

ADDITIONAL INFORMATION RECEIVED

2021 AUG -2 AM 9:43

IDAHO PUBLIC
UTILITIES COMMISSION

July 28, 2021

Commissioner Kristin Raper
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

R0C-W-21-01

Nicole Burbank
3890 East Ash Ln.
Rigby, ID 83442
Ph.: (208) 604-4177
Email: nursenikki0818@gmail.com

Complaint against: *Rocky Mountain Utility Company Inc.*

Dear Commissioner Raper:

I'm reaching out because I was informed that the Decision Meeting was continued to August 3, 2021. An attorney by the name of John Hammond emailed me and notified me of this fact. In his email, he claimed that one of the commissioners could not attend the meeting and had some questions.

To avoid heavy legal fees, I have given authority to my boyfriend Blake C. Schaat to speak on my behalf. Mr. Schaat is a Paralegal for a top law firm in Eastern Idaho. My boyfriend has kept me well informed and passed on all written communications to me.

Today, I speak on my own behalf. Information has been given to John Hammond and Jolene Bassard about Rocky Mountain Utility Company, Inc. that was not put in their report to you the commissioners and it is my understanding purposefully kept from you'll. It goes as follows:

- Multiple harassing letters threatening to shut off my water. This comes while a formal complaint is pending and supposedly RMUCI had been warned not to send out letters by Idaho Public Utilities. **See Attachments.**
- Multiple harassing letters threatening to shut off my water if I don't pay an amount that changes constantly and no were near the amount in question. **See Attachments.**
- RMUCI has not changed their billing practices. **See Attachments.**

I ask the Commissioners to take this information into consideration. If you wish for me to amend my *Formal Complaint*, I will. But this is not a Court of Law and after reading Mr. Hammonds emails to Mr. Schaat, I would be concerned of how your Attorney speaks to a law-abiding citizen of Idaho. It's my understanding Idahoan's can speak to their Utilities Commissioners and Idahoan's can give important documents to Commissioners without fear of repercussions. See attachment email.

I'm under good authority and believe the Commissioners will go off what Mr. Hammond says and writes. But that record/written document needs to be correct. In Mr. Hammond's and Ms. Bossard *Decision Memorandum* there are a lot of errors. They go as follows:

- **Clerical errors:** Blake Schatt - correct spelling Blake Schaat;
- **Page one**, Mr. Schaat and Ms. Bossard were in a *Fact Finding Mode* to determine if Ms. Burbank was on a private Well or "hooked-up" to RMUCI water.
- **Page two**, the address in questions was a brand-new built home and I was not well versed in this new home/ownership. This was explained to Ms. Bossard.
- **Page two**, a statement is made that "billing statement and found it meets the criteria in Rule 201.01 of the UCCR" this is a contradicting and changed statement made multiple times by both Mr. Hammond and Ms. Bossard throughout the investigation.
- **Page two**, a statement is made "combined Water and Sewer "hookup fee" (\$850) for connection to company water" and it goes on "paid by builder" This is inaccurate and twisted for RMUCI benefit. The builder paid the water "hookup fee" of (\$850) out of **MY** money held in escrow. The builder didn't pay this out of a courtesy to me. There is no septic system provided by RMUCI because **I** have a septic tank and system on my property. And no-where does it say in the billing statement provided by RMUCI this is a "septic hookup fee" of (\$750) plus first month water bill.
- I have not signed a Terms of Agreement or Contract for "water" or "septic" and to my knowledge I'm not "hook-up" to a septic system from RMUCI, why would I be? Also brought to Ms. Bossard and Mr. Hammonds attention.
- **Page two**, a statement is made "water portion of the combined hookup fee was \$150, as allowed by the Company's Tariff" this is **incorrect** and an attempt to **mislead** the commissioners. The Tariff clearly state \$150 "hookup fee" **only**.
- **Page two**, a statement is made "on March 20, 2020, a new customer information sheet was mailed to Ms. Burbank" this is incorrect I never received anything. RMUCI doesn't have anything on file and it's my understanding that was just created for my complaint. This was explained to Ms. Bossard.
- **Page three**, a statement was taken out of context. I had made payment to RMUCI because I thought I was paying Rocky Mountain Power (a power bill) this information was given to Ms. Bossard but not put in the report to the commissioners.
- **Page three**, a statement was made "the company also expressed flexibility and would be willing to set up payment arrangements for Ms. Burbank" RMUCI has never returned my phone calls and or letters sent to them on my behalf.

This company has extorted over a 100 hundred residents in our neighborhood for years. I have received documents from residents in the sub-division that were given to Mr. Hammond of line

item increases on the Water bill to allegedly pay for a "new water Well" that never happened. Did this get approved by the Commissioners? **See Attachments**. Low water pressure that has never been investigated. And automatic withdraw payments that have went into a Horse Racing Business that is owned by the same person that owns RMUCI instead of paying the water bill. Mr. Hammond refused to give this information to you the Commissioners.

There is a lot of people that are frustrated that the Utility's Commission won't investigate RMUCI and are prepared to speak to an investigator. Residents are ready to file formal complaints because after witnessing nothing being done when I filed an in-formal complaint they feel like there voice will be unheard as well. The owner of RMUCI is not a small business owner he has multiple business and is putting in a 100-home build next to this subdivision I live in. More people will be affected and extorted if you don't do something now.

I ask that you take this information into consideration, and I pray you make RMUCI stop extorting people. RMUCI played the victim to your investigator and attorney, but we are the real victims.

Sincerely,



Nicole Burbank

Blake Schaat

From: John Hammond <John.Hammond@puc.idaho.gov>
Sent: Monday, July 26, 2021 11:21 AM
To: Blake Schaat
Subject: RE: Nicole Burbank Formal Complaint

To be clear the Commission does not take ex parte contact.

John R. Hammond Jr. | Office of the Attorney General
Lead Deputy Attorney General
Idaho Public Utilities Commission
11331 W. Chinden Blvd., Bldg. 8, Suite 201-A
P.O. Box 83720
Boise, Idaho 83720-0074
Direct: (208) 334-0357 | Fax: (208) 334-3762
john.hammond@puc.idaho.gov

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From: Blake Schaat <blake@eastidaholaw.net>
Sent: Monday, July 26, 2021 11:19 AM
To: John Hammond <John.Hammond@puc.idaho.gov>; Nikki Burbank <nursenikki0818@gmail.com>
Cc: Keri Hawker <Keri.Hawker@puc.idaho.gov>
Subject: RE: Nicole Burbank Formal Complaint

Mr. Hammond,

Thank you for your prompt response. I have forward your email to Ms. Burbank. I appreciate your communication with me as a courtesy to Ms. Burbank. I think you're right about an attorney reaching out to Commissioner Paul Kjellander, Kristine Raper and Eric Anderson on behalf of Ms. Burbank and the over 100 residents in her sub-division.

The information and documentation on RMUCI that I have received over the weekend from the residents in the neighborhood is astonishing.

Sincerely,

Blake C. Schaat, Paralegal to

 SMITH WOOLF
ANDERSON & WILKINSON

3480Merlin Drive
Idaho Falls, ID 83404
Phone: 208-525-8792
Fax: 208-525-5266

Rocky Mountain Utility Company, INC.

2 N. Landmark Lane Suite # 4
Rigby, ID 83442
208-745-6443

Invoice

Date	Invoice #
7/1/2021	6124

Bill To
Nicole Lee Burbank 3890 East Ash Ln Rigby, ID 83442

P.O. No.	Terms	Project
	Due by 25th	

Quantity	Description	Rate	Amount
	Water Usage for prior month	39.50	39.50
	Septic Usage for prior month	58.00	58.00

Please remit to above address.	Total	\$97.50
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ROCKY MOUNTAIN
UTILITY COMPANY, INC.

2 N. Landmark Lane Ste 4 – Rigby, ID 83442

Office: 208.745.6443 Fax: 208.745.7979 www.RockyMountainUtility.com

NOTICE OF INTENT TO TERMINATE SERVICES

Today's Date 7/14/2021

Final Date 7/26/2021

Name Nicole Burbank

Service Address 3890 East Ash Ln
Rigby, ID 83442

Account Balance \$ 1072.50

You are hereby notified that you are delinquent in the payment of charges for Water or Sewer Service provided to you by **Rocky Mountain Utility Co., Inc.** The balance of your account, according to our records, is indicated above

In accordance with the rules and Regulations of the Idaho Public Utilities commission, if this balance is not paid, or if payment arrangements are not made by the Final Date shown above, **YOUR WATER SERVICE WILL BE DISCONNECTED** after the Final Date.

To avoid termination you must contact Rocky Mountain Utility co. before the Final Date to make a payment arrangement or pay in full. **Please call on weekdays between 9:00 AM and 5:00 PM and ask for billing/ collections**

Termination may be delayed by:

1. Providing a medical certificate advising us of the existence of a Medical Emergency.
2. Filing a complaint regarding the proposed termination with the Idaho Public Utilities Commission, P.O. Box 83720, Boise, ID 83720 (1-800-432-0369).

Termination of service in no way relieves you of your obligation to pay for all services prior to termination.

Should service be terminated, a charge for restoration of service (\$20.00 during office hours, \$40.00 after hours) must be paid, plus the account balance prior to restoration of service.

Rocky Mountain Utility Co. will, one time, assist you by making payment arrangements not requiring immediate payment in full, if you contact us prior to the Final Date to arrange such a payment plan.

Remember, your water will be turned off after the Final Date unless you act before the Final Date.





ROCKY MOUNTAIN
UTILITY COMPANY, INC.

2 N. Landmark Lane Ste 4 – Rigby, ID 83442

Office: 208.745.6443 Fax: 208.745.7979 www.RockyMountainUtility.com

NOTICE OF INTENT TO TERMINATE SERVICES

Today's Date 7/12/2021

Final Date 8/4/2021

Name Nicloe Burbank

Service Address 3890 East Ash Ln
Rigby, ID 83442

Account Balance \$ 1170.00

You are hereby notified that you are delinquent in the payment of charges for Water or Sewer Service provided to you by **Rocky Mountain Utility Co., Inc.** The balance of your account, according to our records, is indicated above

In accordance with the rules and Regulations of the Idaho Public Utilities commission, if this balance is not paid, or if payment arrangements are not made by the Final Date shown above, **YOUR WATER SERVICE WILL BE DISCONNECTED** after the Final Date.

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ROCKY MOUNTAIN
UTILITY COMPANY, INC.

2 N. Landmark Lane Ste 4 -- Rigby, ID 83442

Office: 208.745.6443 Fax: 208.745.7979 www.RockyMountainUtility.com

NOTICE OF INTENT TO TERMINATE SERVICES

Today's Date 5/21/2021

Final Date 6/1/2021

Name Nicole Lee Burbank

Service Address 3890 East Ash Ln
Rigby, ID 83442

Account Balance \$ 975.00

You are hereby notified that you are delinquent in the payment of charges for Water or Sewer Service provided to you by **Rocky Mountain Utility Co., Inc.** The balance of your account, according to our records, is indicated above

In accordance with the rules and Regulations of the Idaho Public Utilities commission, if this balance is not paid, or if payment arrangements are not made by the Final Date shown above, **YOUR WATER SERVICE WILL BE DISCONNECTED** after the Final Date.

To avoid termination you must contact Rocky Mountain Utility co. before the Final Date to make a payment arrangement or pay in full. **Please call on weekdays between 9:00 AM and 3:00 PM and ask for billing/ collections**

Termination may be delayed by:

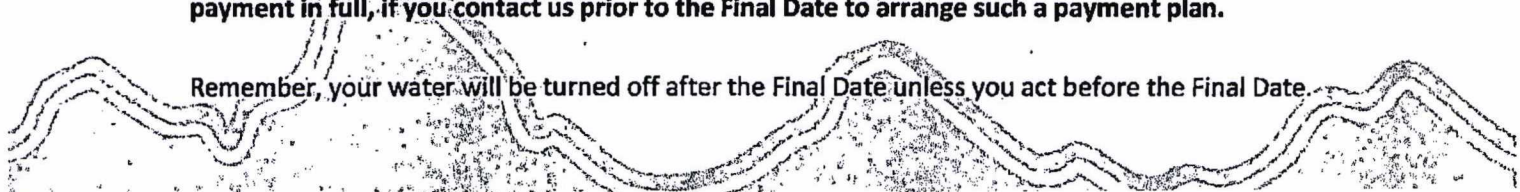
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2. Filing a complaint regarding the proposed termination with the Idaho Public Utilities Commission, P.O. Box 83720, Boise, ID 83720 (1-800-432-0369).

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ROCKY MOUNTAIN
UTILITY COMPANY, INC.

2 N. Landmark Lane Ste 4 – Rigby, ID 83442

Office: 208.745.6443 Fax: 208.745.7979 www.RockyMountainUtility.com

April, 27, 2021

Dear Customer:

As a reminder, Rocky Mountain utility requires every homeowner to provide proof of inspection/pumping of their septic tank every 5 years per Pepperwood Protective and Restrictive Covenants.

You can either bring in the required documentation or mail to:

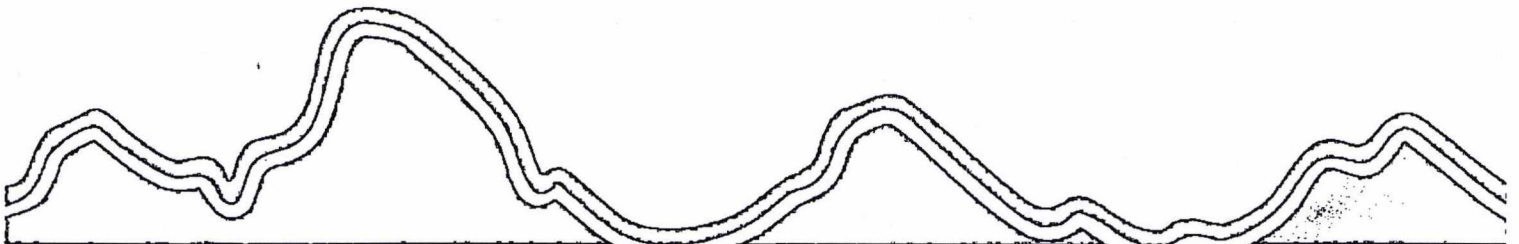
Rocky Mountain Utility Company
2 N. Landmark Ln Ste 4
Rigby, ID 83442

You can also email documentation to:

rockymountainutility@gmail.com

If you have lost or cannot find your copy of Pepperwood's Protective and Restrictive Covenants or if you have any questions please contact our office at (208) 745-6443.

Thank you,
Charlotte Lees
Office Manager





ROCKY MOUNTAIN
UTILITY COMPANY, INC.

2 N. Landmark Lane Ste 4 – Rigby, ID 83442

Office: 208.745.6443 Fax: 208.745.7979 www.RockyMountainUtility.com

July 31, 2019

To All Rocky Mountain Utility Customers:

We are notifying all customers of that there will be a \$15.00 a month rate increase for Pepperwood septic services. This increase will be set aside to help with costs associated for the installation of a secondary well system required by the Department of Environmental Quality as discussed at the September 12th meeting last year. This rate increase will take affect August 1st and will be reflected on the September's billing invoice.

The Department of Environmental Quality is requiring proof from ALL customers that all septic tanks have been pumped to remain in compliance based on the community Septic System design and functionality. This letter serves as notice that it is mandatory for all customers to provide proof of pumping within 5 years or have the pumping completed within the next 60 days (no later than September 30th) to avoid disruption of water services. If you are a new customer with new construction, proof of the date of septic installation will be required as documentation. You can either drop off the required documentation to the Rocky Mountain Utility office or email to rockymountainutility@gmail.com.

If you need to have your septic tanks pumped, we have listed a few of the local septic tank pumping companies below.

Affordable Septic	208.569.9219
Rooter Man	208.528.7386
King George's	208.528.2938
Triple A	208.522.6557

Please note these important changes and thank you for your cooperation.

Sincerely,

Rocky Mountain Utility Company

