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 pproctor@utah.gov

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

In the Matter of the Application of Questar Gas Company for Approval of	Docket No. 12-057-13
the Wexpro II Agreement	UTAH OFFICE OF CONSUMER SERVICES' REQUEST FOR PRE- HEARING ORDER and SCHEDULE

The Utah Office of Consumer Services at this time enters its appearance in this docket as authorized by Utah Code Ann. Section 54-10a-4 and pursuant to Utah Admin. Code R. 746-100-9, requests that the Commission issue an order for the following purposes:

1. Designating that this is a formal adjudicative proceeding. The complexity of the Questar Gas, Wexpro Company and Utah Division of Public Utilities contract as an enlargement and extension in perpetuity of the 1981 Wexpro Stipulation and Agreement requires that the proceeding be a formal one. No party has request nor offered any sufficient reason why the proceeding is reasonably expected to be unopposed and uncontested, or that an informal proceeding will reasonably protect the rights of the parties.

2. Establish within this docket and accessible from the Commission's website, a repository of all Commission orders and all testimony and parties' briefs filed in Case No. 76-057-14 and related dockets pertaining to the October 14, 1981 Stipulation and Agreement in the

Wexpro and related cases. As the application seeks to enlarge and extend the 1981 Wexpro Stipulation and Agreement, all parties must have access to the record in the Commission cases at issue in the Stipulation and Agreement. Discovery or Utah Government Records Access and Management Act requests from each party who possess or are believed to possess these records will be burdensome and expensive. The Commission is the single entity who is believed to possess the complete record and who can most efficiently provide the parties access to the documentary materials.

3. Require that Questar Gas file an amended application containing specific jurisdictional allegations upon which the applicant relies to establish the Commission's jurisdiction of the Wexpro II Agreement and Wexpro Company.

4. Require that Questar Gas file an amended application containing the specific terms and conditions of any and all contracts or similar documents by and between Questar Gas and its affiliate Wexpro Company upon which the Wexpro II Agreement is based.

5. Require that the Utah Division of Public Utilities, as a signatory to the Wexpro II Agreement, file direct testimony documenting its investigation, study, examination and analysis of the initial proposed Wexpro II Agreement, and documenting the Division's review of the Application and the Wexpro II Agreement for which approval is sought, and in testimony provide the Commission with its recommendation on the disposition of the Application together with all results of its investigation, study, examination and analysis upon which it relies for the recommendation. *See* Utah Code § 54-4a-1 (2004).

6. Require that the Utah Division of Public Utilities, as a signatory to the Wexpro II Agreement, file direct testimony containing specific allegations upon which the Division relies to

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establish its statutory authority to enter the Wexpro II Agreement, to contract with Wexpro Company, and to carry out the obligations the Division assumes in the Wexpro II Agreement.

7. Provide that the Commission will provide notice of the Application to all parties on the Commission's general service list together with a link to the complete Application and Exhibits and Amended Application.

8. Schedule responses to the Application as due 30 days following the filing and service of the Amended Application and direct testimony as required by paragraph 3, 4, 5, and 6.

9. Provide that discovery may commence immediately and establishing the time within which discovery responses are to be served upon requesting parties.

10. Schedule the date by which parties must file to intervene in this Docket as 60 days following the date the Amended Application and the Division's Direct testimony is filed, whichever is later.

11. Determining that this matter shall not be expedited. The complexities of this adjudicative proceeding, and the nature and scope of the relief requested, preclude any expedited treatment of the application. Inherent in an enlargement and extension of the 1981 Wexpro Stipulation and Agreement are jurisdictional and statutory authority issues, including the final orders pertaining to the Commission's jurisdiction of Wexpro Company and its operations outside of the Stipulation and Agreement. Further, Questar Gas has provided no explanation, justification or need for expedited Commission action.

DATED this  $2^{nd}$  day of October 2012.

<u>/s/ Paul H. Proctor</u> Paul H. Proctor Assistant Attorney General Utah Office of Consumer Services

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## CERTIFICATE OF SERVICE

A true and correct copy of this Request for Pre Hearing Order and Schedule was served October 2, 2012, by electronic mail, upon the following:

Patricia E. Schmid Justin Jetter Assistant Attorneys General Utah Division of Public Utilities <u>pschmid@utah.gov</u> <u>jjetter@utah.gov</u>

Ivan Williams Senior Counsel Wyoming Office of Consumer Advocate Ivan.williams@wyo.gov

Chris Parker Director, Utah Division of Public Utilities <u>chrisparker@utah.gov</u>

Colleen Larkin Bell Jenniffer Nelson Clark Attorneys for Questar Gas Company <u>Colleen.Bell@questar.com</u> Jenniffer.Clark@questar.com

DATED this 2<sup>nd</sup> day of October 2012.

## /s/\_Paul H. Proctor

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