

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Request of the Division)
of Public Utilities for Enforcement Action) DOCKET NO. 11-057-05
under the Natural Gas Pipeline Safety Act) FINAL ORDER APPROVING AMENDED
against Questar Gas Company) CONFIDENTIAL SETTLEMENT
) STIPULATION
)

ISSUED: October 25, 2011

SYNOPSIS

In response to an earlier Commission order, the Division of Public Utilities and Questar Gas Company submitted an amended stipulation resolving the issues presented in this docket. The Commission hereby approves the Amended Confidential Settlement Stipulation.

By The Commission:

At the hearing in this matter held May 31, 2011, the Division of Public Utilities (“Division”) and Questar Gas Company (“Questar”) submitted a stipulation to resolve a pending complaint the Division was to file under the Utah Damage to Underground Utility Facilities Act, Utah Code Ann. §§ 54-8a-2 *et seq.* The complaint pertains to the dig-in of a Questar gas line that occurred on March 24, 2009 and resulted in a gas leak near 1580 East 400 South, Salt Lake City. The Division’s investigation concludes Questar failed to mark its underground facilities within 48 hours of receiving notice, in violation of Utah Code Ann. §54-8a-5 and Utah Admin. Code R746-409.

On June 23, 2011, the Commission issued an order conditionally approving the stipulation resolving this enforcement action. The stipulation takes note of various

improvements in Questar's facility-locating practices and procedures to avoid future dig-ins. The stipulation also imposes a fine and increased reporting of third party dig-ins.

During the hearing it became clear the stipulation did not require Questar to report damages caused by first- and second-party dig-ins.¹ Given the potentially serious consequences of gas line dig-ins, the Commission found the stipulation should require Questar to report damages from all dig-ins. Therefore, the Commission concluded the stipulation to be in the public interest, and just and reasonable, conditioned on it being amended to require the submission of reports of first-, and second-party dig-ins, in addition to third-party dig-ins.

On September 29, 2011, the Division and Questar filed the Amended Confidential Settlement Stipulation. It is identical to the initial stipulation except that it adds the reporting requirement for first- and second-party dig-ins, as required in our June 23, 2011 order. The condition for final approval of the stipulation, as amended, is now satisfied.

ORDER

1. The Amended Confidential Settlement Stipulation, filed September 29, 2011, is hereby approved as the final resolution of this enforcement action.

DATED at Salt Lake City, Utah, this 25th day of October, 2011.

/s/ David R. Clark
Presiding Officer

¹ First-party dig-ins are those caused directly by Questar. Second-party dig-ins are those caused by entities contracting directly with Questar. Third-party dig-ins are those caused by entities performing work for entities other than Questar.

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Approved and confirmed this 25th day of October, 2011, as the Final Order
Approving Amended Confidential Settlement Stipulation of the Public Service Commission of
Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
D#210897

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of October, 2011, a true and correct copy of the foregoing FINAL ORDER APPROVING AMENDED CONFIDENTIAL SETTLEMENT STIPULATION was served upon the following as indicated below:

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Flr.
Salt Lake City, Utah 84111

Division of Consumer Services
160 East 300 South, 2nd Flr.
Salt Lake City, Utah 84111

By U.S. Mail

Colleen Larkin Bell
Abigail E. Magrane
Questar Gas Company
180 East First South
P.O. Box 45360
Salt Lake City, UT 84115

Administrative Assistant