

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Termination of Electric)
Service where Life Support Equipment is) DOCKET NO. 08-035-39
Used: Marti Allen and Bryan Breshears)
) ORDER RESCINDING AND
) VACATING PRIOR ORDER
)
) REPORT AND ORDER AUTHORIZING
) TERMINATION OF SERVICE
)

ISSUED: May 2, 2008

By The Commission:

On January 18, 2008, Petitioner ROCKY MOUNTAIN POWER filed its petition seeking authorization to terminate the utility service of Respondents MARTI ALLEN and BRYAN BRESHEARS at Respondents' home, which is allegedly the location of life support appliances. Respondents were properly notified of the petition and of the need to request a hearing or respond otherwise and failed timely to do so.

On April 28, 2008, the Commission erroneously issued a Report and Order authorizing Petitioner to terminate the utility service to Respondents' home if Respondents failed to abide by the terms of a payment plan entered into with Petitioner. However, Respondents had not actually entered into a payment plan with the Petitioner. Therefore, the Commission issues this Order rescinding and vacating the April 28, 2008 Order and entering the Order below.

Wherefore, having been fully advised in the premises, the Commission enters the following:

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ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- The Report and Order Issued April 28, 2008, is rescinded and vacated.
- ROCKY MOUNTAIN POWER be, and it is, authorized to terminate the utility service of MARTI ALLEN and BRYAN BRESHEARS for nonpayment of applicable charges.
- 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.
- 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 2nd day of May, 2008.

/s/ Steven F. Goodwill
Administrative Law Judge

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Approved and Confirmed this 2nd day of May, 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

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