

SUMMARY STATEMENT

Edwards v. Idaho Public Utilities Commission

Docket No. 51238

This case concerns Samuel and Peggy Edwards' appeal from the Idaho Public Utilities Commission ("the PUC"). Citing health concerns, the Edwards refused to allow Rocky Mountain Power Company to replace the existing electrical meter on their property with a new, "smart" meter. Rocky Mountain considered the Edwards' refusal to be a violation of their contractual agreement (known as a tariff), which authorized Rocky Mountain to access electrical meter bases on customer properties for specific reasons. After negotiations with the Edwards failed, Rocky Mountain informed the Edwards that electrical service to their home would be terminated unless Rocky Mountain was allowed to replace their existing meter with a smart meter.

Before service could be terminated, the Edwards filed a formal complaint with the PUC, maintaining that they had not denied Rocky Mountain access to the meter base on their property and asserting that they should be allowed to "opt-out" and choose a reasonable alternative to the smart meter. In response, Rocky Mountain filed a motion to dismiss the Edwards' complaint, which the PUC granted. The Edwards filed a motion for reconsideration, which the PUC also dismissed. The Edwards then appealed to the Idaho Supreme Court, making three claims: (1) that Rocky Mountain did not have authority to access their property to replace their older meter with a smart meter; (2) that the PUC erred by failing to address one of their arguments when it dismissed their complaint; and (3) that they had a right under the Idaho Constitution to refuse the installation of a smart meter and keep their old power meter.

The Idaho Supreme Court affirmed the PUC's dismissal of the Edwards' complaint. The Supreme Court held that Rocky Mountain's tariff provided it with authority to access the Edwards' property to replace the existing power meter with a smart meter. The Supreme Court also concluded that the PUC did not err by failing to address certain arguments made by the Edwards, as the PUC addressed all of the arguments that were properly presented to it. Finally, the Supreme Court held that the Edwards had waived the issue raised under the Idaho Constitution, as the Edwards had failed to support their argument with cogent argument or proper authority.

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