

-BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH-

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In the Matter of the Termination of )  
Electrical Service where Life Support ) DOCKET NO. 07-035-66  
Equipment is Used: Brenda West ) REPORT AND ORDER  
)

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ISSUED: November 19, 2007

By The Commission:

This matter came on for hearing before the Commission's Administrative Law Judge on November 15, 2007. Petitioner Rocky Mountain Power was represented by Stacey Davis. Respondent Brenda West failed to appear.

At hearing, Petitioner stated Respondent has entered into a payment plan requiring Respondent to pay \$12.00 per month toward the past-due balance on the account plus Respondent's monthly billing based on actual usage. Petitioner stated that, given Respondent's current past-due balance, Respondent has six months remaining on this payment plan. Petitioner further stated its willingness to waive interest accruing on the account balance going forward for the remainder of the payment plan. However, based upon Respondent's payment history, Petitioner continues to seek authorization to terminate Respondent's service should Respondent fail to comply with the terms of the payment plan going forward.

Therefore, based upon the foregoing, and for good cause appearing, the Administrative Law Judge enters the following proposed

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. Respondent shall make monthly payments to Petitioner in accordance with the payment plan previously entered into as outlined above, on or before the due date of each statement for services rendered by Petitioner, until such time as the past-due balance on Petitioner's account has been paid in full.
2. Respondent is directed to pursue assistance from the HEAT program, Red Cross, and other available assistance programs. If lump sum payments are made to Petitioner from any assistance program, these payments shall be applied to the then-outstanding arrearage and will not affect the monthly payment amounts specified above.
3. Petitioner agrees and is ordered to waive all interest accruing on Respondent's account going forward from the date of this Order so long as Respondent continues to comply with all other terms of this Order.
4. If Respondent fails to make any payment in the full amount as specified above on or before the due date, Petitioner shall have the right to disconnect service to Respondent's residence in accordance with Petitioner's regulations and tariff provisions and the applicable rules and regulations of the Commission, without seeking further approval from the Commission, notwithstanding the fact that a resident at Respondent's residence may be using life-support equipment.
5. At least 48 hours prior to terminating said service, Petitioner shall notify the appropriate Utah State social services agencies of this Order and the pending termination.

6. Petitioner's authorization to disconnect service at Respondent's residence in accordance with this Order shall terminate upon Respondent's payment in full of all arrears on Respondent's account. Any further authorization to disconnect said service would require another order from this Commission.

Pursuant to *Utah Code Annotated* §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of *Utah Code Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 19<sup>th</sup> day of November, 2007.

/s/ Steven F. Goodwill  
Administrative Law Judge

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Approved and Confirmed this 19<sup>th</sup> day of November, 2007, as the Report and Order of the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary  
G#55339