

SUMMARY STATEMENT

Cole v. Idaho Public Utilities Commission, Docket No. 51148

Sherry Cole appealed from an order of the Idaho Public Utilities Commission dismissing her complaint against Rocky Mountain Power (“RMP”). Cole filed a formal complaint against RMP alleging she had been overbilled because her power meter was cross-connected with her neighbor’s. An employee for RMP informed Cole that her meter was cross connected and credited her account with \$1,256.45. Later tests revealed the meters were not cross connected. Consequently, RMP removed the credit from Cole’s account but applied a credit of \$450 for the inconvenience. Cole filed a formal complaint with the Idaho Public Utilities Commission. The Commission dismissed Cole’s complaint because it found no evidence she was overcharged. Cole moved to reconsider, which the Commission denied. Cole appealed to this Court.

The Idaho Supreme Court affirmed the decision of the Public Utilities Commission. The Court held that Cole failed to demonstrate the Commission’s decision was unsupported by substantial and competent evidence. The Court held that Cole’s remaining arguments had been waived under the *Bach v. Bagley* standard. 148 Idaho 784, 229 P.3d 1146 (2010).

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******