

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Termination of Electric)
Service Where Life Support Equipment is) DOCKET NO. 09-035-11
Used: Fiefia Tukuafu-Tonga) REPORT AND ORDER

ISSUED: April 9, 2009

By The Commission:

THIS MATTER is before the Commission on the petitioner, Rocky Mountain Power's (RMP) petition to terminate service for Fiefia Tukuafu-Tonga (Respondent). Respondent requested a hearing on this matter. The first hearing was set out from the date of request 30 days. The day before that hearing, respondent requested a continuance. The hearing was re-set for April 1, 2009. A hearing was held before the Commission's Administrative Law Judge (ALJ) on April 1, 2009. RMP was represented by Eric Holje. Respondent Fiefia Tukuafu-Tonga appeared as well.

PROCEDURAL

At the hearing, RMP represented that it had not entered into a payment plan with the respondent but that it would be willing to offer one of two options for payment to the respondent. Both options were 24-month payment plans. Under the first plan, the respondent would pay \$96 per month towards her arrearage, and an additional \$62 per month equal-time payment towards her current usage, totaling a monthly payment amount of \$158. Payments would begin with the first statement in April 2009, with succeeding payments due each succeeding month on the particular due date, and continuing for 24 months until the arrearage

is satisfied. The second plan would allow the respondent to pay \$84 per month towards her arrearage. Respondent, however, would pay her current monthly balance—whatever it might be, as it came due. Payments under this plan would also begin with the April 2009 statement, with payments due on or before the particular due date each succeeding month, and continuing for 24 months until the arrearage is satisfied. RMP stated that so long as the respondent agreed to one plan and kept current, it would waive interest on the arrearage.

RMP also renewed its request that should the respondent fail to agree to a plan or comply prospectively with the terms of any payment plan, that it be authorized to terminate the respondent's service.

Respondent agreed to the first option.

Therefore, based upon the foregoing information, and for good cause appearing, the ALJ enters the following proposed ORDER:

1. The respondent shall pay to RMP, the amount of \$96 per month towards her arrearage, and an additional \$62 per month equal-time payment towards her current usage, totaling a monthly payment amount of \$158. Payments shall be due on or before the date listed on her billing statement each month, and continuing for 24 months until the arrearage is satisfied.

2. RMP shall waive interest owing on the arrearage so long as the respondent abides by the terms of this Report and Order.

3. If the respondent fails to comply with the terms of the payment plan and this Report and Order, RMP shall have the right to disconnect services to respondent's residence in

DOCKET NO. 09-035-11

-3-

accordance with RMP's regulations and tariff provisions and the applicable rules and regulations of the Commission. RMP shall not be required to seek further approval from the Commission for termination of service, notwithstanding the fact that a resident at respondent's residence may be using life-support equipment. In the event of termination, at least 48 hours prior to terminating said service, RMP shall notify the appropriate Utah state social service agencies of this Order and pending termination. RMP shall be free to pursue any other means of collection available to it under the law to collect any arrearages.

DATED at Salt Lake City, Utah, this 9th day of April, 2009.

/s/ Ruben H. Arredondo
Administrative Law Judge

Approved and confirmed this 9th day of April 2009, 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#61450