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Attorneys for Questar Gas Company

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

REGARDING THE APPLICATION TO
REMOVE GSS AND EAC RATES FROM
QUESTAR GAS COMPANY'S TARIFF

Docket No. 06-057-T04

**MOTION TO DISMISS
APPLICATION AND CLOSE
DOCKET AND OPPOSITION TO
BALL REQUEST**

Questar Gas Company (Questar or the Company) hereby moves the Commission to enter an order dismissing its application to remove General Service-Southern (GSS) rates and Extension Area Charges (EACs) from its tariff (Application) and closing this docket based on the Commission's Order on Stipulation (Order) issued April 24, 2007. As support for this request, Questar represents as follows:

BACKGROUND

The Commission issued an order in Docket 05-057-T01 to “[c]reate a task force to address GSS expansion area rate premiums and EACs in the Company’s tariff and develop new tariff language to address future system expansion requests.” The task force filed a report with the Commission on August 24, 2006 (Task Force Report), recommending that Questar Gas remove the GSS rates and EACs so that residential customers statewide pay the same rates. Additionally, with regard to the extension of natural gas service to areas not currently served, the Task Force Report recommended that these areas acquire the necessary funding for the non-refundable portion of the contribution required to extend service from third-party resources. A copy of the Task Force Report and its attachments was attached to the Application as Exhibit 1.1.

On October 6, 2006, the Company filed the Application in accordance with the Task Force Report. In the Application, the Company requested that the recommendations of the task force be adopted and filed proposed tariff sheets to implement those recommendations. It proposed that the GSS (GSS, IS-4 and ITS) rates and EACs, which had been charged to customers in various expansion areas pursuant to orders of the Commission approving them, be removed from the Company’s tariff, that the revenues being collected from these rates be rolled into the GS-1, I-4 and IT rate schedules in a revenue-neutral manner and that tariff language be adopted requiring future expansion communities to fund expansion costs from third-party sources before expansion commenced.

Testimony was filed by several parties which was admitted and subjected to cross-examination at a hearing on February 8, 2007. In addition, the Commission held public witness hearings in Salt Lake City on that day and in Beaver on February 15,

2007. Settlement discussions took place among all parties that wished to participate. The GSS/EAC Stipulation (Stipulation) was thereafter signed by all parties, except Salt Lake Community Action Program (SLCAP) and Roger Ball, and filed on February 15. Testimony and legal argument on the Stipulation was filed, and, on March 27, the Commission held a hearing on the Stipulation at which the written testimony was submitted, live testimony was presented, witnesses were questioned extensively by the Commission and argument was presented. During the hearing, an issue arose whether statements of Mr. Ball presented in opposition to the Stipulation were testimony or argument. On April 2, 2007, the Commission issued its Decision and Order Designating Oral Presentation as Argument.

On April 24, 2007, the Commission issued its Order rejecting the Stipulation. The Commission found that the GSS rates and EACs are just and reasonable and should continue. The Commission also found that elimination of the GSS rates and EACs would create disparate rate treatment for the customers still subject to those expansion area rates as compared with prior and future expansion area customers. The Commission provided alternative suggestions for the communities seeking relief from these expansion area rates.

On May 2, 2007, despite the fact that the Commission's Order was consistent with the position he advocated, Mr. Ball filed a 23-page "Request for Review, Reconsideration and Vacation or Clarification of the Commission's Decision and Order Designating Oral Presentation as Argument" (Ball Request).

ARGUMENT

In light of the Commission's Order rejecting the Stipulation, the Application has been effectively rejected. Although the Stipulation contained some variation on the tariff

change proposed in the Application, there was no material difference between the Stipulation and the Application with respect to the issues on which the Commission has ruled in the Order.

During the hearing on March 27, 2007, the parties reserved their right to cross-examine the testimony of witnesses that was offered and admitted in support of the Stipulation should the Commission not accept the Stipulation. Notwithstanding this reservation, the Company does not believe that further hearings in this matter, including cross examination of the witnesses, would affect the underlying rationale of the Order. Therefore, the Company does not believe additional proceedings would be an efficient use of the Commission's or parties' time and resources.

The Company believes that the alternative suggestions provided in the Order could be pursued by individual communities. To the extent such alternative mechanisms are requested by communities, the Company will work in good faith with the communities to assist them with reviewing such mechanisms where possible. The Company will assess any future communities under its current tariff provisions.

Additionally, Questar Gas Company, pursuant to Utah Admin. Code R746-100-4.D, responds in opposition to the Ball Request. The Commission should deny the Ball Request, and for all the foregoing reasons, conclude this matter. Questar Gas sees no reason for the Commission or the parties to devote further resources to this issue at this time given the Commission's clear direction in the order. Where the Commission's decision is in alignment with the relief Mr. Ball sought, he has no basis to impose further upon the Commission or the parties by seeking review, reconsideration and vacation or clarification of a procedural order designating his oral statement at the March 24, 2007

hearing as argument rather than testimony. The Order renders the Ball Request moot. Therefore, this motion should be granted and this matter concluded.

CONCLUSION

Wherefore, in light of the Commission's Order, which was based on substantial evidence, hearings, position statements and legal argument, the Company respectfully requests that the Commission dismiss the Application and close this docket, and deny the Ball Request.

RESPECTFULLY SUBMITTED: March 29, 2018.

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing **MOTION TO DISMISS APPLICATION AND CLOSE DOCKET AND OPPOSITION TO BALL REQUEST** was served upon the following by electronic service on this 4th day of May, 2007.

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