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Date Submitted: October 23, 2013

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE FORMAL)	
COMPLAINT OF ROSALIE)	DOCKET NO. 13-057-12
MILLS AGAINST QUESTAR)	ANSWER OF QUESTAR GAS
GAS COMPANY)	COMPANY AND MOTION
)	TO DISMISS
)	

Respondent Questar Gas Company (“Questar Gas” or “Company”) respectfully answers the Formal Complaint (“Complaint”) filed by Rosalie Mills (“Ms. Mills”) with the Public Service Commission of Utah (“Commission”) on Sep. 25, 2013. Questar Gas moves that the Complaint be dismissed in that Questar Gas has acted in compliance with all applicable federal, state, tariff, and Commission requirements, and Ms. Mills presented no claim for which relief may be granted.

ANSWER

1. According to Company records, since at least 2003, Questar Gas has been providing natural gas service to Ms. Mills at [REDACTED], Salt Lake City, Utah (“Mills Residence”) under account number [REDACTED] (“Mills Account”). Questar Gas has continuously provided natural gas service to the Mills Residence since that date. Gas is currently in service at the Mills residence and, as of the date of filing, the Mills Account is current with a \$31.04 credit. An itemization of the Mills Account is attached as **Exhibit A**.

2. According to Company records, on or around Mar. 6, 2013, to guarantee natural gas service and arrange a payment plan toward the \$516.20 owed, Ms. Mills agreed to enter into a deferred payment agreement (“DPA”) to pay the outstanding balance in 12 equal installments of \$42.00, in addition to the current charges each month. The first payment was due on or around Apr. 17, 2013. No payment was received, and Ms. Mills defaulted on the DPA.

3. According to Company records, in June 2013, the Mills Account had an outstanding balance of \$650.08. Questar Gas had no records of any payments made on the Mills Account since Mar. 6, 2013, although a payment was attempted on May 28, 2013 and returned for insufficient funds.

4. Under Rule 746-200-7(B) of the Commission, “Residential utility service may be terminated for the following reasons. . . [including n]onpayment of a delinquent account . . . [and f]ailure to comply with the terms of a deferred payment agreement.”

5. According to Company records, on or around Jun. 19, 2013, an “Urgent Notice” was left on the door of the Mills Residence, notifying Ms. Mills that a payment for the outstanding balance on the Mills Account must be received within the next 48 hours in order to avoid service termination.

6. Under Rule 746-200-7(C) of the Commission, “[u]pon receipt of a statement, signed by . . . a[n approved] physician, . . . either on a form obtained from the utility or on the health care provider's letterhead stationery, which statement legibly identifies the health infirmity or potential health hazard, and how termination of service will injure the person's health or aggravate their illness, a public utility will continue or restore

residential utility service for the period set forth in the statement or one month, whichever is less.”

7. According to Company records, on or around Jun. 24, 2013, Ms. Mills contacted Questar Gas and requested that Questar Gas send a medical letter form to her specified doctor. Questar Gas obtained the necessary information to submit the form to Ms. Mills’s doctor’s office and advised Ms. Mills to check back with the Company later that afternoon. The form was faxed to the doctor’s office, but Questar Gas has no record of receiving the completed form back from the doctor or any further contact with Ms. Mills at that time.

8. According to Company records, on or around Jul. 9, 2013, gas service to the Mills Residence was shut off due to nonpayment of the account.

9. According to Company records, on or around Jul. 10, 2013, Questar Gas received a medical letter from Ms. Mills’s doctor to protect natural gas service for 30 days due to a health infirmity requiring heat and hot water.

10. Pursuant to the Commission rules, Questar Gas restored natural gas service to the Mills Residence and guaranteed service through Aug. 10, 2013.

11. According to Company records, on or around Aug. 2, 2013, Ms. Mills contacted Questar Gas to arrange a special payment agreement (“SPA”).

- a. During that call, Ms. Mills was advised that the medical letter guaranteed natural gas service through August 10, 2013. In addition, Questar Gas notified Ms. Mills that in order to guarantee service after that date, Questar Gas would either need Ms. Mills to meet the terms of a SPA or receive a commitment for the entire amount due from an assistance program.

- b. The terms of the SPA provided that, to guarantee service, Ms. Mills must make an immediate payment of half of the account balance, with the remaining half paid in three monthly installments. In addition, the Mills Account would be subject to the security deposit requirement, as authorized under Section 8.03 of the Questar Gas Utah Natural Gas Tariff, PSCU 400 (“Tariff”).
- c. The total amount due on the Mills Account at that time was \$689.77.
- d. Ms. Mills declined the offer of the SPA at that time.

12. According to Company records, on or around Aug. 7, 2013, Questar Gas received a \$200.00 payment commitment from the Residential Energy Assistance through Community Help (“REACH”) program of the American Red Cross. After receiving this commitment, Questar Gas waived the security deposit requirement; however, Questar Gas has no record of any payments prior to the expiration of the medical letter.

13. According to Company records, on or around Aug. 14, 2013, a payment of \$136.00 was made on the Mills Account, but no SPA was entered into between Ms. Mills and the Company. Because the REACH commitment had still not been fulfilled, after this payment, the Mills Account balance consisted of \$514.08 past due and \$39.69 in current charges.

14. On or around Aug. 14, 2013, a ten-day “Urgent Notice” letter was mailed to the Mills Residence, requiring immediate payment of the outstanding balance within ten days or natural gas service may be terminated. Questar Gas has no record of any payments or contact by Ms. Mills in response to the ten-day notice letter.

15. On or around Sep. 11, 2013, according to Company records, gas service at the Mills residence was terminated, with a total amount due of \$574.79.

16. On or around Sep. 12, 2013, according to Company records, the Home Energy Assistance Target Program (“HEAT”) made a commitment to pay \$200.00, which was later increased to \$244.00.

17. On or around Sep. 13, 2013, according to Company records, Ms. Mills contacted Questar Gas to provide receipt numbers for two payments in the amounts of \$44.00 and \$90.00. At that time, Questar Gas scheduled turn-on of the natural gas service for the next business day. On or around Sep. 16, 2013, according to Company records, the gas service at the Mills Residence was restored.

18. According to Company records, both payment commitments from the assistance programs were received. Additionally, Questar Gas gave a \$41.00 Utah Energy Assistance Credit to the Mills Account. As a result, the Mills Account currently has a \$31.04 credit.

19. Questar Gas has not violated any of its tariff provisions or Commission rules in providing natural gas service to Ms. Mills.

MOTION TO DISMISS

As shown in the Answer above, Questar Gas has established that it has acted in accordance with Tariff requirements and Commission rules with respect to providing natural gas service to the Mills. The Mills Account is currently in good standing, with a credit balance, and the gas is in service to the Mills Residence. Questar Gas respectfully requests that the complaint of Ms. Mills be dismissed because it fails to state a claim upon which relief can be granted.

WHEREFORE, Questar Gas Company submits its Answer and respectfully moves that the Formal Complaint of Rosalie Mills be dismissed.

Dated this 23^d day of October, 2013.

Respectfully Submitted

Arminda I. Jurgenson
Attorney for Questar Gas Company

CERTIFICATE OF MAILING

I certify that I mailed a true and correct copy of the foregoing Answer and Motion
to Dismiss on October 23, 2013, to:

Rosalie Mills
4370 W 4985 South
Kearns, UT 84118
