

Jennifer Nelson Clark (Bar No. 7947)
333 S. State Street
P.O. Box 45360
Salt Lake City, Utah 84145-0360
Phone (801) 324-5392
Fax (801) 324-5935
Jennifer.Clark@dominionenergy.com

Attorney for Dominion Energy Utah

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

**IN THE MATTER OF THE FORMAL
COMPLAINT OF AARON CHRISTNER
AGAINST DOMINION ENERGY UTAH**

DOCKET NO. 17-057-11

**DOMINION ENERGY UTAH'S REPLY
COMMENTS**

Questar Gas Company dba Dominion Energy Utah (Dominion Energy or Company) respectfully submits these Reply Comments in the above-referenced docket.

REPLY IN SUPPORT OF MOTION TO DISMISS

As more fully set forth in Dominion Energy's Answer and Motion to Dismiss, Mr. Christner has not alleged facts sufficient to state a claim against the Company. Mr. Christner primarily complains that he should not have been charged a turn-on fee after his gas service was terminated for non-payment. Mr. Christner expressly requested after-hours turn on. Section 8.03 of the Company's Utah Natural Gas Tariff No. 500 (Tariff) provides for the imposition of an after-hours reconnection fee of \$100.00. Subsequently, HEAT made sufficient payment on Mr. Christner's behalf to bring Mr. Christner's account balance nearly current, including the referenced turn-on fee. Mr. Christner offers other, vague complaints about matters dating back to 2008 for purposes of showing alleged Company mistreatment, but does not suggest that the Company violated any rule, statute, Tariff provision or Regulation. Mr. Christner's allegations

are insufficient to support a claim for relief. Therefore, the Commission should dismiss his Complaint.

REPLY COMMENTS TO FACTUAL ALLEGATIONS

In the event that the Commission declines to grant the Company's Motion to Dismiss, the Company respectfully offers, in the alternative, the following comments in reply Mr. Christner's response.

I. BACKGROUND

On June 6, 2017, Mr. Christner filed a Formal Complaint against Company for terminating service to Mr. Christner's residence for failure to pay an outstanding balance of \$146.00 for natural gas service to 3068 S. 1000 E., Salt Lake City, Utah (Residence) in accordance with applicable statutes, Tariff provisions, rules and regulations.

The Utah Public Service Commission (Commission) issued a Scheduling Order on June 6, 2017. The Company filed its Answer and Motion to Dismiss on July 6, 2017. On July 13, 2017, Mr. Christner filed his response to the Company's Answer and Motion to Dismiss and raised the following issues:

1. Mr. Christner disputes that he owes the \$100.00 after-hours charge.
2. Mr. Christner seeks clarification relating to his billing history.
3. Mr. Christner references an alleged 2008 billing issue for purposes of evidencing Company behavior.

II. DISCUSSION

A. *\$100.00 after-hours connection fee.*

As noted in the Company's Answer and Motion to Dismiss, and again above, Mr. Christner expressly agreed to the after-hours reconnection fee and the Company charged the fee in accordance with Section 8.03 of its Tariff. Mr. Christner received the requested service and

the Tariff requires payment of the fee. Notably, HEAT paid Mr. Christner's delinquent bill, including the \$100 after-hours reconnection fee.

B. Billing History.

The Company has attached as DEU Confidential Exhibit R1 and for the Commission's convenience, Mr. Christner's complete account itemization for multiple residences dating back to 2006. The Company hopes this information will provide both Mr. Christner and the Commission with clarification regarding any issues raised in this docket.

As the Company noted in its Answer and Motion to Dismiss, Mr. Christner's natural gas service was terminated on April 19, 2016 for non-payment. His account balance was \$594.21. The Company credited Mr. Christner's security deposit to the remaining account balance, resulting in a balance due of \$485.87. See DEU Confidential Exhibit R1. Interest accrued on the outstanding balance due. On November 10, 2016, Mr. Christner reactivated his account and remitted payment of \$370.00 and agreed to a payment arrangement for the remaining balance of \$140.64. Mr. Christner defaulted on his payment arrangement resulting in gas usage charges, interest and other charges accumulating. By February 1, 2017, Mr. Christner owed \$589.04 for natural gas service. Mr. Christner attempted to make a payment of \$451.00 via Western Union, but Western Union refused to complete the payment because Mr. Christner had given Western Union an incorrect bank account number. As no payments were made, Company applied Mr. Christner's security deposit of \$111.56 to his account, resulting in a balance due of \$477.48. On February 13, 2017, Mr. Christner's payment of \$62.11 (which was required by HEAT) posted to the account. On February 22, 2017, the Company applied a Utah Energy Assistance credit of \$70.00. HEAT paid \$525.52 on February 27, 2017, toward Mr. Christner's account, leaving an outstanding balance of \$29.38.

On February 10, 2017, Mr. Christner called the Company to confirm that he remitted payment in compliance with the terms of the HEAT guaranty. Though there was some confusion, the Company was able to confirm that Mr. Christner made the required payment. The Company contacted Mr. Christner, apologized for the confusion, and waived the connection fee for reactivation of service. DEU Confidential Exhibit R2 contains the telephone call evidencing the Company's actions on February 10, 2017.

C. 2008 Concerns.

Mr. Christner had service in his name from September 5, 2006, up to and including February 6, 2007, at 3357 S 900 E, Millcreek, Utah (Millcreek Residence). *See* DEU Confidential Exhibit R1. On February 6, 2007, the account balance from the Millcreek Residence transferred with Mr. Christner's account to his new residence located at 1067 E. 500 S. Salt Lake City, Utah (the Salt Lake Residence). *Id.* At the time of the transfer from the Millcreek Residence to the Salt Lake Residence, Mr. Christner had a balance due of \$875.51. *Id.* The Company terminated Mr. Christner's service for nonpayment on June 13, 2007. At that time, Mr. Christner owed the Company \$1,143.10 for natural gas service. The Company applied his security deposit of \$180.00 resulting in a revised balance of \$963.46. Interest accrued on this amount.

On October 1, 2007, Mr. Christner called to commence service at 3162 McClelland Street, Millcreek, Utah (the McClelland Residence). At that time, Mr. Christner's owed \$973.09 for service at his prior residences. The Company commenced service to the McClelland Residence on October 2, 2007. On October 9, 2007, at Mr. Christner's request, the Company returned to the McClelland Residence and lit his appliances. On October 18, 2007, the Company billed Mr. Christner for the outstanding balance and fees incurred in commencing service. The Company offered and Mr. Christner accepted a Deferred Payment Agreement. Mr. Christner

made an initial payment via check, but the check was returned for insufficient funds. Mr. Christner made no further payment and service was terminated on November 28, 2007.

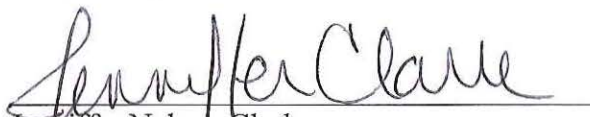
On November 29, 2007, Mr. Christner made a payment of \$152.00 and the Company agreed to reinstate service provided that Mr. Christner continue to make payments. Mr. Christner made no further payments, and service was terminated on January 29, 2008, with a total balance due of \$1,262.21. The Company applied the security deposit of \$101.40 to his account bringing the balance due to \$1,160.81. On January 29, 2008, Mr. Christner made two payments of \$580.41 for a total of \$1,160.82. The new billing cycle showed gas usage billed on January 29, 2008, in the amount of \$30.57 plus the \$16.53 connection fee leaving a balance due of \$47.09. Mr. Christner did not file an informal or formal complaint related to these charges.

CONCLUSION

As more fully set forth herein, the Company acted in compliance with all applicable statutes, rules, regulations and Tariff provisions. Dominion Energy therefore respectfully requests that Mr. Christner's Complaint be dismissed.

Dated this 4th day of August 2017.

Respectfully Submitted


Jennifer Nelson Clark
Attorney for Dominion Energy Utah

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the Dominion Energy Utah's Reply

Comments was served upon the following persons by e-mail on August 4, 2017:

Patricia E. Schmid
Justin C. Jetter
Assistant Attorney Generals
160 East 300 South
P.O. Box 140857
Salt Lake City, UT 84114-0857
pschmid@agutah.gov
jjetter@agutah.gov
Counsel for the Division of Public Utilities

Chris Parker
William Powell
Utah Division of Public Utilities
160 East 300 South
PO Box 146751
Salt Lake City, Utah 84114-6751
cparker@utah.gov
wpowell@utah.gov

Robert J. Moore
Assistant Attorney General
160 East 300 South
P.O. Box 140857
Salt Lake City, UT 84114-0857
rmoore@agutah.gov
Counsel for the Office of Consumer Services

Michele Beck
Director
Office of Consumer Services
160 East 300 South
PO Box 146782
Salt Lake City, UT 84114-6782
mbeck@utah.gov

VIA US Mail and E-mail:

Aaron Christner
3068 South 1000 East
Salt Lake City, UT 84106
market12k@gmail.com

