

Bond Case Briefs

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PUBLIC UTILITIES - IDAHO

Edwards v. Idaho Public Utilities Commission

Supreme Court of Idaho, Boise, February 2025 Term - April 24, 2025 - P.3d - 2025 WL 1185585

Homeowners appealed decision of the Public Utilities Commission granting electrical utility's motion to dismiss formal complaint which homeowners' had filed with the Commission after utility stated it would terminate service if homeowners refused to allow utility to install a "smart" electrical meter at the property.

The Supreme Court held that electric service regulations of electrical utility's tariff granted utility authority to access homeowners' existing analog meter and replace it with a "smart" meter.

Homeowners failed to support with sufficient authority their claim that the Idaho Constitution protects their right to refuse replacement of an existing analog electrical meter with a new "smart" meter, while still benefiting from utility's services, due to health and safety concerns, and thus waived that argument on appeal of the Public Utilities Commission's dismissal of homeowners' complaint challenging utility's right to terminate service if homeowners would not consent to replacement of meter, where homeowners relied solely on an amicus brief filed in a Pennsylvania case for evidentiary support, without supplying any foundation for the factual assertions it contained, and homeowners did not offer any explanation for how the Idaho Constitution would allow a private cause of action and cited no cases interpreting or applying the Idaho Constitution to constrain the powers of a private entity.