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201 South Main, Suite 2300
Salt Lake City, Utah 84111

December 3, 2008

IDAHO PUBLIC
UTILITIES COMMISSION

VIA OVERNIGHT DELIVERY

Idaho Public Service Commission
472 W. Washington Street
P.O. Box 83720
Boise, Idaho 83720-0074

Attention: Jean D. Jewell
Commission Secretary

Case No. PAC-E-08-09

RE: IN THE MATTER OF THE FORMAL COMPLAINT OF MARIAN MATHEWSON
AGAINST ROCKY MOUNTAIN POWER

Dear Ms. Jewell:

Please find enclosed for filing an original and seven (7) copies of Rocky Mountain Power's Answer and Motion to Dismiss in the above captioned matter.

I would appreciate it if you would return a file stamped copy of this transmittal letter for our records.

Very Truly,

A handwritten signature in black ink that reads "Daniel E. Solander" followed by a stylized flourish.

Daniel E. Solander
Sr. Counsel
Rocky Mountain Power

Enclosures

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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IDAHO PUBLIC UTILITIES COMMISSION

MARIAN MATHEWSON)
)
 Complainant,)
)
 vs.)
)
 ROCKY MOUNTAIN POWER,)
)
 Respondent.)
)
)
)
)

Case No. PAC-E-08-09

ROCKY MOUNTAIN POWER'S ANSWER AND MOTION TO DISMISS

Rocky Mountain Power ("RMP" or the "Company"), by and through its attorney, answers the complaint of Marian Mathewson ("Ms. Mathewson" or "Complainant") as follows:

1. Complainant's home at 3125 Harkness Canyon Rd., McCammon, Idaho, is located approximately one mile from the closest distribution facilities of Rocky Mountain Power. Electricity to this residence has been supplied by customer-owned generation. Rocky Mountain Power does not currently provide electric service to Complainant at this address.
2. Complainant made an informal complaint with the Idaho Public Utilities Commission (the "Commission") on October 7, 2007, regarding the cost to extend electric service to 3125 Harkness Canyon Road, McCammon.
3. As part of the informal complaint process RMP was contacted by Commission staff regarding the informal complaint. The Company responded to Commission staff by providing an explanation of the tariff provisions applicable to estimate of the costs for extending electric service to Ms. Mathewson's residence.
4. The applicable tariff provisions are provided below, in relevant part.

Original Sheet No. 2R.3, Electric Service Regulation No. 2

Remote Service: Service to distant or isolated locations which, in the Company's opinion, will not have sufficient annual Schedule Billings to cover the Company's annual incurred costs. A distant location is any location, or group of locations, **more than one-half mile from the Company's existing distribution facilities**. An isolated location is one where additional development is unlikely due to geographical constraints, and may be less than one-half mile from existing distribution facilities. (Emphasis added.)

Original Sheet No. 12R.5, Electric Service Regulation No. 12, Line Extensions, Section 2(b) Remote and Seasonal Service and Service to Unimproved Subdivisions:

(2) Contracts

The Company will make Extensions for Remote or Seasonal Residential Service or in an Unimproved Subdivision according to a written contract. The contract will require the Applicant to advance the estimated cost of facilities in excess of the Extension Allowance. The Applicant shall also pay a Contract Minimum Billing for as long as service is taken, but in no case less than 5 years. (Emphasis added.)

Original Sheet No. 12R.1 Regulation 12, Section 1(b)

Contract Minimum Billing – The Contract Minimum Billing is the greater of: (1) the Customer's monthly bill; or (2) **80% of the Customer's monthly bill plus the Facilities Charges**. Customer on a seasonal rate receive an annual Contract Minimum Billing of the greater of (1) the Customer's annual bill; or (2) 80% of the Customer's annual bill plus the Annual Facilities Charge. The Annual Facilities Charge is twelve (12) times the Facilities Charges. Any Contracted Minimum Billings shall begin upon the date service is first delivered or 30 days after the completion of the extension whichever occurs first, as determined by the Company, unless a later date is mutually agreed upon. (Emphasis added.)

Original Sheet No. 300.3 Electric Service Schedule No. 300

Facilities Charges

Facilities Installed at Customer's Expense	0.67% per month
Facilities Installed at Company's Expenses	1.67% per month

5. A request for a cost quotation was received by RMP by telephone from Ms. Mathewson on November 9, 2007. The request was for power from the company's distribution line to the bottom of the customer's driveway.
6. A written ballpark estimate to extend electric service from the Company's distribution facilities in the amount of \$19,867 with a monthly facilities charge of \$180 was provided to Ms. Mathewson on November 28, 2007. The estimate was created in accordance with the applicable Company tariffs. The estimate reflected costs for underground service, which is the lowest cost option for providing service to 3125 Harkness Canyon Rd., McCammon. Although for the majority of line extensions overhead construction is less expensive, for this extension it would be more costly due to the need to follow a winding road. To install an overhead line would require extensive guying and associated surveys and right of way easements from neighbors and more frequent pole placement.
7. Complainant alleges that there is no need for a facilities charge as the need for maintenance is unlikely. The facilities charge is an annualized charge on the life costs of an extension that covers taxes and replacement as well as maintenance. Complainant also alleges Rocky Mountain Power has no costs associated with the installation of new service. RMP did include the residential allowance in the estimate. Total job costs were estimated at \$22,671 in November 2007, with the Company providing an allowance of \$2805 for the transformer, service and meter. Complainant's portion of the cost was estimated at \$19,867.
8. Ms. Mathewson has not entered into a contract for service under the terms of Rocky Mountain Power's tariffs as approved by the Idaho Public Utilities Commission.

10. At all times Rocky Mountain Power has applied the tariffs as filed, and consistent with their treatment of other customers.

AFFIRMATIVE DEFENSES

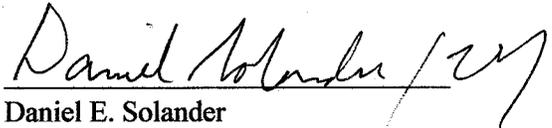
1. RMP is willing and able to provide a line extension to serve Complainant upon Complainant signing a line extension agreement and payment of the appropriate costs as required by RMP's filed tariffs.

2. Complainant is not entitled to receive service and RMP is not required to provide service, except as provided in RMP's filed tariffs.

3. The Complainant has failed to allege facts sufficient to constitute a claim upon which relief can be granted.

WHEREFORE Rocky Mountain Power requests that the Commission rule in favor of Rocky Mountain Power and against Complainant and that the complaint filed by Marian Mathewson be dismissed.

DATED this 2ND day of December, 2008



Daniel E. Solander
Senior Attorney
Rocky Mountain Power
201 South Main St.
Salt Lake City, Utah 84111
Telephone: 801-220-4014
Facsimile: 801-220-3299

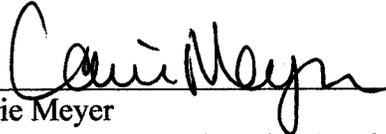
CERTIFICATE OF SERVICE

RECEIVED

I hereby certify that on this 2nd day of December, 2008, I caused to be delivered, via overnight delivery, a true and correct copy of Rocky Mountain Power's Answer and Motion to Dismiss in PAC-E-08-09 to the following:

2008 DEC -5 AM 11:49
IDAHO PUBLIC
UTILITIES COMMISSION

Marian Mathewson
3125 Harkness Canyon Rd
McCammon, Idaho 83250-1555



Carrie Meyer
Coordinator, Administrative Services