

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Termination of Electric)	<u>DOCKET NO. 08-035-48</u>
Service where Life Support Equipment is)	
Used: Rick Fuchs)	<u>NOTICE CANCELLING HEARING</u>
)	
)	<u>REPORT AND ORDER</u>
)	

ISSUED: June 19, 2008

SYNOPSIS

Petitioner ROCKY MOUNTAIN POWER having petitioned for Commission authorization to terminate, for nonpayment of applicable charges, the utility service of Respondent RICK FUCHS, at premises where life support equipment is allegedly located, and Respondent having failed timely to oppose said request by requesting a hearing or otherwise, we grant the petition, except said termination may not be undertaken so long as Respondent continues to fulfill the terms of the payment plan currently in effect with Petitioner. The June 19, 2008, hearing previously scheduled in this matter is cancelled.

By The Commission:

On May 5, 2008, Petitioner ROCKY MOUNTAIN POWER filed its petition seeking authorization to terminate the utility service of Respondent RICK FUCHS at Respondent's home, which is allegedly the location of life support appliances. Respondent was properly notified of the petition and of the need to request a hearing or respond otherwise and failed timely to do so. However, on May 27, 2008, pursuant to recommendation of the Division of Public Utilities, the Commission issued a Notice of Hearing setting hearing on this matter to commence before the Administrative Law Judge ("ALJ") on June 19, 2008. Since that time,

Respondent has contacted Commission staff and stated he has entered into a payment plan with Petitioner and does not plan to attend the hearing.

Wherefore, notice is hereby given that the June 19, 2008, hearing previously scheduled in this matter is cancelled. The ALJ, based upon the foregoing information, and for good cause appearing, now enters the following proposed

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- Petitioner ROCKY MOUNTAIN POWER be, and it is, authorized to terminate the utility service of Respondent RICK FUCHS for nonpayment of applicable charges, except said termination may not be undertaken so long as Respondent continues to fulfill the terms of the payment plan currently in effect with Petitioner. If Respondent fails to make any scheduled payment pursuant to the payment plan 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.
- At least 48 hours prior to terminating said service, ROCKY MOUNTAIN POWER shall notify the appropriate Utah state social services agencies of this Order and the pending termination.
- This Order is effective the date of its issuance.
- Petitioner's authorization to disconnect service at Respondent's residence in

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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.

Any person aggrieved by this Order may petition the Commission for review/rehearing pursuant to the *Utah Administrative Procedures Act, Utah Code Ann. §63-46b-1 et seq.* Failure so to do will preclude judicial review of the grounds not identified for review. *Utah Code Ann. §54-7-15.*

DATED at Salt Lake City, Utah, this 19th day of June, 2008.

/s/ Steven F. Goodwill
Administrative Law Judge

Approved and Confirmed this 19th day of June, 2008, 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
GH57797