

# Informal Complaint Report

**Index Number:** -2146625653      **Company Name:** Dominion Energy

## CUSTOMER INFORMATION

**Customer Name:** Utah State University      **Account Number:** 5920724117  
**Other Contact Info:** Charles G. Darnell      **Phone Number:**  
**Customer Address:** 660 Old Main Hill      **Other Phone:**  
**Customer Address:**      **Email Address:**  
**City:** Logan      **State:** UT      **Zip Code:** 84322

## COMPLAINT INFORMATION

**Type of Call:** Complaint      **Complaint Type:** Rate & Tariff  
**Date Received:** 7/10/2018      **Date Resolved:** 7/23/2018  
**Complaint Received By:** Cynthia Dumas      **DPU Analyst Assigned:** 0  
**Utility Company Analyst:** Elia Lopez  
**Company at Fault:**       **Actual Slamming Case:**       **Actual Cramming Case:**

### Complaint Description:

Please see correspondence attached to email.

### Complaint Response:

From: CAPSC <CAPSC@dominionenergy.com>  
Date: Tue, Jul 17, 2018 at 4:35 PM  
Subject: UT - Utah State University Complaint  
To: Cynthia Dumas

Cynthia,

Attached is a copy of the letter and information mailed to this customer. Please let me know if you have any questions.

Sincerely,  
Elia Lopez  
Customer Relations Specialist  
Consumer Affairs  
Western Gas Distribution  
1140 W 200 S, Salt Lake City, UT 84104  
Mailing Address: PO Box 45360, DNR146, Salt Lake City, UT 84145  
O:801-324-3557

ATTACHED LETTER  
Dominion Energy Utah Dominion Energy Wyoming Dominion Energy Idaho  
Consumer Affairs  
1140 West 200 South, Salt Lake City, UT 84104  
Mailing Address:  
P.O. Box 45360, Salt Lake City, UT 54145  
DominionEnergy.com

Utah State University  
do Charles G. Darnell  
Associate Vice President

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660 Old Main Hill  
Logan, UT 84322-6600

July 17, 2018

Dear Mr. Darnell,

This letter is in response to your complaint filed with the Division of Public Utilities. Thank you for the opportunity to respond to your concerns.

The nature of this complaint required the involvement of our Industrial & Municipal Accounts Department. The enclosed response was provided by Bruce Rickenbach, Supervisor Industrial & Municipal Accounts. (A copy of Page 3-2 and Page 5-12 from the Utah Natural Gas Tariff are also enclosed for your review.)

The account representative, who initially informed you of these charges, has retired. Your new account representative is Brad Simons. If you have any questions or concerns, please contact Mr. Simons at 801-324-5802.

Sincerely,  
Elia Lopez  
Customer Relations Specialist  
Western Gas Distribution  
Enclosures  
cc: Division of Public Utilities

2ND ATTACHED LETTER

Dominion Energy Utah Dominion Energy Wyoming Dominion Energy Idaho  
Industrial & Municipal Accounts  
1140 West 200 South, Salt Lake City, UT 84104  
Mailing Address:  
P.O. Box 45360, Salt Lake City, UT 84145-0360  
DominionEnergy.com

Re: Response to Utah State University (USU) complaint to the Division of Public Utilities regarding their penalty resulting from an interruption of service of January 6-7, 2017.

Questar Gas Company dba Dominion Energy Utah ("DEU") has investigated the complaint made by Utah State University ("USU") regarding the penalties assessed following the curtailment of service to interruptible customers on January 6 and 7, 2017. Following a thorough review of the calculation of the penalties, DEU determined that all penalties paid by USU were calculated correctly. Moreover, DEU provided adequate notice to USU of the penalties assessed in the event that USU failed to curtail upon notice from DEU in that both the Transportation Service Agreement dated February 25, 2016 between USU and DEU and the DEU Utah Natural Gas Tariff ("Tariff") specifically state the curtailment requirements of interruptible customers during an interruption and the penalties to be levied for customers who do not curtail usage to their contractual limit.

The Transportation Service Agreement in effect during this time period provides that DEU "shall only be obligated to transport the lesser of (a) the firm transportation of the Maximum Daily Contract Limit, (b) the Customer's natural gas supply nomination, or (c) the amount delivered to Company on Customer's behalf by the upstream pipeline." Agreement at paragraph 3 (emphasis added).

In addition, the Tariff further states "the interruptible portion of transportation service is provided on a reasonable-efforts basis, subject to interruption at any time after notice and as otherwise provided under Section 3." Tariff at Section 5.07. It further provides that "[a] customer who fails to interrupt when properly called upon by the Company to do so will incur a \$40-per-decatherm penalty for all interruptible volumes utilized during the course of an interruption". Tariff at Section 3.02.

On January 6, 2017, DEU properly notified USU that it must restrict its usage to the lesser of its firm contract amount divided by 24 hours or its scheduled delivered quantity divided by 24 hours. Notwithstanding this directive, USU utilized natural gas above its nominated and confirmed volumes. Specifically, USU nominated 200 decatherms for delivery on January 6, 2017, but used 302 decatherms. On January 7, 2017, USU nominated 200 decatherms but they used 246 decatherms. USU disregarded the notification to limit its usage to scheduled quantities during the interruption and is, therefore, subject to the interruption penalties assessed by DEU.

USU's 2017 interruption penalties were calculated according to its Transportation Service Agreement and the Utah Natural Gas Tariff, and are consistent with how all transportation customers on DEU's system were billed, who did not limit their usage to their scheduled quantities during the interruption time period.

Regards,  
Bruce Rickenbach  
Accounts & Municipal Supervisor

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3RD ATTACHED LETTER - TARIFF  
DOMINION ENERGY UTAH  
UTAH NATURAL GAS TARIFF  
PSCU 500 Page 5-12

## 5.07 TS RATE SCHEDULE

### TS VOLUMETRIC RATES

Rates Per Dth Redelivered Each Month Dthdecatherm = 10 therms = 1,000,000 Btu

	First	Next	Next	All Over
200 Dth		1,800 Dth	98,000 Dth	100,000 Dth
Base DNG	\$0.73301	\$0.47917	\$0.19596	\$0.07253
Energy Assistance	0.00077	0.00077	0.00077	0.00077
Infrastructure Rate Adjustment	0.046460	0.030370	0.012420	0.00460
Tax Reform Surcredit	(0.04435)	(0.02899)	(0.01186)	(0.00439)
Distribution Non-Gas Rate	\$0.73589	\$0.48132	\$0.19729	\$0.07351

Penalty for failure to interrupt or limit usage when requested by the Company Daily Transportation Imbalance Charge per Dth (outside +/- 5% tolerance)  
\$0.07645

### TS FIXED CHARGES See § 3.02

Monthly Basic Service Fee (BSF):BSF Category 1 \$6.75

BSF Category 2 \$18.25

For a definition of BSF categories see § 8.03.

BSF Category 3

BSF Category 4 \$63.50

\$420.25

Administrative Charge (see § 5.01).Annual \$4,500.00

Monthly Equivalent \$375.00

Firm Demand Charge per Dth (see

Base Annual

§5.02). \$25.81

Infrastructure Adder \$1.63380

Tax Reform Surcredit (\$1.56163)

Total Annual \$25.88

Monthly Equivalent \$2.16

### TS CLASSIFICATION PROVISIONS

(1) Service is available to end-use customers acquiring their own gas supply.

(2) Customer must accept redelivery of all volumes received by the Company for its account. Imbalances will be subject to the provisions of § 5.09.

(3) Service is subject to a monthly basic service fee and an administrative charge.

(4) The interruptible portion of transportation service is provided on a reasonable-efforts basis, subject to interruption at any time after notice and as otherwise provided under Section 3.

(5) The Customer may offer to sell, and the Company may agree to purchase, the Customer's interrupted volumes in accordance with the provisions of § 5.04.

DOMINION ENERGY UTAH  
UTAH NATURAL GAS TARIFF  
PSCU 500 Page 3-2

## 3.02 PERIODS OF INTERRUPTION

### INTERRUPTION CONDITIONS

Service under interruptible service rate schedules is subject to temporary periods of interruption upon notice by the Company, whenever the Company determines interruption is required to serve firm sales service customers. Service may also be interrupted to inject gas into storage reservoirs, for maintenance or replacement of facilities or for other reasons related to serving firm service customers. Resumption of service will not occur until the Company, at its discretion, can fulfill the demand of its firm service customers. The Company shall notify customers when service may resume.

### SCHEDULE OF INTERRUPTION

All interruptible service is subject to simultaneous interruption. Upon notice from the Company, interruptible customers are required to interrupt as soon as is operationally possible, but no later than two hours from notice. The Company requires each interruptible customer to provide, and update as necessary, contact information that enables the Company to immediately notify a customer of a required interruption. In the event the Company is unable to notify a customer using the contact information, the customer may be subject to the charges and penalty described below.

System emergencies, irregularities of weather or other operating conditions may require immediate interruption. At times there may be a need for interruption on an isolated portion of the Company's system. If the simultaneous interruption of a different portion of the system will not assist in

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remediating the situation that gives rise to the need for interruption, customers in those areas will not be subject to simultaneous interruption.

At the time of an interruption, the Company shall use reasonable efforts to advise customers of the cause of the interruption. When feasible, interruptions may be partial. In such event, interruptible transportation and sales customers will be required to interrupt partially on a pro rata basis based on representative daily use levels. However, customers who are unable to partially interrupt or who prefer to interrupt 100%, if at all, may, at the Company's discretion, be allowed to interrupt on an all-or-nothing basis. Initially customers who are allowed to interrupt on an all-or-nothing basis will be required to interrupt 100%. The Company will endeavor to balance interruptions between customers who interrupt partially and those who interrupt on an all-or-nothing basis over the course of a year, but in no event shall the Company be liable if it is unable to do so.

## FAILURE TO INTERRUPT

A customer who fails to interrupt when properly called upon by the Company to do so will incur a \$40-per-decathenn penalty for all interruptible volumes utilized during the course of an interruption. Each failure to interrupt will result in the imposition of the per-decathern penalty. Any such penalties recovered by the Company shall be credited to the ratepayers as a reduction to the Infrastructure Rate-Adjustment Tracker.

## Additional Information:

From: Cynthia Dumas  
Date: Wed, Jul 18, 2018 at 11:28 AM  
Subject: UT - Utah State University Complaint  
To: CAPSC <CAPSC@dominionenergy.com>

Good Afternoon Elia,

I hope all is well. I just wanted to let know, prior to sending the complaint I spoke with our energy section manager, Artie Powell, on how to handle this complaint & he has assigned a Utility Consultant, Eric Orton, to review the response received. I'm waiting for instructions from Eric on how to proceed. I'll keep you updated, but will leave this complaint open.

Thank you,  
Cynthia Dumas

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From: Cynthia Dumas  
Date: Mon, Jul 23, 2018 at 10:46 AM  
Subject: UT - Utah State University Complaint  
To: CAPSC <CAPSC@dominionenergy.com>

Hi Elia,

I just spoke with Eric, who was the analyst taking a second look at the complaint, I have been instructed that DEU isn't out of any jurisdiction to charge the penalty fee. I'll update the complaint with your response and will mark it as resolved.

Have a great day!

Thank you,  
Cynthia Dumas

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From: Artie Powell  
Date: Thu, Jul 26, 2018 at 12:12 PM  
Subject: Public Utilities Penalty Charges  
To: Allyson Olsen , Cynthia Dumas

Allyson,

I have talked with one of our complaint specialists, Cynthia, and will have her respond to your questions. She will be able to help more than I can with the process.

Thanks.  
Artie Powell  
Utah Division of Public Utilities  
wpowell@utah.gov

On Thu, Jul 26, 2018 at 11:19 AM, Allyson Olsen <allyson.olsen@usu.edu> wrote:  
Artie,

Charles Darnell has asked that I reach out to you for some information. He has received a response from Questar regarding the penalty charge and would like to proceed with a formal complaint with the Commission of Public

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Utilities. Mr. Darnell's questions are:

1. What is our time frame to file?
2. What should the complaint look like/how should it be filed?
3. Is the Division (Artie Powell) going to send us a response with instruction?

We would like to get this process started as soon as possible.

I look forward to hearing from you.

Thanks,  
Allyson S. Olsen  
Facilities Supervisor  
6600 Old Main Hill  
Logan, UT 84322-6600  
allyson.olsen@usu.edu  
O: 435-797-1950  
F: 435-797-3512

\*\*\* Cynthia's Reply to Allyson \*\*\*

From: Cynthia Dumas  
Date: Thu, Jul 26, 2018 at 12:34 PM  
Subject: Public Utilities Penalty Charges  
To: Allyson Olsen  
Cc: Artie Powell , Charles Darnell

Hi Allyson,

I hope all is well. Attached is the Formal Complaint Form & Instructions. You'll have to send the form to the Public Service Commission who will delegate whether the complaint gets dismissed or to schedule a hearing. Below are the answers to Mr. Darnell questions.

1. What is our time frame to file? - Once your informal complaint has been closed you have a year to file a formal complaint with the Public Service Commission (PSC). You can file as soon as you want.
2. What should the complaint look like/how should it be filed? - the instructions of your rights and how to file the formal complaint are attached. You'll need to send page 6 to the PSC. If you have any questions regarding the form or formal complaint instructions please contact the PSC at 801-530-6716.
3. Is the Division (Artie Powell) going to send us a response with instruction? - See attached.

I hope this information is helpful.

Thank you,  
Cynthia Dumas  
Office Specialist II  
Division of Public Utilities  
Office (801) 530-7622  
Business hours are 8:00 a.m. - 5:00 p.m., Monday-Friday