

NICOLE BURBANK
Pro Se
3890 East Ash Lane
Rigby, Idaho 83442
Ph.: (208) 604-4177
Email: nursenikki0818@gmail.com

RECEIVED
2022 JUL -5 AM 9:46
IDAHO PUBLIC
UTILITIES COMMISSION

Complainant – Pro Se.

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE FORMAL
COMPLAINT OF NICOLE BURBANK
AGAINST THE ROCKY MOUNTAIN
UTILITY COMPANY, INC.

CASE NO. ROC-W-21-01

RECONSIDER CHANGING ORDER NO.
35418

COMES NOW, Nicole Burbank, Pro Se and hereby moves the *Idaho Public Utilities Commission* to reconsider their *ORDER NO. 35418* entered on May 25, 2022. Ms. Burbank sincerely appreciates the order and the time spent reviewing this matter; however, she is asking the Commissioners to review some factual information that was never given to the Commissioners and or incorrectly entered on the record by John R. Hammond Jr., Jolene Bossard, Jim Bernard, and staff.

While it is uncustomary to not have a hearing and to not be heard by Ms. Burbank in an open forum, it is also uncustomary for Ms. Burbank to receive a final *Order No. 35418* via email. Ms. Burbank while casually checking her spam email folder noticed that the final *Order No. 35418* had fallen into her spam/junk folder and went unopened until now. Ms. Burbank sincerely hopes the Commissioners will review this reconsideration request despite the time frame and make the appropriate adjustments. Ms. Burbank has never been heard orally by this Commission and

sincerely request the opportunity to be heard if appropriate and or necessary.

While Ms. Burbank disputes some information as incorrect or inaccurate in the section titled "Background" & "The Company's Response"; Ms. Burbank has grave and serious concerns in title "STAFF COMMENTS" sub section 1 "Hook-Up Fee", they go as follows:

1. Attached are two (2) documents from First American Title Company, the first will show funds paid by Ms. Burbank to Rocky Mountain Utility for "Hook-up Fee" in the amount of eight-hundred and fifty (\$850.00) dollars. The second document shows funds paid by Ms. Burbank for a "Association Dues to Rocky Mountain Utility" in the amount of ninety-seven dollars and fifty cents (\$97.50) a total of nine-hundred and forty-seven dollars and fifty cents (\$947.50) see **Exhibit A**.

A. Ms. Burbank has issue with "Staff reasoned if Ms. Burbank did not pay the hook-up fee, she would not have any standing to make a claim for a refund". First American Title Company released funds proved by Ms. Burbank and her bank. First American Title Company did not nor did any builder pay the water "Hook-up Fee" out of there own pockets or out of a some kind gesture. This money came from Ms. Burbank and the money paid was for the WATER "Hook-up Fee" and prepaid for a month in advance services.

2. Staff recognized the "Company" assertion that they believe its some kind of "sewer" hook up fee, this is incorrect. Requiring and giving direction to Rocky Mountain to update their website, modify invoices was a correct move. But the damage had already been done, not just to Ms. Burbank but to other homeowner and should be refunded.
3. Under the title "Disconnection Notice" a recommendation to "not include past due charges for sewer service in its termination notices for water services" was given but

did not stop Rocky Mountain from sending out disconnection notices with sewer services lumped in for collection, **see Exhibit B.**

4. Under the title “Termination of Service” Ms. Burbank’s allegations of unexpected and no notice of temporary water outages seemed to have fallen on closed ears. Siding with Rocky Mountain that there was no outages on “September 1 and 24, 2021.” is a mistake. There was water outages and water pressure issues on those days with no notice. Also, Ms. Burbank’s documents from Rocky Mountain’s on plans to dig a second well due to water pressure at the residents cost fell on blind eyes.
5. Under the tile “Water Pressure” Ms. Burbank made allegation that the water pressure is low. Rocky Mountain claims they test the water pressure but provided no information on what methods they use, what time of day they test, who tests and if the tests are accurate or not. There is no over site, by the Utilities Commission, and there is no meters on any properties or well heads.

I pray the commissioners will review the documents attached and recognize that I paid Rocky Mountain Utilities Company, Inc. \$947.50 for water “hook-up” fees on March 16, 2022. A clear overpayment in the amount of \$797.50 and refund me the money.

DATED: June 27, 2022



Nicole Burbank, PRO SE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below as indicated below.

DATE: June 27, 2022.



Nicole Burbank

Commissioners
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074
Email: secretary@puc.idaho.gov
John.hammond@puc.idaho.gov

Email
 US Mail

File No.: 881616-RI

First American Title Company

Printed: 03/16/2020, 9:32 AM

Officer/Escrow Officer: Shaney Swanson/ks

110 N. Clark Street/PO Box 405 • Rigby, ID 83442

Settlement Location:

Phone: (208)745-8715 Fax: (208)745-8716

110 N. Clark Street/PO Box 405, Rigby, ID

Final Settlement Statement

83442



Property Address: 3890 East Ash Lane, Rigby, ID 83442

Buyer: Nicole Lee Burbank

Seller: Higley Developments LLC

Lender: Synergy One Lending Inc

Settlement Date: 03/16/2020

Disbursement Date: 03/16/2020

Description	Buyer	
	Debit	Credit
Financial		
Sale Price	289,900.00	
Deposit: Receipt No. 10711 on 02/07/2020 by Nicole Lee Burbank		1,000.00
Loan Amount - Synergy One Lending Inc		281,203.00
Prorations/Adjustments		
County Taxes 01/01/20 to 03/16/20 @\$272.78/yr		56.05
Seller Credit		7,247.50
Loan Charges		
Loan Charges to Synergy One Lending Inc		
Prepaid Interest 03/16/20 to 04/01/20 @\$30.740000/day	491.84	
Underwriting Fee	795.00	
Funding Fee	150.00	
1.248% of Loan Amount (Points)	3,509.41	
Appraisal Fee to Synergy One Lending Inc FBO Apex	560.00	
Appraisal 442 Re- Inspection Fee to Synergy One Lending Inc FBO Apex	150.00	
Credit Report to Synergy One Lending Inc FBO Factual Data	36.25	
Flood Certification to Synergy One Lending Inc FBO ServiceLink Nat'l	9.00	
Impounds		
Aggregate Adjustment		294.33
Homeowner's Insurance 3 mo(s) @\$65.92/mo	197.76	
County Property Taxes 2 mo(s) @\$162.49/mo	324.98	
Title Charges & Escrow / Settlement Charges		
Title - Policy-Extended Lender's Policy	454.00	
Policy-Extended Lender's Policy to First American Title Company		
Title - Endorsement 22-06 Location	0.00	

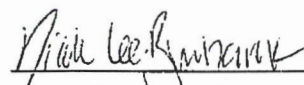
This is a summary of the closing transaction prepared by First American Title Company. This document is not intended to replace the Closing Disclosure form.

Description	Buyer	
	Debit	Credit
Endorsement 22-06 Location to First American Title Company		
Title - Endorsement 8.1-06 Environmental Endorsement 8.1-06 Environmental to First American Title Company	10.00	
Title - Endorsement 9-06 REM Endorsement 9-06 REM to First American Title Company	40.00	
Title - Old Republic CPL Fee Old Republic CPL Fee to First American Title Company	25.00	
Title - Settlement or Closing Fee Settlement or Closing Fee to First American Title Company	350.00	
Title - Courier and Handling Fee Buyer Courier and Handling Fee Buyer to First American Title Company	21.00	
Title - e-document filing fee e-document filing fee to First American Title Company	9.00	
Government Recording and Transfer Charges		
Recording Fee-Deed	15.00	
Recording Fee-Mortgage	45.00	
Miscellaneous		
Association Dues to Rocky Mountain Utility	97.50	
Homeowner's Insurance Premium to Insure It All	791.00	
Subtotals	297,981.74	289,800.88
Due From Buyer		8,180.86
Totals	297,981.74	297,981.74

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize First American Title Company to cause the funds to be disbursed in accordance with this statement.

Buyer(s):



 Nicole Lee Burbank

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Escrow Officer: Shaney Swanson

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News

American Land Title Association

ALTA Settlement Statement - Seller

Adopted 05-01-2015

File No.: 881616-RI

First American Title Company

Printed: 03/16/2020, 9:32 AM

Officer/Escrow Officer: Shaney Swanson/ks

110 N. Clark Street/PO Box 405 • Rigby, ID 83442

Settlement Location:

Phone: (208)745-8715 Fax: (208)745-8716

110 N. Clark Street/PO Box 405, Rigby, ID 83442

Final Settlement Statement



Property Address: 3890 East Ash Lane, Rigby, ID 83442

Buyer: Nicole Lee Burbank

Seller: Higley Developments LLC

Lender: Synergy One Lending Inc

Settlement Date: 03/16/2020

Disbursement Date: 03/16/2020

Description	Seller	
	Debit	Credit
Financial		
Sale Price		289,900.00
Prorations/Adjustments		
County Taxes 01/01/20 to 03/16/20 @\$272.78/yr	56.05	
Seller Credit	7,247.50	
Loan Charges		
Loan Charges to Synergy One Lending Inc		
Appraisal 442 Re- Inspection Fee to Synergy One Lending Inc FBO Apex	150.00	
Title Charges & Escrow / Settlement Charges		
Title - Owner's Title Insurance (optional)	1,192.00	
Policy-Owner's Policy to First American Title Company		
Title - Settlement or Closing Fee	350.00	
Settlement or Closing Fee to First American Title Company		
Commission		
Real Estate Commission to ROI Brokers	8,479.58	
Miscellaneous		
Hook-Up Fee to Rocky Mountain Utility	850.00	
Property Taxes to Jefferson County Treasurer	136.39	
Funds Held		
Funds Held: Exterior Flatwork/ Steps and Grading	2,810.50	
Subtotals	21,272.02	289,900.00
Due To Seller	268,627.98	
Totals	289,900.00	289,900.00

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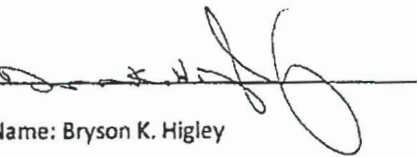
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Seller(s):

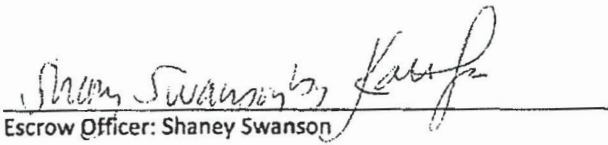
Higley Developments LLC, an Idaho limited liability company

By: Bryson K. Higley Construction, Inc., Member

By: 

Name: Bryson K. Higley

Title: President


Escrow Officer: Shaney Swanson

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