment with a \$2,000 maximum.

See reverse

Write account number on check & mail to: Rocky Mtn Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT.

↑ INSERT THIS EDGE FIRST ↑

Late Payment Charge for Idaho

A late payment charge of 1% may be charged on the delinquent balance per month.

Change of Mailing Address or Phone?
Check here & provide information on back.

Account Number: **75048095-001 3**

Date Due: **Feb 25, 2023**

AMOUNT DUE: \$0.00

Please enter the amount enclosed. *

SHERRY COLE
FRANCISCO L SANTIBANEZ
SAINT ANTHONY ID 83445-1752



ROCKY MTN POWER
PO BOX 26000
PORTLAND OR 97256-0001



H 75048095 001 327 000000000

BILLING DATE: **Jan 30, 2023** ACCOUNT NUMBER: **75048095-001 3** DUE DATE: **Feb 25, 2023** AMOUNT DUE: **\$0.00**

| NEW CHARGES 05/22 CONTINUED | UNITS | COST PER UNIT | CHARGE |
|-----------------------------|-------|---------------|-------------|
| St Anthony Franchise Fee | | 0.0100000 | 0.04 |
| Total New Charges | | | 4.43 |

| ADJUSTMENTS | CHARGE |
|---|------------------|
| 05/22 Fee Waived | -1.35 |
| 06/22 Billed From Incorrect Meter 05/25/22 - 06/24/22 | -122.11 |
| 06/22 Fee Waived | -0.65 |
| 07/22 Billed From Incorrect Meter 06/24/22 - 07/27/22 | -213.31 |
| 08/22 Billed From Incorrect Meter 07/27/22 - 08/25/22 | -149.61 |
| 09/22 Billed From Incorrect Meter 08/25/22 - 09/26/22 | -159.55 |
| 10/22 Billed From Incorrect Meter 09/26/22 - 10/25/22 | -209.09 |
| 11/22 Billed From Incorrect Meter 10/25/22 - 11/28/22 | -507.18 |
| 12/22 Adjusted Estimated Read 11/28/22 - 12/28/22 | -494.35 |
| Total Adjustments | -1,857.20 |

ITEM 9 - ELECTRIC SERVICE

[REDACTED]

Residential Schedule 1

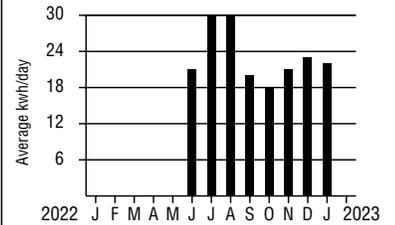
| METER NUMBER | SERVICE PERIOD From | To | ELAPSED DAYS | METER READINGS Previous | Current | METER MULTIPLIER | AMOUNT USED THIS MONTH |
|--------------|---------------------|--------------|--------------|-------------------------|---------|------------------|------------------------|
| 342852591 | Dec 28, 2022 | Dec 28, 2022 | | 8390 | 8390 | 1.0 | |
| 341834327 | Dec 29, 2022 | Jan 27, 2023 | | 8390 | 9043 | 1.0 | |
| Total | | | 30 | | | | 653 kwh |

Next scheduled read date: 02-27. Date may vary due to scheduling or weather.

| NEW CHARGES 01/23 | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|---------|---------------|--------------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Winter Block 1 | 653 kwh | 0.0933050 | 60.93 |
| Energy Cost Adjustment | 653 kwh | 0.0073300 | 4.79 |
| Customer Efficiency Services | | 0.0250000 | 1.84 |
| Tax Act Adjustment | 653 kwh | -0.0018200 | -1.19 |
| B P A Columbia River Benefits | 653 kwh | -0.0101330 | -6.62 |
| St Anthony Franchise Fee | | 0.0100000 | 0.68 |
| Total New Charges | | | 68.43 |

| NEW CHARGES 12/22 | UNITS | COST PER UNIT | CHARGE |
|------------------------------|---------|---------------|--------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Winter Block 1 | 685 kwh | 0.0933050 | 63.91 |
| Energy Cost Adjustment | 685 kwh | 0.0073300 | 5.02 |

Historical Data - ITEM 9



Your Average Daily kwh Usage by Month

| PERIOD ENDING | Jan 2023 | Jan 2022 |
|------------------|----------|----------|
| Avg. Daily Temp. | 21 | 17 |
| Total kwh | 653 | 0 |
| Avg. kwh per Day | 22 | 0 |
| Cost per Day | \$2.28 | \$0.00 |

New Mailing Address or Phone?

Please print your new information below and check the box on the reverse side of this Payment Stub. Thank you.

ACCOUNT NUMBER: **75048095-001 3**

LAST FIRST M.I.

NEW STREET ADDRESS

CITY

ST ZIP TELEPHONE NUMBER





Questions about your bill: Call toll free 1-888-221-7070 rockymountainpower.net

BILLING DATE: **Jan 30, 2023** ACCOUNT NUMBER: **75048095-001 3** DUE DATE: **Feb 25, 2023** AMOUNT DUE: **\$0.00**

| NEW CHARGES 12/22 CONTINUED | UNITS | COST PER UNIT | CHARGE |
|------------------------------------|---------|---------------|--------------|
| Customer Efficiency Services | | 0.0250000 | 1.92 |
| Tax Act Adjustment | 685 kwh | -0.0018200 | -1.25 |
| B P A Columbia River Benefits | 685 kwh | -0.0101330 | -6.94 |
| St Anthony Franchise Fee | | 0.0100000 | 0.71 |
| Total New Charges | | | 71.37 |

| NEW CHARGES 11/22 | UNITS | COST PER UNIT | CHARGE |
|--|---------|---------------|--------------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Summer Block 1 for 6 day(s) | 123 kwh | 0.1119660 | 13.77 |
| Energy Charge Winter Block 1 for 28 day(s) | 574 kwh | 0.0933050 | 53.56 |
| Energy Cost Adjustment | 697 kwh | 0.0073300 | 5.11 |
| Customer Efficiency Services | | 0.0250000 | 2.01 |
| Tax Act Adjustment | 697 kwh | -0.0018200 | -1.27 |
| B P A Columbia River Benefits | 697 kwh | -0.0101330 | -7.06 |
| St Anthony Franchise Fee | | 0.0100000 | 0.74 |
| Total New Charges | | | 74.86 |

| NEW CHARGES 10/22 | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|---------|---------------|--------------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Summer Block 1 | 534 kwh | 0.1119660 | 59.79 |
| Energy Cost Adjustment | 534 kwh | 0.0073300 | 3.91 |
| Customer Efficiency Services | | | |
| for 25 day(s) | | 0.0250000 | 1.55 |
| for 4 day(s) | | 0.0225000 | 0.22 |
| Tax Act Adjustment | 534 kwh | -0.0018200 | -0.97 |
| B P A Columbia River Benefits | 534 kwh | -0.0101330 | -5.41 |
| St Anthony Franchise Fee | | 0.0100000 | 0.67 |
| Total New Charges | | | 67.76 |

| NEW CHARGES 09/22 | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|---------|---------------|--------------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Summer Block 1 | 635 kwh | 0.1119660 | 71.10 |
| Energy Cost Adjustment | 635 kwh | 0.0073300 | 4.65 |
| Customer Efficiency Services | | 0.0225000 | 1.88 |
| Tax Act Adjustment | 635 kwh | -0.0018200 | -1.16 |
| B P A Columbia River Benefits | 635 kwh | -0.0101330 | -6.43 |
| St Anthony Franchise Fee | | 0.0100000 | 0.78 |
| Total New Charges | | | 78.82 |

| NEW CHARGES 08/22 | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|---------|---------------|---------------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Summer Block 1 | 700 kwh | 0.1119660 | 78.38 |
| Energy Charge Summer Block 2 | 158 kwh | 0.1309990 | 20.70 |
| Energy Cost Adjustment | 858 kwh | 0.0073300 | 6.29 |
| Customer Efficiency Services | | 0.0225000 | 2.55 |
| Tax Act Adjustment | 858 kwh | -0.0018200 | -1.56 |
| B P A Columbia River Benefits | 858 kwh | -0.0101330 | -8.69 |
| St Anthony Franchise Fee | | 0.0100000 | 1.06 |
| Total New Charges | | | 106.73 |

| NEW CHARGES 07/22 | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|---------|---------------|---------------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Summer Block 1 | 700 kwh | 0.1119660 | 78.38 |
| Energy Charge Summer Block 2 | 281 kwh | 0.1309990 | 36.81 |
| Energy Cost Adjustment | 981 kwh | 0.0073300 | 7.19 |
| Customer Efficiency Services | | 0.0225000 | 2.93 |
| Tax Act Adjustment | 981 kwh | -0.0018200 | -1.79 |
| B P A Columbia River Benefits | 981 kwh | -0.0101330 | -9.94 |
| St Anthony Franchise Fee | | 0.0100000 | 1.22 |
| Total New Charges | | | 122.80 |

| NEW CHARGES 06/22 | UNITS | COST PER UNIT | CHARGE |
|--|---------|---------------|--------|
| Basic Charge - Single Phase for 29 day(s) | | | 7.73 |
| Energy Charge Summer Block 1 for 24 day(s) | 510 kwh | 0.1119660 | 57.10 |
| Energy Charge Winter Block 1 for 5 day(s) | 106 kwh | 0.0933050 | 9.89 |
| Energy Cost Adjustment | | | |
| for 24 day(s) | 510 kwh | 0.0073300 | 3.74 |

BILLING DATE: **Jan 30, 2023** ACCOUNT NUMBER: **75048095-001 3** DUE DATE: **Feb 25, 2023** AMOUNT DUE: **\$0.00**

| <i>NEW CHARGES 06/22 CONTINUED</i> | UNITS | COST PER UNIT | CHARGE |
|---|---------|---------------|--------------|
| for 5 day(s) | 106 kwh | 0.0035400 | 0.38 |
| Customer Efficiency Services | | 0.0225000 | 1.77 |
| Tax Act Adjustment for 29 day(s) | 616 kwh | -0.0018200 | -1.12 |
| B P A Columbia River Benefits for 29 day(s) | 616 kwh | -0.0101330 | -6.24 |
| St Anthony Franchise Fee | | 0.0100000 | 0.73 |
| Total New Charges | | | 73.98 |

When you provide a check as payment, you authorize us to use the information from your check either to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as we receive your payment and you will not receive your check back from your financial institution. If you would like to opt out of this program and continue processing your payment as a check transaction, please call 1-800-895-0561. If you have opted out previously, please disregard this message.

Manage your account with ease

Popular billing options include Auto Pay, Equal Pay and choice of due dates. You can even earn a credit each month when you sign up for paperless billing. See details and enroll at rockymountainpower.net/billoptions

Looking for other ways to pay?

Visit rockymountainpower.net/pay for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

SHERRY COLE
FRANCISCO L SANTIBANEZ
[REDACTED]
SAINT ANTHONY ID 83445-1752



Questions: Call
1-888-221-7070
24 hours a day,
7 days a week
rockymountainpower.net



BILLING DATE: **Feb 28, 2023**
ACCOUNT NUMBER: **75048095-001 3**
DUE DATE: Mar 25, 2023
AMOUNT DUE: \$1,154.13



Your Balance With Us

| | |
|--------------------------------|-------------------|
| Previous Account Balance | -972.49 |
| Payments/Credits | 0.00 |
| New Charges | +505.54 |
| Adjustments | +1,621.08 |
| Current Account Balance | \$1,154.13 |

Payments Received

| DATE | DESCRIPTION | AMOUNT |
|-----------------------|---|---------------|
| Jan 30, 2023 | Payment Adjustment: Refund Pending Approval | -486.00 |
| Jan 30, 2023 | Payment Adjustment: Refund Pending Approval | -215.00 |
| Feb 3, 2023 | Payment Adjustment: Refund Applied to Account | 486.00 |
| Feb 3, 2023 | Payment Adjustment: Refund Applied to Account | 215.00 |
| Total Payments | | \$0.00 |

Note: One or more of your services has been adjusted. If you would like more information or have any questions, please call us anytime toll free at 1-888-221-7070.

Detailed Account Activity

ITEM 9 - ELECTRIC SERVICE

[REDACTED]
Residential Schedule 1

| METER NUMBER | SERVICE PERIOD | | ELAPSED DAYS | METER READINGS | | METER MULTIPLIER | AMOUNT USED THIS MONTH |
|--------------|----------------|--------------|--------------|----------------|---------|------------------|------------------------|
| | From | To | | Previous | Current | | |
| 341834327 | Jan 27, 2023 | Jan 27, 2023 | | 26042 | 26042 | 1.0 | |
| 342852591 | Jan 28, 2023 | Feb 27, 2023 | | 26042 | 30775 | 1.0 | |
| Total | | | 31 | | | | 4,733 kwh |

Next scheduled read date: 03-28. Date may vary due to scheduling or weather.

| NEW CHARGES 02/23 | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|-----------|---------------|--------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Winter Block 1 | 1,000 kwh | 0.0933050 | 93.31 |
| Energy Charge Winter Block 2 | 3,733 kwh | 0.1091650 | 407.51 |
| Energy Cost Adjustment | 4,733 kwh | 0.0073300 | 34.69 |
| Customer Efficiency Services | | 0.0250000 | 13.59 |
| Tax Act Adjustment | 4,733 kwh | -0.0018200 | -8.61 |
| B P A Columbia River Benefits | 4,733 kwh | -0.0101330 | -47.96 |

See reverse

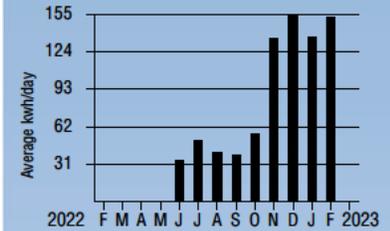
Write account number on check & mail to: Rocky Mtn Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT.

↑ INSERT THIS EDGE FIRST ↑

Historical Data - ITEM 9



Your Average Daily kwh Usage by Month

| PERIOD ENDING | FEB 2023 | FEB 2022 |
|------------------|----------|----------|
| Avg. Daily Temp. | 14 | 16 |
| Total kwh | 4733 | 0 |
| Avg. kwh per Day | 153 | 0 |
| Cost per Day | \$16.31 | \$0.00 |

Effective March 6, 2023, residential fees for all phone payments and online card payments will increase from \$1.75 to \$1.99 per payment with a \$500 maximum.

Effective March 6, 2023, commercial fees for all phone payments and online card payments will increase from \$1.75 to \$7.99 per payment with a \$2,000 maximum.

Late Payment Charge for Idaho
A late payment charge of 1% may be charged on the delinquent balance per month.

Change of Mailing Address or Phone?
Check here & provide information on back.

Account Number: **75048095-001 3**
Date Due: **Mar 25, 2023**

AMOUNT DUE: \$1,154.13

Please enter the amount enclosed. *

SHERRY COLE
FRANCISCO L SANTIBANEZ
[REDACTED]
SAINT ANTHONY ID 83445-1752



ROCKY MTN POWER
PO BOX 26000
PORTLAND OR 97256-0001



H 75048095 001 324 000115413



Questions about your bill: Call toll free 1-888-221-7070 rockymountainpower.net

BILLING DATE: Feb 28, 2023 ACCOUNT NUMBER: 75048095-001 3 DUE DATE: Mar 25, 2023 AMOUNT DUE: \$1,154.13

| NEW CHARGES 02/23 CONTINUED | UNITS | COST PER UNIT | CHARGE |
|-----------------------------|-------|---------------|---------------|
| St Anthony Franchise Fee | | 0.0100000 | 5.01 |
| Total New Charges | | | 505.54 |

| ADJUSTMENTS | CHARGE |
|---|-----------------|
| 01/23 Billed From Incorrect Meter 12/28/22 - 01/27/23 | 366.88 |
| 06/22 Billed From Incorrect Meter 05/26/22 - 06/24/22 | 43.45 |
| 07/22 Billed From Incorrect Meter 06/24/22 - 07/27/22 | 90.51 |
| 08/22 Billed From Incorrect Meter 07/27/22 - 08/25/22 | 42.88 |
| 09/22 Billed From Incorrect Meter 08/25/22 - 09/26/22 | 80.73 |
| 10/22 Billed From Incorrect Meter 09/26/22 - 10/25/22 | 141.33 |
| 11/22 Billed From Incorrect Meter 10/25/22 - 11/28/22 | 432.32 |
| 12/22 Billed From Incorrect Meter 11/28/22 - 12/28/22 | 422.98 |
| Total Adjustments | 1,621.08 |

When you provide a check as payment, you authorize us to use the information from your check either to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as we receive your payment and you will not receive your check back from your financial institution. If you would like to opt out of this program and continue processing your payment as a check transaction, please call 1-800-895-0561. If you have opted out previously, please disregard this message.

Manage your account with ease

Popular billing options include Auto Pay, Equal Pay and choice of due dates. You can even earn a credit each month when you sign up for paperless billing. See details and enroll at rockymountainpower.net/billoptions

Make a positive impact on the environment. Match all or part of your electricity usage with clean energy. Visit RockyMountainPower.net/BlueSky or call 1-800-769-3717 to learn more.

Looking for other ways to pay?

Visit rockymountainpower.net/pay for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

New Mailing Address or Phone?

Please print your new information below and check the box on the reverse side of this Payment Stub. Thank you.

ACCOUNT NUMBER: 75048095-001 3

LAST FIRST M.I.

NEW STREET ADDRESS

CITY

ST ZIP TELEPHONE NUMBER



SHERRY COLE
FRANCISCO L SANTIBANEZ
[REDACTED]
SAINT ANTHONY ID 83445-1752

REDACTED

FIRST-CLASS
MAIL
PRESORTED
U.S. POSTAGE
PAID
PACIFICORP

Questions: Call
1-888-221-7070
24 hours a day,
7 days a week
rockymountainpower.net



BILLING DATE: **Mar 29, 2023**
ACCOUNT NUMBER: **75048095-001 3**

DUE DATE: Apr 25, 2023

AMOUNT DUE: \$925.20



Your Balance With Us

| | |
|--------------------------------|-----------------|
| Previous Account Balance | 1,154.13 |
| Payments/Credits | -600.00 |
| Past Due Amount | 554.13 |
| New Charges | +371.07 |
| Current Account Balance | \$925.20 |

Payments Received

| DATE | DESCRIPTION | AMOUNT |
|-----------------------|------------------------------|-----------------|
| Mar 3, 2023 | Payment Received - Thank You | 150.00 |
| Mar 15, 2023 | Good Will Payment | 450.00 |
| Total Payments | | \$600.00 |

Detailed Account Activity

ITEM 9 - ELECTRIC SERVICE

[REDACTED]
Residential Schedule 1

| METER NUMBER | SERVICE PERIOD | | ELAPSED DAYS | METER READINGS | | METER MULTIPLIER | AMOUNT USED THIS MONTH |
|--------------|----------------|--------------|--------------|----------------|---------|------------------|------------------------|
| | From | To | | Previous | Current | | |
| 342852591 | Feb 27, 2023 | Mar 28, 2023 | 29 | 30775 | 34218 | 1.0 | 3,443 kwh |

Next scheduled read date: 04-26. Date may vary due to scheduling or weather.

| NEW CHARGES 03/23 | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|-----------|---------------|---------------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Winter Block 1 | 1,000 kwh | 0.0933050 | 93.31 |
| Energy Charge Winter Block 2 | 2,443 kwh | 0.1091650 | 266.69 |
| Energy Cost Adjustment | 3,443 kwh | 0.0073300 | 25.24 |
| Customer Efficiency Services | | 0.0250000 | 9.83 |
| Tax Act Adjustment | 3,443 kwh | -0.0018200 | -6.27 |
| B P A Columbia River Benefits | 3,443 kwh | -0.0101330 | -34.89 |
| St Anthony Franchise Fee | | 0.0100000 | 3.62 |
| Late Payment Charge | | 0.0100000 | 5.54 |
| Total New Charges | | | 371.07 |

When you provide a check as payment, you authorize us to use the information from your check either to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as we receive your payment and you will not receive your check back from your financial institution. If you would like to opt out of this program and

See reverse

Write account number on check & mail to: Rocky Mtn Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT.

↑ INSERT THIS EDGE FIRST ↑



ROCKY MTN POWER
PO BOX 26000
PORTLAND OR 97256-0001



Historical Data - ITEM 9



Your Average Daily kwh Usage by Month

| PERIOD ENDING | MAR 2023 | MAR 2022 |
|------------------|----------|----------|
| Avg. Daily Temp. | 23 | 32 |
| Total kwh | 3443 | 0 |
| Avg. kwh per Day | 119 | 0 |
| Cost per Day | \$12.60 | \$0.00 |

Manage your account with ease

Popular billing options include Auto Pay, Equal Pay and choice of due dates. You can even earn a credit each month when you sign up for paperless billing. See details and enroll at rockymountainpower.net/billoptions

Looking for other ways to pay?

Visit rockymountainpower.net/pay for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

Late Payment Charge for Idaho

A late payment charge of 1% may be charged on the delinquent balance per month.

Change of Mailing Address or Phone?
Check here & provide information on back.

Account Number: **75048095-001 3**

Date Due: **Apr 25, 2023**

AMOUNT DUE: \$925.20



Please enter the amount enclosed.

SHERRY COLE
FRANCISCO L SANTIBANEZ
[REDACTED]
SAINT ANTHONY ID 83445-1752

H 75048095 001 328 000092520 000055413 000037107

BILLING DATE: **Mar 29, 2023** ACCOUNT NUMBER: **75048095-001 3** DUE DATE: **Apr 25, 2023** AMOUNT DUE: **\$925.20**

continue processing your payment as a check transaction, please call 1-800-895-0561. If you have opted out previously, please disregard this message.

New Mailing Address or Phone?

Please print your new information below and check the box on the reverse side of this Payment Stub. Thank you.

ACCOUNT NUMBER: **75048095-001 3**

LAST FIRST M.I.

NEW STREET ADDRESS

CITY

ST ZIP TELEPHONE NUMBER



EXHIBIT 2

| Date | Billing Transaction | Payment | Adjustment | New Charges | End Balance |
|------------|------------------------------|-----------|------------|-------------|---------------|
| 04/26/22 | Beginning Balance | | | | \$ 99.37 |
| 4/27/2022 | Regular Bill | | | \$ 235.32 | \$ 334.69 |
| 5/18/2022 | Payment | \$ 200.00 | | | \$ 134.69 |
| 5/26/2022 | Regular Bill | | | \$ 130.44 | \$ 265.13 |
| 6/2/2022 | Payment | \$ 200.00 | | | \$ 65.13 |
| 6/27/2022 | Regular Bill | | | \$ 122.76 | \$ 187.89 |
| 7/11/2022 | Payment | \$ 187.89 | | | \$ - |
| 7/28/2022 | Regular Bill | | | \$ 213.31 | \$ 213.31 |
| 8/2/2022 | Payment | \$ 213.31 | | | \$ - |
| 8/29/2022 | Regular Bill | | | \$ 149.61 | \$ 149.61 |
| 9/12/2022 | Payment | \$ 150.00 | | | \$ (0.39) |
| 9/28/2022 | Regular Bill | | | \$ 159.55 | \$ 159.16 |
| 10/5/2022 | Payment | \$ 215.00 | | | \$ (55.84) |
| 10/27/2022 | Regular Bill | | | \$ 209.09 | \$ 153.25 |
| 11/8/2022 | Payment | \$ 639.25 | | | \$ (486.00) |
| 11/30/2022 | Regular Bill | | | \$ 507.18 | \$ 21.18 |
| 12/2/2022 | Payment | \$ 150.00 | | | \$ (128.82) |
| 12/30/2022 | Regular Bill | | | \$ 494.35 | \$ 365.53 |
| 1/3/2023 | Payment | \$ 150.00 | | | \$ 215.53 |
| 1/30/2023 | Regular Bill - January 2023 | | \$ 68.43 | | \$ (972.49) |
| 1/30/2023 | Removed January 2023 | | \$ (68.43) | | \$ (1,040.92) |
| 1/30/2023 | Corrected January 2023 | | \$ 435.31 | | \$ 648.59 |
| 2/28/2023 | Regular Bill - February 2023 | | \$ 505.54 | | \$ 1,154.13 |
| 3/3/2023 | Payment | \$ 150.00 | | | \$ 1,004.13 |
| 3/15/2023 | Good Will Payment | \$ 450.00 | | | \$ 554.13 |
| 3/29/2023 | Regular Bill - March 2023 | | | \$ 371.07 | \$ 925.20 |
| 4/5/2023 | Payment | \$ 125.00 | | | \$ 800.20 |
| 4/27/2023 | Regular Bill - April 2023 | | | \$ 275.53 | \$ 1,075.73 |
| 4/28/2023 | Payment | \$ 150.00 | | | \$ 925.73 |

| Net Credit Calculation | | | | |
|-------------------------------|--------------------------------|---------|--|-----------------|
| 1/30/2023 | Removed Dec 2022 Crossed Meter | -494.35 | | -278.82 |
| 1/30/2023 | Removed Nov 2022 | -507.18 | | -786 |
| 1/30/2023 | Removed Oct 2022 | -209.09 | | -995.09 |
| 1/30/2023 | Removed Sept 2022 | -159.55 | | -1154.64 |
| 1/30/2023 | Removed Aug 2022 | -149.61 | | -1304.25 |
| 1/30/2023 | Removed July 2022 | -213.31 | | -1517.56 |
| 1/30/2023 | Removed June 2022 | -122.11 | | -1639.67 |
| 1/30/2023 | Removed June 2022 Late fee | -0.65 | | -1640.32 |
| 1/30/2023 | Removed late fee | -1.35 | | -1641.67 |
| 1/30/2023 | Billed closing charge | 4.43 | | -1637.24 |
| 1/30/2023 | Corrected June 2022 | 73.98 | | -1563.26 |
| 1/30/2023 | Corrected July 2022 | 122.8 | | -1440.46 |
| 1/30/2023 | Corrected August 2022 | 106.73 | | -1333.73 |
| 1/30/2023 | Corrected Sept 2022 | 78.82 | | -1254.91 |
| 1/30/2023 | Corrected Oct 2022 | 67.76 | | -1187.15 |
| 1/30/2023 | Corrected Nov 2022 | 74.86 | | -1112.29 |
| 1/30/2023 | Corrected Dec 2022 | 71.37 | | -1040.92 |
| Net Credit | | | | -1256.45 |

| Net Credit Reversal Calculation | | | | |
|---------------------------------|--------------------------|---------|--|----------------|
| 2/28/2023 | Removed Dec 2022 | -71.37 | | -1112.29 |
| 2/28/2023 | Removed Nov 2022 | -74.86 | | -1187.15 |
| 2/28/2023 | Removed Oct 2022 | -67.76 | | -1254.91 |
| 2/28/2023 | Removed Sept 2022 | -78.82 | | -1333.73 |
| 2/28/2023 | Removed August 2022 | -106.73 | | -1440.46 |
| 2/28/2023 | Removed July 2022 | -122.8 | | -1563.26 |
| 2/28/2023 | Removed June 2022 | -73.98 | | -1637.24 |
| 2/28/2023 | Corrected June 2022 | 117.43 | | -1519.81 |
| 2/28/2023 | Corrected July 2022 | 213.31 | | -1306.5 |
| 2/28/2023 | Corrected August 2022 | 149.61 | | -1156.89 |
| 2/28/2023 | Corrected September 2022 | 159.55 | | -997.34 |
| 2/28/2023 | Corrected October 2022 | 209.09 | | -788.25 |
| 2/28/2023 | Corrected November 2022 | 507.18 | | -281.07 |
| 2/28/2023 | Corrected December 2022 | 494.35 | | 213.28 |
| Net Credit Reversal | | | | 1254.20 |

Billing Analysis

| | | | | | |
|-----------|---------------------------|------|-------------------|----------------|---------|
| 4/28/2023 | Payment | -150 | | 925.73 | 925.73 |
| 4/27/2023 | er Read His | -125 | 275.53 | 1075.73 | 1075.73 |
| 3/29/2023 | Regular Bil | -150 | 371.07 | 925.2 | 925.2 |
| 3/15/2023 | rdwill Payn | -450 | | 704.13 | 704.13 |
| 2/28/2023 | Meter Read History | | Meter #: | 342852591 | |
| | | | Account #: | 75048095 001 3 | |

| Read Date | Source * | Days | Meter Read | Usage | Invoice Amount |
|-----------|----------|------|------------|-------|----------------|
| 02/27/23 | E | 31 | 30775 | 4733 | \$505.54 |
| 01/27/23 | J | 30 | 26042 | 4086 | \$435.31 |
| 12/28/22 | J | 30 | 21956 | 4630 | \$494.35 |
| 11/28/22 | J | 34 | 17326 | 4576 | \$507.18 |
| 10/25/22 | J | 29 | 12750 | 1637 | \$209.09 |
| 09/26/22 | J | 32 | 11113 | 1262 | \$159.55 |
| 08/25/22 | J | 29 | 9851 | 1186 | \$149.61 |
| 07/27/22 | J | 33 | 8665 | 1673 | \$213.31 |
| 06/24/22 | J | 29 | 6992 | 976 | \$117.43 |
| 05/26/22 | M | 0 | 6016 | | |
| 05/26/22 | S | 1 | 6016 | 45 | \$4.43 |
| 05/25/22 | E | 29 | 5971 | 1315 | \$129.09 |
| 04/26/22 | E | 29 | 4656 | 2324 | \$234.33 |
| 03/28/22 | I | 31 | 2332 | 3452 | \$352.01 |
| 02/25/22 | I | 28 | 11629 | 4164 | \$426.28 |
| 01/28/22 | I | 30 | 7465 | 4316 | \$442.36 |
| 12/29/21 | I | 33 | 3149 | 3829 | \$392.45 |
| 11/26/21 | I | 32 | 302230 | 2160 | \$225.41 |
| 10/25/21 | I | 28 | 300070 | 1682 | \$221.12 |
| 09/27/21 | I | 32 | 298388 | 1147 | \$145.47 |
| 08/26/21 | I | 30 | 297241 | 1323 | \$171.21 |
| 07/27/21 | R | 32 | 295918 | 1490 | \$195.66 |
| 06/25/21 | I | 30 | 294428 | 1019 | \$127.13 |
| 05/26/21 | I | 30 | 293409 | 1335 | \$169.29 |
| 04/26/21 | I | 31 | 292074 | 2522 | \$260.04 |
| 03/26/21 | I | 29 | 289552 | 3186 | \$335.09 |
| 02/25/21 | I | 29 | 286366 | 3612 | \$383.20 |
| 01/27/21 | I | 30 | 282754 | 4481 | \$481.41 |
| 12/28/20 | I | 34 | 278273 | 4767 | \$513.72 |
| 11/24/20 | I | 32 | 273506 | 3532 | \$406.21 |
| 10/23/20 | I | 29 | 269974 | 1346 | \$177.61 |
| 09/24/20 | I | 30 | 268628 | 1058 | \$134.81 |
| 08/25/20 | I | 29 | 267570 | 1222 | \$159.19 |
| 07/27/20 | I | 33 | 266348 | 1384 | \$183.24 |
| 06/24/20 | I | 29 | 264964 | 1011 | \$127.38 |
| 05/26/20 | I | 32 | 263953 | 1102 | \$130.57 |
| 04/24/20 | I | 29 | 262851 | 1844 | \$178.58 |
| 03/26/20 | I | 28 | 261007 | 2169 | \$214.44 |
| 02/27/20 | I | 28 | 258838 | 3181 | \$326.13 |
| 01/30/20 | I | 31 | 255657 | 3129 | \$320.39 |

| Read Date | Source * | Days | Meter Read | Usage | Invoice Amount |
|------------------|-----------------|-------------|-------------------|--------------|-----------------------|
| 12/30/19 | I | 35 | 252528 | 3777 | \$391.91 |
| 11/25/19 | I | 32 | 248751 | 3007 | \$330.90 |
| 10/24/19 | I | 29 | 245744 | 2084 | \$281.76 |
| 09/25/19 | I | 30 | 243660 | 803 | \$94.83 |
| 08/26/19 | I | 31 | 242857 | 1001 | \$123.71 |
| 07/26/19 | I | 31 | 241856 | 690 | \$78.73 |
| 06/25/19 | I | 32 | 241166 | 1073 | \$134.26 |
| 05/24/19 | I | 29 | 240093 | 1457 | \$181.15 |
| 04/25/19 | I | 29 | 238636 | 1709 | \$163.95 |
| 03/27/19 | I | 28 | 236927 | 2962 | \$302.51 |
| 02/27/19 | I | 29 | 233965 | 3634 | \$378.55 |
| 01/29/19 | I | 32 | 230331 | 4207 | \$442.19 |
| 12/28/18 | I | 31 | 226124 | 3814 | |
| 11/27/18 | I | 34 | 222310 | 3270 | |
| 10/24/18 | I | 29 | 219040 | 1733 | |
| 09/25/18 | I | 31 | 217307 | 976 | |
| 08/24/18 | I | 32 | 216331 | 942 | |
| 07/26/18 | I | 29 | 215389 | 935 | |
| 06/25/18 | I | 31 | 214454 | 747 | |
| 05/24/18 | I | 32 | 213707 | 988 | |
| 04/25/18 | I | 29 | 212719 | 1747 | |
| 03/27/18 | I | 29 | 210972 | 2848 | |
| 02/26/18 | I | 29 | 208124 | 3862 | |

A=Adjustment, C=Customer, E=Remote Read, F=Field Read, I=Itron Read (regular), M=Manual (regular), O=Office Estimate, P=Postcard, S=System Estimate, J=Out of

The following comment was submitted via PUCWeb:

Name: Sherry Cole

Submission Time: Jun 9 2023 3:28PM

Email: slordaz@hotmail.com

Telephone: 208-624-4020

Address: 350 S 12th W #14

Saint Anthony , ID 83445

Name of Utility Company: Rocky Mountain Power

Case ID: PAC-E-23-12

Comment: "I need to talk to the Judge about some issues with the procedures with this case, false information by omission presented to the court by Rocky Mountain Power and their attorney asking it be dismissed with prejudice which it should not be. Lack of proof I submitted not being there. This brings up a lot of procedural ,legal and Constitutional questions. Notifying you also that have applied for assistance for an attorney through the Idaho Bar and already talked to the Attorney Generals Consumer Affairs. "

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.

///

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



ERIC ANDERSON, PRESIDENT

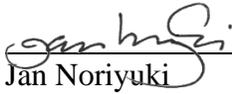


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

I:\Legal\ELECTRIC\PAC-E-23-12 Cole\PACE2312_Final_md.docx

The following comment was submitted via PUCWeb:

Name: Sherry Cole

Submission Time: Jul 25 2023 12:17AM

Email: slordaz@hotmail.com

Telephone: 208-624-4020

Address: 350 S 12th W #14

Saint Anthony , ID 83445

Name of Utility Company: Rocky mountain Power

Case ID: PAC-E-23-12

Comment: "thanks for ignoring the evidence that was submitted electronically several times. for the customer that had losses that are now considered theft by the utility and only considering the falsehoods the utility provided. I will be appealing this decision and suing them now."



RECEIVED
2023 JULY 25, 2023 8:00AM
IDAHO PUBLIC
UTILITIES COMMISSION

P.O. Box 25308
Salt Lake City, Utah 84125-0308
1-888-221-7070
fax 1-877-809-3193
rockymountainpower.net

January 25, 2023

SHERRY COLE
FRANCISCO L SANTIBANEZ
350 S 12TH W TRLR 14
SAINT ANTHONY ID 83445-1752

Account # 75048095 001 3



Dear Sherry Cole and Francisco L Santibanez:

Recent investigation shows that you were billed incorrectly for electric service at 350 S 12th W Trailer 14, Saint Anthony, Idaho. You were billed for a meter that serves a neighboring location and not the meter that provides service to you. This is most often the result of incorrect meter labeling or wiring by the property's builder, electrician, or owner. We have taken action to fix the problem so you are billed correctly in the future.

Your bill from May 25, 2022 to December 28, 2022 has been corrected to reflect your actual usage and a credit of \$1,262.52 will be subtracted from your next bill.

We are committed to providing excellent customer service and making sure you receive accurate and timely bills. If you would like more information or have any questions, please call us anytime toll-free at 1-888-221-7070. Any of our customer service representatives will be happy to assist you.

Our secure, convenient, and easy-to-use website empowers you to manage your electric account and stay informed by signing up for email alerts, text alerts, or both. Once you have established your online profile, you can choose to go paperless and receive monthly email notifications when your bill is ready, set up automatic payments, enroll in Equal Pay, plus much more. Downloading our free mobile app for Apple and Android devices is another option for quickly accessing your electric account. The app provides many self-service channels, including the ability to report and track outages, make payments, and look up your account history. Get started at www.rockymountainpower.net.

It's a pleasure to serve you.

Sincerely,

Rocky Mountain Power

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

our true strength is
our connection to you

SHERRY COLE
 FRANCISCO L SANTIBANEZ
 350 S 12TH W TRLR 14
 SAINT ANTHONY ID 83445-1752



Questions: Call
1-888-221-7070
 24 hours a day,
 7 days a week
 rockymountainpower.net



BILLING DATE: **Jan 30, 2023**
 ACCOUNT NUMBER: **75048095-001 3**
DUE DATE: Feb 25, 2023
AMOUNT DUE: \$0.00

Your Balance With Us

| | |
|--------------------------------|------------------|
| Previous Account Balance | 365.53 |
| Payments/Credits | -150.00 |
| New Charges | +669.18 |
| Adjustments | -1,857.20 |
| Current Account Balance | -\$972.49 |

Payments Received

| DATE | DESCRIPTION | AMOUNT |
|-----------------------|------------------------------|-----------------|
| Jan 3, 2023 | Payment Received - Thank You | 150.00 |
| Total Payments | | \$150.00 |

Note: One or more of your services has been adjusted. If you would like more information or have any questions, please call us anytime toll free at 1-888-221-7070.

Detailed Account Activity

ITEM 6 - ELECTRIC SERVICE

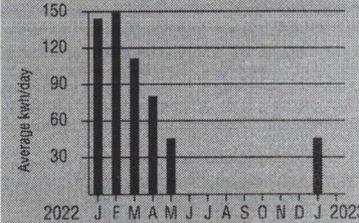
350 S 12TH W TRLR 14 Saint Anthony ID
 Residential Schedule 1

| METER NUMBER | SERVICE PERIOD | | ELAPSED DAYS | METER READINGS | | METER MULTIPLIER | AMOUNT USED THIS MONTH |
|--------------|----------------|--------------|--------------|----------------|---------|------------------|------------------------|
| | From | To | | Previous | Current | | |
| 342852591 | May 25, 2022 | May 26, 2022 | 1 | 5971 | 6016 | 1.0 | 45 kwh |

Current Month Estimated. Your bill may not reflect actual usage.

| NEW CHARGES - 05/22 | UNITS | COST PER UNIT | CHARGE |
|--|--------|---------------|--------|
| CLOSING CHARGES | | | |
| Basic Charge - Single Phase for 1 day(s) | | | 0.27 |
| Energy Charge Winter Block 1 for 1 day(s) | 33 kwh | 0.0933050 | 3.08 |
| Energy Charge Winter Block 2 for 1 day(s) | 12 kwh | 0.1091650 | 1.31 |
| Energy Cost Adjustment for 1 day(s) | 45 kwh | 0.0035400 | 0.16 |
| Customer Efficiency Services | | 0.0225000 | 0.11 |
| Tax Act Adjustment for 1 day(s) | 45 kwh | -0.0018200 | -0.08 |
| B P A Columbia River Benefits for 1 day(s) | 45 kwh | -0.0101330 | -0.46 |

Historical Data - ITEM 6



Your Average Daily kwh Usage by Month

| PERIOD ENDING | Jan 2023 | Jan 2022 |
|------------------|----------|----------|
| Avg. Daily Temp. | 49 | 53 |
| Total kwh | 0 | 4316 |
| Avg. kwh per Day | 45 | 144 |
| Cost per Day | \$0.00 | \$14.75 |

Effective March 6, 2023, residential fees for all phone payments and online card payments will increase from \$1.75 to \$1.99 per payment with \$500 maximum.

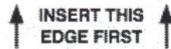
Effective March 6, 2023, commercial fees for all phone payments and online card payments will increase from \$1.75 to \$7.99 per payment with \$2,000 maximum.

See reverse

Write account number on check & mail to: Rocky Mtn Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT.



ROCKY MTN POWER
 PO BOX 26000
 PORTLAND OR 97256-0001



H 75048095 001 327 000000000

Late Payment Charge for Idaho
 A late payment charge of 1% may be charged on the delinquent balance per month.

Change of Mailing Address or Phone?
 Check here & provide information on back of bill.

Account Number: **75048095-001 3**

Date Due: **Feb 25, 2023**

AMOUNT DUE: \$0.00

Please enter the amount enclosed.

SHERRY COLE
 FRANCISCO L SANTIBANEZ
 350 S 12TH W TRLR 14
 SAINT ANTHONY ID 83445-1752



Questions about your bill: Call toll free 1-888-221-7070 rockymountainpower.net

BILLING DATE: Feb 28, 2023 ACCOUNT NUMBER: 75048095-001 3 DUE DATE: Mar 25, 2023 AMOUNT DUE: \$1,154.13

NEW CHARGES - 02/23 - CONTINUED

| | UNITS | COST PER UNIT | CHARGE |
|--------------------------|-------|---------------|---------------|
| St Anthony Franchise Fee | | 0.0100000 | 5.01 |
| Total New Charges | | | 505.54 |

ADJUSTMENTS

| | CHARGE |
|---|-----------------|
| 01/23 Billed From Incorrect Meter 12/28/22 - 01/27/23 | 366.88 |
| 06/22 Billed From Incorrect Meter 05/26/22 - 06/24/22 | 43.45 |
| 07/22 Billed From Incorrect Meter 06/24/22 - 07/27/22 | 90.51 |
| 08/22 Billed From Incorrect Meter 07/27/22 - 08/25/22 | 42.88 |
| 09/22 Billed From Incorrect Meter 08/25/22 - 09/26/22 | 80.73 |
| 10/22 Billed From Incorrect Meter 09/26/22 - 10/25/22 | 141.33 |
| 11/22 Billed From Incorrect Meter 10/25/22 - 11/28/22 | 432.32 |
| 12/22 Billed From Incorrect Meter 11/28/22 - 12/28/22 | 422.98 |
| Total Adjustments | 1,621.08 |

When you provide a check as payment, you authorize us to use the information from your check either to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as we receive your payment and you will not receive your check back from your financial institution. If you would like to opt out of this program and continue processing your payment as a check transaction, please call 1-800-895-0561. If you have opted out previously, please disregard this message.

Manage your account with ease

Popular billing options include Auto Pay, Equal Pay and choice of due dates. You can even earn a credit each month when you sign up for paperless billing. See details and enroll at rockymountainpower.net/billoptions

Make a positive impact on the environment. Match all or part of your electricity usage with clean energy. Visit RockyMountainPower.net/BlueSky or call 1-800-769-3717 to learn more.

Looking for other ways to pay?

Visit rockymountainpower.net/pay for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

New Mailing Address or Phone?

Please print your new information below and check the box on the reverse side of this Payment Stub. Thank you.

ACCOUNT NUMBER: 75048095-001 3

LAST FIRST M.I.

NEW STREET ADDRESS

CITY

ST ZIP TELEPHONE NUMBER

This product contains fiber from well-managed, independently certified forests.

Sherry Cole Pro Se
350 S 12th W #14
Saint Anthony Idaho 83445
(208)624-4020
slordaz@hotmail.com

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

Motion for RECONSIDERATION

)
) CASE NO. PAC-E-23-12
)

SHERRY COLE PETITIONER IN THE PROCEEDING AGAINST PACIFICORP DBA
ROCKY MOUNTAIN POWER RESPONDANT

I BEG YOUR INDULGENCE AS WAS UNABLE TO OBTAIN PROPERLY
FORMATED FORMS AND DO NOT AS THE REPSONDENTS LAWYER SO APPTLY
POINTED OUT I DO NOT HAVE LEGAL TRAINNG SO YES THERE ARE BOUND TO
BE ERRORS I WAS UNABLE TO OBTAIN LEGAL ASSISTANCE FOR THE
PROCEEDING SO DOING THE BEST I CAN AS THIS IS CONFUSING FOR ME AS
IT'S NOT IN THE COURT SYSTEM.

THE FACTS OF THE CASE SUPPORTED BY THE DOCUMENTATION IN EXHIBIT 1
THROUGH 3 ARE: AND IDAHO CODE Statutory Reference: Idaho Code § 61-642.

Cross-Reference: Rules 005, 200, 204, 313.

Cross-Reference: Rules 005, 200, 204, 313.

WHICH SHOULD BE GRANTED AN EXPEMPTION TO THE 3 YEAR LIMIT AS I
CONTACTED THEM AS SOON AS I HAD THE PROOF I NEEDED TO TRY AND
RECOUP THE MONEY OVERCHARGED AS PREVIOUS CHECK AFTER THE MOVE
OF METER BANKS BY ROCKY MOUNTAIN POWER SAID EVERYTHING WAS FINE.

I WAS MISINFORMED BY ROCKY MOUNTAIN POWER AND THE INFORMAL INVESTIGATOR JON KRUSK WHY I ORIGINALLY ASKED FOR THE 1620.08 MINUS THE 450.00 GOOD WILL WAS INCORRECT AMOUNT:

THAT ON DEC 2022 A REPAIR CREW WAS DISPATCHED. AND WAS DISCOVERED THAT 2 OF THE 4 METERS HAD BEEN CROSSED WHEN THEY WERE MOVED. THEY TURNED MY METER OFF AND INSTEAD OF TURNING OFF MY POWER IT TURNED OFF THE NEIGHBORS INSTEAD , THEY WERE ABLE TO FIX MY BAD METER AND TOLD ME SOMEONE WOULD BE OUT IN A COUPLE OF DAYS AS THE 2 METER WERE CROSSED, WHICH DID NOT OCCUR SO I CALLED BACK IN JANUARY AND REQUESTED A REPORT FOR THE CROSSED METERS MENTIONED AS CREW SAID THEY WOULD BE OUT IN A FEW DAYS AND HAD NOT BEEN OUT, CAN BE SEEN FROM MY HOME, BE SENT TO ME WHICH IS EXHIBIT 1: REPORT FROM ROCKY MOUNTAIN POWER.INCLUDING THE REMEDIES AND THE PROBLEM REVERIFYING WHAT DISPATCHED CREW HAD TOLD ME IN DECEMBER 2022

EXHIBIT 2: IS A BREAK DOWN OF THEM CORRECTING BILLING FOR 6 MONTHS OF BEING OVER CHARGED FOR MY NEIGHBORS METER INSTEAD OF MINE. JANUARY 2023 DUE IN FEBRUARY 2023 THEY SAID THAT IS ALL THAT IS ALLOWED BY STATE LAW.

EXHIBIT 3 IS FEBRUARY BILL DUE IN MARCH WHERE THEY ADDED IN 1620.08 TO MY BILL SAYING THE LINES WERE NOT CROSSED NOW AND HAD NEVER BEEN WHEN THEY WENT OUT IN FEBRUARY AND MARCH, IGNORING THAT THEY HAD BEEN UNCROSSED IN JANUARY 2023

RESPONDENTS IGNORED THE FIRST SUMMONS ALL ARE UPLOADED BY STAFF TO CASE FILE BUT A SECOND SUMMONS WAS ISSUED 13 DAYS LATER WITHOUT CANCELLATION OF THE FIRST SUMMONS WHICH WAS UPLOADED BY STAFF TO CASE FILE ALSO

WHEN I TRIED CALLING THE OFFICE IN MARCH THE CUSTOMER SERVICE UNDERSTOOD THE PROBLEM I WAS TRYING TO WORK WITH THEM ON BUT HAD TO PASS ME TO THE SUPERVISOR WHO DID NOTHING BUT TELL ME THERES NOTHING THEY COULD DO ABOUT THE CHARGES THEY HAD ADDED ON FOR FEB BILL DUE IN MARCH THAT THE METERS HAD NEVER BEEN CROSSED WHICH ALREADY HAD PROOF OF AND IT BEING FIXED IN JANUARY 2023, ASKED FOR A MANAGER AT THIS POINT AND WAS TOLD TO LEAVE A MESSAGE WHAT IT WAS CONCERING AND DID, I SHOULD HEAR BACK WITHIN NO MORE THAN 10 BUSSINESS DAYS AND STILL NEVER HEARD BACK FOM THEM TO DATE.

IF IT WAS ANYBODY ELSE BUT A PUBLIC UTILITY THEY WOULD BE FACING CRIMINAL CHARGES FOR GRAND THEFT EVEN JUST FOR FEB FOR MARCH LET ALONE THE MONEY THEY OWED ME BACK

RELIEF REQUESTED

I PRAY THAT THE COMMISSION WILL AS I HAVE IN GOOD FAITH TRIED TO WORK WITH THE COMPANY EVEN STUGGLING WITH THE LEGALITIES, THEN THROUGH AN INFORMAL HEARING TRIED TO WORK WITH THEM TO NO AVAIL AND TRYING TO NEGOTIATE WHEN THEIR LAWYER CONTACTED ME, ORDER THE CORRECT AMOUNT OF MONEY WRONGFULLY CHARGED ME AND ADDED TO THE BIL1620.08 WITHOUT IT BEING OWED THEM AS METERS WERE CROSSED FROM TIME THEY MOVED THE METER BANK UNTIL JANUARY 2023 .

I DID OFFER THEM IF THEY WANTED TO GO BACK AND FIGURE CORRECTLY AS THEY HAD ACESS TO BOTH METERS INSTEAD OF GOING ON THE ESTIMATE OF THE 6 MONTHS ALREADY CREDITED AND REMOVE THE 1620.08 THAT THEY WERE NOT ENTITLED TO CHARGE ME, MINUSED OUT THAT 6 MONTH CREDIT AND A 450 GOOD WILL CREDIT FOR APPROXIMATE TOTAL OF 10870.00 OVER THE TIME I WAS PAYING FOR ENERGY USAGE THAT WAS NOT MINE AND WAS OVER CHARGED NOT UNDER CHARGED, IF I WAS FULLY REIMBURSED I WOULD HAVE DONE THEIR NO FURTHER LIABILITY AND THEY HAD THE OPTION OF GOING BACK AND DOING THE WORK TO GET CORRECT AMMOUNT AS THAT

IS JUST AND FAIR TO BOTH PARTIES, AS ONLY 2 OF 4 METERES WERE INVOLVED. AND IT WOULD HAVE EASILY BEEN RESOLVED WITH THE RESPONDANT ROCKY MOUNTAIN POWER

EXHIBIT 1 REDACTED



SHERRY COLE
FRANCISCO L. SANTIBANEZ



Acc

Dear Sherry Cole and Francisco L Santibanez:

Recent investigation shows that you were billed incorrectly for electric service at 14, Saint Anthony, Idaho. You were billed for a meter that serves a neighboring meter that provides service to you. This is most often the result of incorrect meter the property's builder, electrician, or owner. We have taken action to fix the problem correctly in the future.

Your bill from May 25, 2022 to December 28, 2022 has been corrected to reflect a credit of \$1,262.52 will be subtracted from your next bill.

We are committed to providing excellent customer service and making sure you receive timely bills. If you would like more information or have any questions, please call 1-888-221-7070. Any of our customer service representatives will be happy to assist you.

Our secure, convenient, and easy-to-use website empowers you to manage your account. Stay informed by signing up for email alerts, text alerts, or both. Once you have set up your profile, you can choose to go paperless and receive monthly email notifications with your bill. You can also set up automatic payments, enroll in Equal Pay, plus much more. Downloading our mobile app on Apple and Android devices is another option for quickly accessing your electric bill. Our website provides many self-service channels, including the ability to report and track outages and look up your account history. Get started at www.rockymountainpower.net.

It's a pleasure to serve you.

Sincerely,

Rocky Mountain Power

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

EXHIBIT 2 REDACTED

SHERRY COLE
FRANCISCO L SANTIBANEZ



Questions: Call
1-888-221-7070
24 hours a day,
7 days a week
rockymountainpower.net



BILLING DATE:
ACCOUNT NUMBER:

DUE DATE:

AMOUNT DUE:

Your Balance With Us

| | |
|--------------------------------|------------------|
| Previous Account Balance | 365.53 |
| Payments/Credits | -150.00 |
| New Charges | +669.18 |
| Adjustments | -1,857.20 |
| Current Account Balance | -\$972.49 |

Payments Received

| DATE | DESCRIPTION | AMOUNT |
|-----------------------|------------------------------|-----------------|
| Jan 3, 2023 | Payment Received - Thank You | 150.00 |
| Total Payments | | \$150.00 |

Note: One or more of your services has been adjusted. If you would like more information or have any questions, please call us anytime toll free at 1-888-221-7070.

Detailed Account Activity

ITEM 6 - ELECTRIC SERVICE

350 S 12TH W Trlr 14 Saint Anthony ID
Residential Schedule 1

| METER NUMBER | SERVICE PERIOD | | ELAPSED DAYS | METER READINGS | | METER MULTIPLIER | AMOUNT USED THIS MONTH |
|--------------|----------------|--------------|--------------|----------------|---------|------------------|------------------------|
| | From | To | | Previous | Current | | |
| 342852591 | May 25, 2022 | May 26, 2022 | 1 | 5971 | 6016 | 1.0 | 45 kwh |

Current Month Estimated. Your bill may not reflect actual usage.

NEW CHARGES - 05/22

| | UNITS | COST PER UNIT | CHARGE |
|--|--------|---------------|--------|
| CLOSING CHARGES | | | |
| Basic Charge - Single Phase for 1 day(s) | | | 0.27 |
| Energy Charge Winter Block 1 for 1 day(s) | 33 kwh | 0.0933050 | 3.08 |
| Energy Charge Winter Block 2 for 1 day(s) | 12 kwh | 0.1091650 | 1.31 |
| Energy Cost Adjustment for 1 day(s) | 45 kwh | 0.0035400 | 0.16 |
| Customer Efficiency Services | | 0.0225000 | 0.11 |
| Tax Act Adjustment for 1 day(s) | 45 kwh | -0.0018200 | -0.08 |
| B P A Columbia River Benefits for 1 day(s) | 45 kwh | -0.0101330 | -0.46 |

See reverse

Write account number on check & mail to: Rocky Mtn Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.

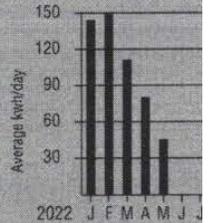
RETURN THIS PORTION WITH YOUR PAYMENT.



ROCKY MTN POWER
PO BOX 26000
PORTLAND OR 97256-0001



Historical Data - /TE



Your Average Daily kwh

| PERIOD ENDING | Jan |
|------------------|-----|
| Avg. Daily Temp. | 4 |
| Total kwh | |
| Avg. kwh per Day | 4 |
| Cost per Day | \$0 |

Effective March 6, 2023, r phone payments and online increase from \$1.75 to \$1 \$500 maximum.

Effective March 6, 2023, c phone payments and online increase from \$1.75 to \$7 \$2,000 maximum.

Late Payment Charge for
A late payment charge of charged on the delinquent month.

Change of Mailing
Check here & provide

Account Number:

Date Due:

AMOUNT DUE:

Please enter the amount enclosed

SHERRY COLE
FRANCISCO L SANTIBANEZ

EXHIBIT 2-1

IS UPLOADED BY THE STAFF ON THE CASE PAGE CANNOT INSERT IT IN THIS

EXHIBIT 2-2

IS UPLOADED BY THE STAFF ON THE CASE PAGE CANNOT INSERT IT THIS

SHERRY COLE
FRANCISCO L. SANTIBANEZ

FIRST-CLASS
MAIL
PRESORTED
U.S. POSTAGE

Questions: Call
1-888-221-7070
24 hours a day,
7 days a week
rockymountainpower.net

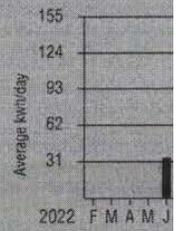


BILLING DATE:
ACCOUNT NUMBER:

DUE DATE:

AMOUNT DUE:

Historical Data -



Your Average Daily

PERIOD ENDING
Avg. Daily Temp.
Total kwh
Avg. kwh per Day
Cost per Day

Effective March 6, 20
phone payments and
increase from \$1.75 t
\$500 maximum.

Effective March 6, 20
phone payments and
increase from \$1.75 t
\$2,000 maximum.

Late Payment Charge
A late payment charg
charged on the delin
month.

Change of Mail
Check here & p

Account Number:

Date Due:

AMOUNT DUE:

Please enter the amount

SHERRY COLE
FRANCISCO L. SANTI

Your Balance With Us

| | |
|--------------------------------|-------------------|
| Previous Account Balance | -972.49 |
| Payments/Credits | 0.00 |
| New Charges | +505.54 |
| Adjustments | +1,621.08 |
| Current Account Balance | \$1,154.13 |

Payments Received

| DATE | DESCRIPTION | AMOUNT |
|-----------------------|---|---------------|
| Jan 30, 2023 | Payment Adjustment: Refund Pending Approval | -486.00 |
| Jan 30, 2023 | Payment Adjustment: Refund Pending Approval | -215.00 |
| Feb 3, 2023 | Payment Adjustment: Refund Applied to Account | 486.00 |
| Feb 3, 2023 | Payment Adjustment: Refund Applied to Account | 215.00 |
| Total Payments | | \$0.00 |

Note: One or more of your services has been adjusted. If you would like more information or have any questions, please call us anytime toll free at 1-888-221-7070.

Detailed Account Activity

ITEM 9 - ELECTRIC SERVICE

350 S 12TH W Trlr 14 Saint Anthony ID
Residential Schedule 1

| METER NUMBER | SERVICE PERIOD | | ELAPSED DAYS | METER READINGS | | METER MULTIPLIER | AMOUNT USED THIS MONTH |
|--------------|----------------|--------------|--------------|----------------|---------|------------------|------------------------|
| | From | To | | Previous | Current | | |
| 341834327 | Jan 27, 2023 | Jan 27, 2023 | | 26042 | 26042 | 1.0 | |
| 342852591 | Jan 28, 2023 | Feb 27, 2023 | | 26042 | 30775 | 1.0 | |
| Total | | | 31 | | | | 4,733 kwh |

Next scheduled read date: 03-28. Date may vary due to scheduling or weather.

NEW CHARGES - 02/23

| | UNITS | COST PER UNIT | CHARGE |
|-------------------------------|-----------|---------------|--------|
| Basic Charge - Single Phase | | | 8.00 |
| Energy Charge Winter Block 1 | 1,000 kwh | 0.0933050 | 93.31 |
| Energy Charge Winter Block 2 | 3,733 kwh | 0.1091650 | 407.51 |
| Energy Cost Adjustment | 4,733 kwh | 0.0073300 | 34.69 |
| Customer Efficiency Services | | 0.0250000 | 13.59 |
| Tax Act Adjustment | 4,733 kwh | -0.0018200 | -8.61 |
| B P A Columbia River Benefits | 4,733 kwh | -0.0101330 | -47.96 |

See reverse

Write account number on check & mail to: Rocky Mtn Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT.

↑ INSERT THIS
EDGE FIRST ↑



ROCKY MTN POWER
PO BOX 26000
PORTLAND OR 97256-0001



EXHIBIT 2-1 REDACTED

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

RECEIVED

2023 AUG 14 PM 2:44

SHERRY COLE,)
)
 PETITIONER,)
)
 vs.)
)
 PACIFICORP, d/b/a ROCKY MOUNTAIN)
 POWER COMPANY, RESPONDENT.)
)

CASE NO. PAC-E-23-12
 AFFIDAVIT OF JON KRUCK

IDAHO PUBLIC UTILITIES COMMISSION

STATE OF IDAHO)
) ss.
 County of Ada)

I, Jon Kruck, being first duly sworn under oath, depose and state as follows:

1. My name is Jon Kruck. I am over 21 years of age, of sound mind, and I have personal knowledge of the facts stated herein.
2. The information contained herein is true and correct to the best of my knowledge and belief.
3. I am a Utilities Compliance Investigator at the Idaho Public Utilities Commission (“Commission”). I started working in this position in 2022. I am responsible for investigating consumer complaints with utilities and to facilitate a fair resolution for all parties within the scope of the Commission’s authority, the tariff (**EXHIBIT 1**); *Idaho Code* § 61-101 *et seq.*; IDAPA 31.21.01 - Utility Customer Relations Rules and Commission; Commission Order Nos. 30668 and 32268.
4. I have investigated the allegations against Rocky Mountain Power (“Company”) and believe the Company *did not* have a crossed meter as claimed by Sherry Cole (“Customer”). I believe there was confusion, as a technician failed to perform a cross-connection check on the initial service visit (“initial Visit”), which resulted in the Customer believing that there was in fact a cross-connection. According to my investigation, the meters in question were tested during a subsequent service visit (“Subsequent Visit”) and were determined to be connected properly to the respective service locations. After the Initial Visit, the Customer and the Company engaged in a

series of credits, and charges between the two accounts that should not have occurred. After the Subsequent Visit, the incorrectly credited amounts were reversed because the meters were determined to be installed and measuring power for the correct locations. The Customer claimed that the meters were indeed crossed and argued the credit that was reversed after the Subsequent Visit should be reversed again.

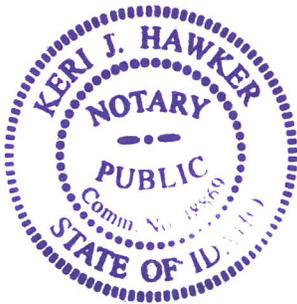
5. I have performed an analysis of the monthly billing for the previous five-years, from February 27, 2018, through August 2, 2023. The result of my analysis shows no material discrepancies based on a month-to-month and year-to-year comparison of billing. In addition to comparing the billing charges over those five years, I also looked at the average temperature for each month to determine if weather was a factor in the small differences in billing amounts. Based on this comparison, I conclude that the billing is materially consistent from month-to-month and from year-to-year for each of the five years with temperature factored into the analysis of the data.

Dated this 14th day of August 2023.



Jon Kruck
Utilities Compliance Investigator
Idaho Public Utilities Commission

SUBSCRIBED AND SWORN to before me this 14th day of August 2023.



Notary Public for Idaho
Residing at: Boise, Idaho
Commission expires: March 15, 2025

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON THIS 14TH DAY OF AUGUST, 2023, I SERVED THE FOREGOING **AFFIDAVIT OF JON KRUCK**, IN CASE NO. PAC-E-23-12, IN THE MANNER INDICATED, TO THE FOLLOWING:

Via E-Mail:

Sherry Cole, *pro se*
350 S 12th W #14
St. Anthony, ID 83445
slordaz@hotmail.com



Keri J. Hawker
Legal Administrative Assistant

The following comment was submitted via PUCWeb:

Name: Sherry Cole

Submission Time: Aug 15 2023 1:46AM

Email: slordaz@hotmail.com

Telephone: 208-624-4020

Address: 350 S 12th W #14

Saint Anthony , ID 83445

Name of Utility Company: Pacificc corp Rocky Mountain Power

Case ID: PAC-E-23-12

Comment: "This case needs to have the company records on this account thoroughly audited as they were the ones or their contractors they sent that moved the meter banks, I have been at this address more than 20 years and had previously been disconnected and was the correct meter attached until they moved the meter bank, it was ignored by Rocky Mountain Power and Jon During the informal that on the service call DEC 2022 by the crew who informed me that my meter was bad and discovered it had accidentally been crossed and they would let Rocky Mountain Power know and someone would be out in a couple of days, which with holidays didn't think to much about it but when January rolled around I called again as nobody had been out to correct the crossed meters, Rocky Mountain Power and Jon ignored this information. I do have witnesses if I need to that it was the utility that moved the meter bank that caused them to be crossed. So January they Finally uncrossed them, so subsequent visits in February and March showed yes they were right, but they were Crossed until January 2023"

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

| | | |
|---|---|-----------------------------|
| SHERRY COLE, |) | CASE NO. PAC-E-23-12 |
| |) | |
| PETITIONER, |) | ORDER NO. 35903 |
| |) | |
| 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 stated she was inappropriately charged for her neighbor’s higher power consumption. While acknowledging some remedial actions and compensation by the Company, the Petitioner believed further compensation was necessary to be made whole.

On July 24, 2023, the Commission issued a Final Order in this case dismissing the Petitioner’s complaint and referencing the Commission’s Utility Customer Relations Rules as found under IDAPA 31.21.01. Order No. 35856.

On July 25, 2023, Petitioner filed a public comment explaining her frustration with the Commission’s decision in the Final Order and expressing an intent to sue the Company. On July 28, 2023, the Petitioner filed a document intended to be a Petition for Reconsideration (“Petition”). The Company did not respond to the Petition.

On August 14, 2023, Commission Staff (“Staff”) filed an affidavit regarding Staff’s analysis of the Petitioner’s bills spanning the timeframe the Petitioner believed that the meters were cross-connected.

The Commission now issues this Order dismissing the Petitioner’s Petition, as discussed in detail below.

BACKGROUND

1. The Complaint

The Petitioner stated that she has been arguing with the Company for approximately five years; which she stated started when the Company moved her meter bank (which included neighboring meters). At some point not clearly specified in the record, the Company inspected the Petitioner's meter and informed her that it was cross-connected with her neighbor's meter. The Petitioner stated that, as part of the inspection, the Company tried to turn off her power, but the neighbor's power was turned off instead. The Petitioner stated that the Company then told her that a workman would be out to fix the issue. The Petitioner explained that no one came out until she called the Company in January 2023. After the January 2023 call, the Company then sent someone out who fixed the allegedly cross-connected meters. The Petitioner stated that she was then provided a written report dated January 25, 2023. The Petitioner also stated that a \$1,620.08 credit subsequently was applied to her bill for 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. The Petitioner stated that the Company ignored her after the meters in question were allegedly fixed. The Petitioner stated that the Company offered her a \$450 credit 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. The Petitioner requested that the Commission order the Company to reinstate the \$1,620.08 credit.

2. The Company's Answer

On June 8, 2023, the Company filed an Answer and Motion to Dismiss ("Answer"). The Company stated that the Company's own technician did not initially utilize the proper process to accurately read the Petitioner's meter, which led to an erroneous belief that the meter had been cross-connected. The Company stated that subsequent testing revealed that the Petitioner's meter was working properly and never cross-connected with her neighbor's meter. The Company stated it had offered the Petitioner a \$450 credit for any inconvenience. However, the Company stated that the Petitioner has 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.

3. Petitioner’s First Comment

On June 12, 2023, the Petitioner filed a public comment expressing that she “need[ed] to talk to the judge [*sic*] about some issues with the procedures with this case. . . .” Petitioner’s First 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.

THE FINAL ORDER

On July 24, 2023, the Commission issued Final Order No. 35856. After reviewing the record, the Final Order dismissed the Petitioner’s complaint and noted that the Company had provided the Petitioner with a \$450 credit despite the lack of any clear legal obligation to do so. Order No. 35856 at 3. The Commission also referenced Commission’s Utility Customer Relations Rules as found in IDAPA 31.21.01.

PETITIONER’S SECOND COMMENT

On July 25, 2023, Petitioner filed a public comment expressing her frustration and claiming that the evidence that she submitted was not properly examined. She alleged that the Company committed theft. The Petitioner also stated that she would “be appealing this decision and suing them now.” Petitioner’s Second Comment at 1.

PETITION FOR RECONSIDERATION

The Petitioner noted that she was not an attorney and requested leniency from the Commission when reviewing the legal aspects of her filing. The Petitioner cited “Rules 005, 200, 204, 313” without elaboration. Petition at 1. Petitioner referenced an unspecified three-year exception that she stated should apply because she contacted the Company as soon as she had proof after the moving of certain meter banks.¹ The Petitioner stated that Staff originally suggested a higher amount in controversy relevant to her compensation. Petitioner reviewed the narrative of her Complaint and discussed certain exhibits from the Company’s Answer—disputing various aspects of these based upon her assertion that her meter was cross-connected with her neighbor’s meter. She also expressed displeasure regarding her interactions with Staff. The Petitioner requested that the Commission order a reimbursement of “THE CORRECT AMOUNT OF

¹ Utility Customer Relations Rule 203, IDAPA 31.21.01.203, discusses billing errors and proper procedures for remedying incorrect bills.

MONEY WRONGFULLY CHARGED ME AND ADDED TO THE BIL1620.08 [sic].” Petition at 4. Petitioner noted her struggle with the legal complexities of this case and asked that the Commission review the matter in good faith.

While certainly asking for compensation for a total of \$1,620.08 for the six months preceding the discovery of the allegedly cross-connected meters, the record indicates that the Petitioner argued that the Company’s obligation to reimburse her is correlated to a sum of \$10,870 (for the total amount of time that she was overpaying for energy usage). The Petitioner also attached the Company’s letter to her initially informing her that her meter was crossed, and that she would be granted a credit of \$1,262.52² that would be applied to her next bill. The Petitioner also provided two billing statements that showed a credit initially being applied to her account balance.

STAFF’S AFFIDAVIT

On August 14, 2023, Staff filed the Affidavit of Jon Kruck (“Affidavit”). In this Affidavit, Staff noted that it had reviewed the Petitioner’s utility bills from the Company and did not believe the data supported a finding that the Petitioner’s meter was cross-connected with her neighbor’s meter. Staff examined the Petitioner’s bills from the time that she stated the allegedly cross-connected meters were fixed and compared that time period with the same time period from previous years. Staff stated that her bills from this period were very comparable with the commensurate period for each previous year going back to 2018. Staff also correlated this data with the average monthly temperature for each year. This increased Staff’s confidence that the minor differences in the prices for each month can largely be explained by normal temperature fluctuations. Accordingly, Staff stated that the data does not support a finding the meters in question were ever cross-connected.

COMMISSION FINDINGS AND DECISION

Reconsideration affords parties an opportunity to bring to the Commission’s attention any matter previously determined and provides the Commission opportunity to rectify any mistake before the matter is appealed to the Supreme Court. *Washington Water Power Co. v. Idaho Public Utilities Comm’n*, 1980, 101 Idaho 567, 617 P.2d 1242. Any person or public utility has the right

² The January 25, 2023, letter stated that her credit would be \$1,262.52. The “Adjustments” portion of the Petitioner’s second attached bill lists a “+1,621.08” number, which appears to be where the Petitioner arrived at her \$1,620.08 request for compensation. Petition, Exhibit 2-2.

to petition for reconsideration in respect to any matter determined in a Commission order. *Idaho Code* § 61-626(1). The petitioner has 21 days from the date of the final order in which to ask for reconsideration. *Id.* The Commission has 28 days from the filing of the petition for reconsideration to enter an order on the matter. *Idaho Code* § 61-626(2).

Commission Rule of Procedure 332 authorizes the Commission to grant reconsideration on its own motion by the motion of an interested party. This Rule also allows the Commission to dismiss issues on reconsideration when those issues are not supported by a specific explanation relevant to the case. IDAPA 31.01.01.332.

Idaho Public Utilities Commission Rule of Procedure 331 states that petitions for reconsideration “must specify (a) why the order or any issue decided in it is *unreasonable, unlawful, erroneous or not in conformity with the law*, and (b) the nature and quantity of evidence or argument the petitioner will offer if reconsideration is granted.” IDAPA 31.01.01.331.01 (emphasis added). Further, “the petition . . . must state whether the petitioner . . . requests reconsideration by evidentiary hearing, written briefs, comments, or interrogatories.” IDAPA 31.01.01.331.03.

Having reviewed the Petition, the arguments of the parties, and all submitted materials, the Commission finds that the Petition does not meet the substantive requirements for a petition for reconsideration.

The Petition largely reiterates information that was already in the Complaint—including information that shows that, at one point, the Company believed that the Petitioner’s meter was cross-connected and provided the Petitioner with a bill credit. After investigation, the Company determined that no cross-connection occurred and reversed the bill credit. Staff’s analysis corroborated the Company’s assertion that there was no cross-connection. These facts regarding the Company’s previous actions were already known by the Commission and factored into the Commission’s decision in Order No. 35856. The Petitioner has not presented sufficient evidence to show that her meter was cross-connected, or that she was overcharged for electric service. Nothing that the Petitioner has presented provides grounds for the Commission to decide that Order No. 35856 was “unreasonable, unlawful, erroneous or not in conformity with the law.” IDAPA 31.01.01.331.01. Therefore, the Petition is dismissed.

ORDER

IT IS HEREBY ORDERED that the Petition is dismissed.

THIS IS A FINAL ORDER DENYING RECONSIDERATION. Any party aggrieved by this Order, or other final or interlocutory Orders previously issued in this case, may appeal to the Supreme Court of Idaho within forty-two (42) days pursuant to the Public Utilities Law and the Idaho Appellate Rules. *Idaho Code* § 61-627; I.A.R. 14.

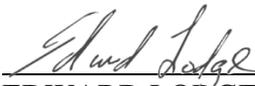
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 22nd day of August 2023.



ERIC ANDERSON, PRESIDENT

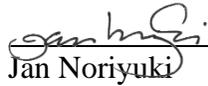


JOHN R. HAMMOND JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

I:\Legal\ELECTRIC\PAC-E-23-12 Cole\PACE2312_recon_order_md.docx

RECEIVED
2022 SEP 16 AM 9:55
IDAHO PUBLIC UTILITIES COMMISSION

Sherry Cole Pro Se

350 S. 12th W. #14

Saint Anthony Idaho 83445

208-624-4020

In the Idaho Supreme Court of the State of Idaho in and for the Public Utilities Commission

| | |
|--|-----------------------|
| Complaint |) |
| Sherry Cole |) Case NO PAC-E-23.12 |
| Appellant |) Notice of Appeal |
| Vs. |) |
| Pacific Corp d.b.a. Rocky Mountain Power |) |
| Respondent |) |

1.

To the above Named Respondent Pacific Corp d.b.a. Rocky Mountain Power and the respondents attorney Joseph Dallas email copy as per his previous request and the Clerk of the above entitled Idaho Public Utilities Commission.

Notice is hereby given that:

2.

They above named Appellant appeals against the above named Respondent's to the Idaho Supreme Court from the final judgement /decision entered in the above entitled action of dismissal of motion to reconsider on the 22nd of August 2023. Public Utilities President Eric Anderson, John R. Hammond Jr Commissioner and Edward Lodge, Commissioner.

3.

That the petitioner has a rights to appeal to the Idaho Supreme Court, and the judgment in paragraph 1 above are appealable orders under and pursuant to rule 61-627 and I.A. R 14

The Petitioner Sherry Cole is puts forth this motion to reconsider inculpatory evidence ignored by the investigator and the commission of admission by the respondent on their own letter head dated January 25, 2023 report of their own investigation stating that meters were crossed which preceded subsequent claims by respondent's and their attorney to Idaho Public Utilities Commission s that the meters were never crossed in subsequent Feb and March claims to the Commission. Which brings in Constitutional 9th and 14th amendment issues, That was brought up before original decision in a public comment, Violation of rules of evidence in tribunal action's that belongs to a court of law, the plaintiff was unaware she was in as Public Utilities Commission from their site say they investigate claims and mediate billing issues.

4.

There has been no order sealing all or any portion of the record.

5.

Appellant is requesting all transcript's and records that the Commission has regarding PAC-E-23-12 to be transmitted both in hard copy and electronic.

6.

Motion for reconsideration.

7

Unredacted Letter to Appellant from Rocky Mountain Power, 2 bills from Rocky Mountain Power and any other case related documents and orders.

Respectfully Submitted

Shrey Col

Sept. 6, 2023

TABLE OF AUTHORITIES IS CONDENSED IN THIS CASE AT BAR TO: /.

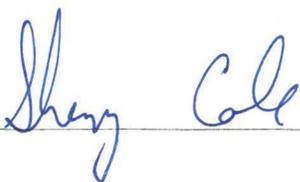
- 1: Public Utilities and Idaho Appellate rules, Idaho Code § 61-627 I.A.R.14
2. Letter received by Petitioner, Sherry Cole, dated JANUARY 25TH, 2023.this letter admits wrongful deprivation of Petitioners property (monetary) in overcharge by Rocky Mountain Power due to crossed meters. Note that letter is on Rocky Mountain Powers own letterhead.
3. Two bills from Rocky Mountain Power, which ambiguously shows refund adjustment was given, and subsequently the next month was removed. All after initially admitting meters were crossed, and recharging the credit Petitioners account see (2).

Petitioner finds that is it inconceivable that Rocky Mountain Power can admit an over charge occurred due to crossed meters, gave relief, and subsequently withdraws the credit. To be credible action based on the facts of the matter. Respondent stating to the commission that they Never were crossed, and the Commission accepting it while ignoring inculpatory evidence already submitted in the Investigations. Which with Constitutional issues rose should not have been done as a tribunal as it lacks the Jurisdiction for that, it should have been sent to the appropriate court.

Petitioner is only seeking just compensation, that being the case, Sherry Cole will need proof that Rocky Mountain Power did not ré-cross the meters after first investigating the matter January 13. 2023see(2). The date must be verified as to when overcharge began as they do have records.

Respectfully Submitted

Sherry Cole



DATE Sept. 5th 2023

CERTIFICATE OF SERVICE

On Sept 6th, 2023 I Sherry Cole sent by certified mail, return receipt requested to:

1. Rocky Mountain Power 1407 W. N. Temple, SLC ut 84116

Hand Delivered/FILED with on Sept 6th, 2023

1. Idaho Public Utilities Commission Sept 5th 6th

2. Idaho Supreme Court Sept 5th



P.O. Box 25308
Salt Lake City, Utah 84125-0308
1-888-221-7070
fax 1-877-809-3193
rockymountainpower.net

January 25, 2023

SHERRY COLE
FRANCISCO L SANTIBANEZ
350 S 12TH W TRLR 14
SAINT ANTHONY ID 83445-1752

Account # 75048095 001 3



Dear Sherry Cole and Francisco L Santibanez:

Recent investigation shows that you were billed incorrectly for electric service at 350 S 12th W Trailer 14, Saint Anthony, Idaho. You were billed for a meter that serves a neighboring location and not the meter that provides service to you. This is most often the result of incorrect meter labeling or wiring by the property's builder, electrician, or owner. We have taken action to fix the problem so you are billed correctly in the future.

Your bill from May 25, 2022 to December 28, 2022 has been corrected to reflect your actual usage and a credit of \$1,262.52 will be subtracted from your next bill.

We are committed to providing excellent customer service and making sure you receive accurate and timely bills. If you would like more information or have any questions, please call us anytime toll-free at 1-888-221-7070. Any of our customer service representatives will be happy to assist you.

Our secure, convenient, and easy-to-use website empowers you to manage your electric account and stay informed by signing up for email alerts, text alerts, or both. Once you have established your online profile, you can choose to go paperless and receive monthly email notifications when your bill is ready, set up automatic payments, enroll in Equal Pay, plus much more. Downloading our free mobile app for Apple and Android devices is another option for quickly accessing your electric account. The app provides many self-service channels, including the ability to report and track outages, make payments, and look up your account history. Get started at www.rockymountainpower.net.

It's a pleasure to serve you.

Sincerely,

Rocky Mountain Power

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

our true strength is
our connection to you



Idaho Public Utilities Commission

Brad Little, Governor

P.O. Box 83720, Boise, ID 83720-0074

Eric Anderson, President
John R. Hammond, Jr., Commissioner
Edward Lodge, Commissioner

September 18, 2023

Via E-Mail and Interagency Mail
supremecourtdocuments@idcourts.net

Melanie Gagnepain
Clerk of the Courts
Supreme Court
451 W. State Street
Boise, Idaho 83720-0101

Re: PUC Clerk's Certificate of Appeal
Supreme Court Docket No.: _____-2023

Dear Ms. Gagnepain,

Enclosed for your information and action is the Clerk's Certificate of Appeal from the Idaho Public Utilities Commission. Also enclosed is the Notice of Appeal filed by Sherry Cole on September 6, 2023, and the \$94 filing fee.

I have also enclosed copies of the two PUC Orders appealed from: Final Order No. 35856 and Reconsideration Order No. 35903.

If you have any questions, please contact me at (208) 334-0338.

Sincerely,

Jan Noriyuki
Commission Secretary

Enclosures

cc: Michael Duval, Deputy Attorney General

I:\Legal\ELECTRIC\PAC-E-23-12 Cole\Supreme Court\SC_CvrLtr_20230918.docx

BEFORE THE PUBLIC UTILITIES COMMISSION

| | | |
|--------------------------------|---|--|
| SHERRY COLE, |) | |
| |) | Supreme Court Docket |
| Appellant, |) | No. _____-2023 |
| |) | |
| v. |) | |
| |) | Idaho Public Utilities Commission |
| PACIFICORP, d/b/a ROCKY |) | Case No. PAC-E-23-12 |
| MOUNTAIN POWER COMPANY, |) | |
| |) | |
| Respondent. |) | |
| |) | |
| |) | |
| _____ |) | |

Appeal from the Idaho Public Utilities Commission, The Honorable Eric Anderson presiding.

Case Number from Idaho Public Utilities Commission: PAC-E-23-12

Order or Judgment Appealed from: Final Order No. 35856 and Final Reconsideration Order No. 35903

Attorney(s) for Appellant: N/A – Appellant Sherry Cole, *pro se*, 350 S. 12th W., #14, Saint Anthony, Idaho 83445

Attorney for Respondent: Michael Duval, Deputy Attorney General, Idaho Public Utilities Commission, P. O. Box 83720, Boise, Idaho 83720-0074

Appealed by: Sherry Cole

Appealed against: Idaho Public Utilities Commission

Notice of Appeal Filed: September 6, 2023

Amended Notice of Appeal filed: N/A

Notice of Cross-appeal Filed: N/A

Amended Notice of Cross-appeal Filed: N/A

Appellate Fee Paid: \$94.00 (September 6, 2023)

Respondent or Cross-Respondent’s Appeal Request for Additional Record Filed: N/A

Respondent or Cross-Respondent's Request for Additional Reporter's Transcript Filed:
N/A

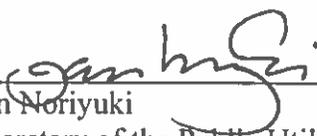
Was Agency Reporter's Transcript Requested: No

Estimated Number of Pages: N/A

If so, name of each reporter of whom a transcript has been requested as named below at the address set out below: N/A



Dated this 18th day of September 2023.



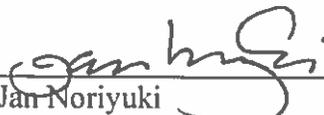
Jan Noriyuki
Secretary of the Public Utilities Commission

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 18th DAY OF SEPTEMBER 2023, SERVED THE FOREGOING *Clerk's Certificate of Appeal*, in IPUC Case No. PAC-E-23-12, ON THE FOLLOWING PERSONS, AS INDICATED BELOW:

Sherry Cole
350 S. 12th W., #14
St. Anthony, ID 83445

- US Mail, postage prepaid
- E-Mail to slordaz@hotmail.com



Jan Noriyuki
Commission Secretary

DECISION MEMORANDUM

TO: COMMISSIONER ANDERSON
COMMISSIONER HAMMOND
COMMISSIONER LODGE
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL

DATE: SEPTEMBER 26, 2023

SUBJECT: SHERRY COLE'S APPEAL OF ORDER NO. 35903 TO THE IDAHO SUPREME COURT; IPUC CASE NO. SUP-E-23-01.

On September 6, 2023, Sherry Cole filed a Notice of Appeal from Order No. 35903 in Case No. PAC-E-23-12. The appeal is currently titled "SHERRY COLE, Appellant v. PACIFICORP, d/b/a ROCKY MOUNTAIN POWER COMPANY, Respondent." 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.

STAFF RECOMMENDATION

Staff recommends that the Commission issue an order correcting the title of the appeal to "SHERRY COLE, Appellant, v. IDAHO PUBLIC UTILITIES COMMISSION and PACIFICORP, d/b/a ROCKY MOUNTAIN POWER COMPANY, Respondents on Appeal" to better reflect the parties' positions on appeal. Staff also recommends that the Commission's order direct the Commission Secretary to file a copy of the order with the Idaho Supreme Court.

COMMISSION DECISION

Does the Commission wish to issue an order:

- 1) Correcting the title of the appeal as recommended by Staff, and
- 2) Directing the Commission Secretary to file a copy of the order with the Idaho Supreme Court?



Michael Duval
Deputy Attorney General

I:\Legal\ELECTRIC\PAC-E-23-12 Cole\Supreme Court\SUPE2301_dec1_md.docx

CERTIFICATE OF SERVICE
OF PROPOSED AGENCY RECORD ON APPEAL

I HEREBY CERTIFY that I have on this 29th day of November, 2023, served the foregoing Proposed Agency Record on Appeal, in Supreme Court Docket No. 51148-2023, by forwarding a copy thereof, to the following, via e-mail to the e-mail address listed:

Appellant, *pro se*

Sherry Cole
350 S. 12th W., #14
St. Anthony, ID 83445

✓ via email slordaz@hotmail.com

**Attorney for Respondent on Appeal
Idaho Public Utilities Commission**

Michael Duval
Deputy Attorney General
Idaho Public Utilities Commission
11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, Idaho 83714

✓ via email michael.duval@puc.idaho.gov

Attorney for Respondent, PacifiCorp:

Joe Dallas
Rocky Mountain Power
825 NE Multnomah St., Ste. 2000
Portland, OR 97232

✓ via email joseph.dallas@pacificorp.com

{SEAL}





Monica Barrios-Sanchez
Interim Commission Secretary

EXHIBIT B: Petitioner-Appellant Acceptance

Re: Proposed acceptance of certain requests



S Cole <slordaz@hotmail.com>
To: Michael Duval
Cc: joseph.dallas@pacificcorp.com



Thu 1/4/2024 6:05 PM

You forwarded this message on 1/5/2024 10:48 AM.

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

I am willing to accept these changes as that was all I was asking of the agency to do besides remove themselves as defendants. And get the record over to the court as soon as possible even though not completely settled this needs to get done.

You have no control over what Rocky Mountain Power does as that's the company and their legal team's responsibility, but the agency can be more watchful on these issues in the future to remain neutral and unbiased. Their Lawyer I think thought I wouldn't fight because I cannot get legal representation and don't have a legal background, but I am a quick learner and good at research. .

Hopefully one day the record will reflect factually and the public record is set straight, and does merit an investigation into how this happened to correct course for the agency to prevent further issues because it's going to take a lot of trust rebuilding with the public for other private citizens especially me. Note I do still oppose IPUC being listed as a defendant, as there seem to have been some bad apples involved and should not reflect badly on the agency as a whole but the individuals that did this from the Rocky mountain Power as major part of it and we know at least one employee of the commission that helped them, but if this is not brought to people's attention it cannot be fixed in anything. I harbor no ill will I just now have trust issues with the agency when wanted was my money that I had been overcharged. My opinion, IPUC is still moot as defendants in the Constitutional 14th Amendment Violation of the acts committed by Rock Mountain Power as the agency cannot change their behavior other than maybe agency sanctions or Idaho Law, their option was to hold a hearing before final decision and help me get the money back that was owed me for the overcharges which they couldn't for some reason.

Respectfully
Sherry Cole

**EXHIBIT C: Petitioner-Appellant's January 4, 2024, Brief and Motion to
Amend Complaint**

Sherry Cole Pro Se
350 S. 12th W. #14
Saint Anthony Idaho 83445
208-624-4020
slordaz@hotmail.com

In the Idaho Public Utilities Commission

| | | |
|--|---|---------------------------|
| Sherry Cole |) | Case No. PAC-E-23-12 |
| Petitioner, Appellant |) | Brief and |
| Vs. |) | Motion to Amend Complaint |
| Pacific Corp, dba Rocky Mountain Power |) | |
| Respondents |) | |

Brief

There was no reason why This was not resolved, I had my case proven before submitting for billing irregularities Idaho rule 61-301 and 14th Amendment violation of Rocky Mountain power, and the decisions in a tribunal that only favored Rocky Mountain power which results in regulatory taking is violation of both Idaho and Federal, but I will let the AG and Lawmakers deal with a rogue agency(*Idaho code section 67-8002*) (*US code 42 U.S. Code § 1983*) which brings in *both* the 5th and 9th Amendments along with *42 U.S. Code § 1985.Wh*

I also Object to any more hearings with the agency itself after the unfair treatment of a private citizen with a valid claim ,your record is wrong and after dealing with this agency I cannot trust

them to do things unbiased and neutral or legally within the Constitutional protections of private citizens.

They had this opportunity before their final decision and chose not to do a hearing, Rocky Mountain Powers Lawyer and the Company had the opportunity before the informal to settle this and chose to walk away from those negotiation when actual Idaho Law proved them wrong in their claim that 6 months was all the company could go back.

I am opposed to submitting to further jurisdiction with what the agency did to me whether it be on purpose or inadvertently , that has supported continuance of violations of my Constitutional protections by Rocky Mountain Power and doing a separate agency order to add themselves as defendants

That the court accepted and ordered without my knowledge, begs to question as to why the agency did this behind my back and without any service to me would be a violation of legal law, it was done under a separate case number so I would not see it. then the order added into this one. Mr. Duval was aware I was not suing the agency which is almost as inconceivable that they would try to add themselves as defendants against the Appellants wishes when only dealing with the facts against Rocky Mountain Power, and claim it was the Supreme Courts doing, rules I haven't been able to locate that rule in IRCP or law, when it was an agency order that added them 2 months after the appeal was started against Rocky Mountain Power only, and has caused delays in the legal process . I am astonished the court allowed this without any notice to the appellant.

You can submit unsettled agency record marked as such immediately To the Supreme Court, but agency record is not factual other than the decisions in the orders is what the Commission did,

not the actual facts ,but they are full of lies and or omissions trying to protect Rocky Mountain Power, agency record are not factually supported by the evidence and still have no bearing on the Constitutional issues appealed to the Supreme Court against Rocky Mountain Power.

. In the most expedient manner without duplicates , keep the comments, strike the exhibit of sworn affidavit exhibits only leaving the Sworn affidavit in the agency record. Rocky Mountain Power did overcharge me and the meters were crossed is fact so they have illegal possession of my Property and did it without due process of the law.. Plaintiffs Exhibits (1)(2)(3) already on file have been there since the informal.

Plaintiff wasn't aware that needed legal writing for what she was told was investigation into complaint and billing mediation. Tried to get an attorney and failed when realized the legal ramifications by Rocky Mountain Powers response to the commission, and can definitely see why they don't want to deal with both a utility and the commission which leaves a regular citizen defenseless to the abuses of power of the utility combined with the state agencies tribunal that does not allow for Constitutional protections, only lawyers that will be the ones representing the Utilities which is not legal justice.

To protect myself from what agency has shown capable of doing:

At no time will there be a dismissal with prejudice from The Commission to prevent me from continuing my suspended appeal already started. if you chose to do this I will be there. but will be doing further investigation into this legality of this according to the Constitution and Idaho law, not the agencies rules and regulations as they have no bearing in the appeal on Constitutional issues against Rocky Mountain Power and can be challenged under " Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year"42 U.S. Code § 1985 - Conspiracy to interfere with civil rights"

Though I do not wish to go this route if you obligate me to I will. This is only delaying my appeal that I started against Rocky Mountain Power as only defendant. I will need more time for preparations because what this is doing is going to be more than just the exhibits and the judge asking them a few questions because the evidence is in writing and predates their false claims, if the state admin agency chooses to continue as defendants.

Rocky Mountain Power and IPUC were well aware plaintiff was willing to fight all the way Scotus for justice, if need be Pro Se against Rocky Mountain Power theft by overcharges to appellant, if it hadn't been for the public comment about procedural, legal and Constitutional issues they would have done the same as always dismiss with prejudice in the pattern easily shown by closed cases, that blocked private citizen from getting into the court system with a valid complaint against a utility the Commission oversees.

With what was done in my case by the agency. it appears to this private citizen the commission should not be a state agency with regulatory powers as they allow violations of law and Constitution in the face of the facts, but labeled a major lobby group instead and loose all powers granted by the state and its inhabitants if they cannot do the job they were set up to do neutrally and unbiased as mandated by Idaho law, that is the definition of corruption. Since when can admin agency ignore law and rules be seen as not prejudicial such as ignoring *I.R.E 103 rule 401*,

Apologies if this isn't written perfectly as still learning but fighting for my Constitutional Judicial Protections and now apparently civil rights too...

Amendments to complaint

The petitioner Sherry Cole is seeking to amend the complaint to include recovery of legal fees in addition to the total amount of over charges by Rocky Mountain Power plus interest. It will depend on how many courts it takes for this simple case to get settled to get the total.

That the proper one not found in IDAPA be entered into the complaint Idaho rule 61-301 and based on information from when it was originally filed, be corrected to the amount that was given to both The Commission Secretary Jan and the attorney for Rocky Mountain Power Joseph Dallas based on estimate from the 6 months credit they did provide then reversed, as they are capable of getting the exact amount but didn't want to so it was fair and accurate for both parties estimate of 10,870.00 based on the new evidence that was passed along to amend the complaint but was not added

That the information obtained from research of a State of Idaho Law Maker Heather Scott on Idaho Law, be added that was entered wrongly in the order backgrounds as it was not commission staff but an elected law maker. It was given to the Commission secretary but never entered except for falsely, and the Utilities lawyer, that that 6 months only applies to being undercharged, there is no time restriction when the customer was over charged. As I the petitioner was.


Sherry Cole Pro Se

1-4-2024
January 4th, 2024

CERTIFICATE OF SERVICE

I certify that on the 4th day of January, 2023, I served true and accurate copies of the foregoing document on the following persons, either by deposit in the U.S. Mail, addressed as follows and with the correct first-class postage affixed thereto, or by deposit in the designated courthouse mailbox, or by hand-delivery, as indicated below:

Name: Michael Duval

Served by:

- Hand-delivery
- Deposit in the designated courthouse mailbox
- By deposit in the U.S. Mail addressed as follows:
- Electronic submission via Icourt portal file and serve
- Email

Name: Joseph Dallas

Served by:

- Hand-delivery
- Deposit in the designated courthouse mailbox
- By deposit in the U.S. Mail addressed as follows:
- Electronic submission via Icourt portal file and serve
- Email

Name: *Roni Labrador*

Served by:

- Hand-delivery
- Deposit in the designated courthouse mailbox
- By deposit in the U.S. Mail addressed as follows:
- Electronic submission via lcourt portal file and serve
- email

Name *I.P.U.C. Intern Secretary Marisa Barrios-*

Emailed Copy

Sherry Cole 1-4-2024

Sherry Cole Pro Se Appellant

EXHIBIT D: Correspondence From Company Representative to Petitioner-Appellant's

RE: [INTERNET] Re: PAC-E-23-12/SUP-E-23-01: Proposed Record



Dallas, Joseph (PacifiCorp) <Joseph.Dallas@pacificorp.c
To: S Cole
Cc: Michael Duval



Thu 1/11/2024 9:40 AM

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Ms. Cole,

You need to understand at this point all we are trying to do is to get the record to the Idaho Supreme Court. The briefing for the case has not started. From reading this email, it is my interpretation that you would like to withdraw your original objection to the record and want the original version submitted. If this is incorrect please let us know.

Joe

From: S Cole <sjordaz@hotmail.com>
Sent: Wednesday, January 10, 2024 8:12 PM
To: Dallas, Joseph (PacifiCorp) <Joseph.Dallas@pacificorp.com>
Subject: Re: [INTERNET] Re: PAC-E-23-12/SUP-E-23-01: Proposed Record

THIS MESSAGE IS FROM AN EXTERNAL SENDER.
Look closely at the **SENDER** address. Do not open **ATTACHMENTS** unless expected. Check for **INDICATORS** of phishing. Hover over **LINKS** before clicking. [Learn to spot a phishing message](#)

Joe

I told him to send it the other day whole as it was without any additions or subtractions to the original not the proposed record, there is no valid motion of lemene. though I don't think the Suprem Court Justice is going to be duped by false claimes lack of jurisdiction of IPUCas they knwo won't submit to it again and the Court Rejected it along so there is no valid motion of lemene , is that

you both need to understand permeant revocation of jurisdiction was done to IPUC no hearing not tribunal nothing and they have no beef in the issue between me and Rock Mountain Power, if this has to go Scotus, I not disussing anything else.

ya all seem to think I won't defend myself had my case proved before filed not as stupid as you all think

perfetly willing as the default noting to court the lac of IPUC to do with my case that was under the Supreme court jurisdiction , he'sjust exposing why they should loosse powers but that its not my place that is the AG's office and our law makers who are currently Insession .

you two seem to have worked this out butm the tribunal nor can they sumone me back there so cannot protect Micheal or Rocky Mountain Power now against our law makers or our AG, or even me vougoursly defending my self from theft that is fact and evidenced. and I've said wasn't going after the agency and was set up like thar. . in the Idaho Supreme court and the federal courts but I can quickly do more than jsut the Constitutional issue the agency cannot do. And I am sure a supreme court judge isn't going to like being lied to by two bar attorneys , so now the opportunity to settle is done only thing will be done in The Court of law that had legal jurisdiction, you 2 just gave all the proof the AG and the lawmaker and. need for a regulatory taking scheme investigation

Yet our case is still waiting for a default and Don't know a Judge alive that appreciated being lied to by licensed attorneys worse, or anyone else when I am having to learn on the fly, bu damn makes you guys look like law degree came outta a caracker jack box maybe ya need to get a refund.

sorry but none of your scheme tricks will work

EXHIBIT E: Petitioner-Appellant's January 7, 2024, Motion for Default Judgment

Sherry Cole Pro Se
350 S. 12th W. #14
Saint Anthony Idaho 83445
208-624-4020
slordaz@hotmail.com

IN THE IDAHO SUPREME COURT OF APPEALS

| | | | |
|---|---|-----------------------------|------------|
| Sherry Cole |) | Case No. | 51148-2103 |
| Petitioner, Appellant |) | Motion for Default Judgment | |
| Vs. |) | | |
| Idaho Public Utilities Commission |) | | |
| Pacific Corp , dba Rocky Mountain Power |) | | |
| Respondents |) | | |

I the Appellant Sherry Cole Motion the Court for a default judgment in this appeal

Based on the fact that the defendants failed to submit the records requested in a timely manner to this court.

Sherry Cole

1-7-2024

CERTIFICATE OF SERVICE

I certify that on the 7th day of January, 2024, I served true and accurate copies of the foregoing document on the following persons, either by deposit in the U.S. Mail, addressed as follows and with the correct first-class postage affixed thereto, or be deposit in the designated courthouse mailbox, or by hand-delivery, as indicated below:

Name: Michael Duval

Served by:

- Hand-delivery
- Deposit in the designated courthouse mailbox
- By deposit in the U.S. Mail addressed as follows:
- Electronic submission via lcourt portal file and serve
- email

Name: Joseph Dallas

Served by:

- Hand-delivery
- Deposit in the designated courthouse mailbox
- By deposit in the U.S. Mail addressed as follows:
- Electronic submission via lcourt portal file and serve
- email

Name: Idaho Supreme Court of Appeals

Served by:

- Hand-delivery
- Deposit in the designated courthouse mailbox
- By deposit in the U.S. Mail addressed as follows:
- Electronic submission via lcourt portal file and serve
- email

Sherry Cole 1-7-2024
Sherry Cole Pro Se Appellant