PAUL H. PROCTOR (#2657) Assistant Attorney General Utah Office of Consumer Services MARK L. SHURTLEFF (#4666) Attorney General 160 East 300 South P.O. Box 140857 Salt Lake City, Utah 84114-0857 Telephone (801) 366-0552

## **BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application of Questar Gas Company To Increase Distribution Non-Gas Rates and Charges and Make Tariff Modifications Docket No. 09-057-16

UTAH OFFICE OF CONSUMER SERVICES' MOTION TO MODIFY SCHEDULING ORDER AND TO HOLD A SCHEDULING CONFERENCE

The Utah Office of Consumer Services moves the Commission to modify the December 29, 2009 Scheduling Order (Order) by changing the dates in Part 3 Schedule for Issues Related to Cost of Service and Rate Design, from those now established for the filing of testimony and hearing, to dates mutually agreed to by the parties and that are acceptable to the Commission. At this time, the Office is not proposing a change to the filing of direct testimony, but rather an extension of time to respond to issues within that direct testimony that the Office anticipates will be filed and that will require new dates for rebuttal, sur-rebuttal and hearings. The Office does NOT propose to change any other date in Part 2 Schedule for Issues Related to Rate of Return and Revenue Requirement, or any other date established by the Order.

To identify those dates mutually agreed to by the parties and acceptable to the Commission, the Office requests that the Commission hold a scheduling conference as soon as the Commission's convenience allows.

The motion is based upon the following: the Office has been informed that the Division of Public Utilities intends to propose a split in the GS class within its direct testimony. Also, the Office understands that AARP and Salt Lake CAP intend to propose a new low-income assistance program within their direct testimony. These two significant issues will first be raised in intervenors' direct testimony rather than Questar's original filing. The Office believes that in order to complete a thorough analysis of these proposals and provide meaningful responses on behalf of residential and small commercial customers, additional response time from what is currently included in the schedule is needed. The Office initially insisted that this general rate case not be bifurcated in part to ensure that the cost of service and rate design phases of the case are concluded prior to the start of the heating season. However, given the described circumstances that have emerged in this case, the Office believes that the Commission, parties and the public interest in a thorough examination of the proposals require a modification to the schedule. The Office believes that a modified schedule would still allow sufficient time to conclude the case prior to the start of the heating season.

Dated this 25<sup>th</sup> day of February 2010.

Paul H. Proctor Assistant Attorney General Utah Office of Consumer Services

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above Motion was served upon the following by electronic mail sent on February 25, 2010:

Colleen Larkin Bell Jenniffer R. Nelson Questar Gas Company 180 East 100 South P.O. Box 45360 Salt Lake City, Utah 84145-0360 <u>Colleen.Bell@questar.com</u> Jenniffer.Nelson@questar.com

Gregory B. Monson Stoel Rives LLP 201 S. Main Street, Suite 1100 Salt Lake City, UT 84111 gbmonson@stoel.com

Mark C. Moench Yvonne R. Hogle Daniel E. Solander Rocky Mountain Power 201 South Main Street, Suite 2300 Salt Lake City, Utah 84111 mark.moench@pacificorp.com yvonne.hogle@pacificorp.com daniel.solander@pacificorp.com

Damon E. Xenopoulos BRICKFIELD, BURCHETTE, RITTS & STONE, P.C. 1025 Thomas Jefferson Street, N.W. 800 West Tower Washington, D.C. 20007 <u>dex@bbrslaw.com</u> scm@bbrslaw.com

Gerald H. Kinghorn Jeremy R. Cook PARSONS KINGHORN HARRIS, P.C. 111 East Broadway, 11<sup>th</sup> Floor Salt Lake City, UT 84111 ghk@pkhlawyers.com jrc@pkhlawyers.com Gary A. Dodge HATCH, JAMES & DODGE 10 West Broadway, Suite 400 Salt Lake City, Utah 84101 gdodge@hjdlaw.com

Kevin Higgins Neal Townsend Energy Strategies 215 S. State Street, #200 Salt Lake City, UT 84111 <u>khiggins@energystrat.com</u> <u>ntownsend@energystrat.com</u>

Michael Ginsberg Patricia Schmidt ASSISTANT ATTORNEYS GENERAL 500 Heber Wells Building 160 East 300 South Salt Lake City, UT 84111 mginsberg@utah.gov pschmid@utah.gov

Howard Geller Southwest Energy Efficiency Project 2260 Baseline Rd. Suite 212 Boulder, CO 80302 hgeller@swenergy.org

Sarah Wright Executive Director Utah Clean Energy 1014 2nd Avenue Salt Lake City, UT 84103 sarah@utahcleanenergy.org

Bruce Plenk Law Office of Bruce Plenk 2958 N St Augustine Pl Tucson, AZ 85712 bplenk@igc.org Janee Briesemeister AARP 98 San Jacinto Blvd. Ste. 750 Austin, TX 78701 jbriesemeister@aarp.org

Betsy Wolf Salt Lake Community Action Program 764 South 200 West Salt Lake City, UT 84101 bwolf@slcap.org

Cheryl Murray, Utility Analyst