

**FORMAL COMPLAINT FORM
PUBLIC SERVICE COMMISSION
Heber M. Wells State Office Building
160 East 300 South, Fourth Floor
P.O. Box 45585
Salt Lake City, Utah 84114**

1. Name of Complainant: Dustin Lance,
 c/o Lance Andrew, P.C.
 15 West South Temple, Suite 1650
 Salt Lake City, Utah 84101
 801-869-6800

2. The utility being complained against is: Dominion Energy

3. What did the utility do which you (the complainant think is illegal, unjust, or improper?
Include exact dates, times, locations and persons involved, as closely as you can.

On June 20, 2018, Dominion Energy was in the Skypark Airport Hangar area in Woods Cross, Utah, conducting routine natural gas leak testing. When they got to my property located at 2003 S. 1640 W. Woods Cross, Utah, Dominion Energy personnel discovered a gas leak of unknown origin.

Pursuant to written Rules, Regulations and Standards, the area was evacuated, gas service was temporarily disconnected, and the following governmental entities were notified: Woods Cross Fire Department, Woods Cross City, Davis County Fire Marshall, Davis County Department of Health, and the Utah State Fire Marshall. Within approximately 6 hours, Dominion Energy claims to have determined that the “gas leak” was not coming from one of its gas transmission lines, rather, it was naturally occurring methane gas (“biogas”) which is quite common in the area and Utah in general.

On June 21, 2018, Woods Cross Fire Department, Woods Cross City, Davis County Fire Marshall, Davis County Department of Health, and the Utah State Fire Marshall all determined that the naturally occurring biogas was not entering the building and did not pose a safety risk. Accordingly, each of the aforementioned entities cancelled the evacuation order, determined the building was safe and authorized complete reentry and use of the premises so long as each of the units installed gas detection alarms. The detection alarms were installed the same day.

Despite the fact that the aforementioned entities authorized complete reentry and use of the building, Dominion Energy refused to reconnect the terminated natural gas service until it obtained zero biogas readings at the property. Over the next couple of weeks, the Woods Cross Fire Department, Woods Cross City, Davis County Fire Marshall, Davis County Department of Health and Dominion Energy returned to the property and continued to monitor the biogas levels. It was

determined that the biogas was confined to an area approximately 36” in diameter on the south west corner of the building.

During this time, myself, and the other building owners, were actively working with and negotiating with Dominion Energy for the reconnection of the natural gas service line. Approximately two weeks after the gas was first discovered, without notice to myself and/or the other building owners, Dominion Energy personnel went to the service location and removed the four gas meters.

In early July 2018, myself and the other building owners retained an environmental consulting company, RMEC Environmental, at our own expense to evaluate the source of the biogas, the extent of the biogas and any danger posed by the biogas. Over the past two months, Woods Cross Fire Department, Woods Cross City, Davis County Fire Marshall, Davis County Department of Health, RMEC and Dominion Energy have each returned to the location and taken numerous samples and measurements on no less than 6 occasions. Although biogas is still being detected, not once has any gas been detected in the building and entry and use of the premises has been deemed safe and use has been unrestricted. Despite the foregoing, Dominion Energy has failed and refused to reconnect natural gas service and reinstall the removed gas meters until it obtains zero biogas readings.

In an attempt to appease Dominion Energy and get the service line reconnected and meters reconnected, myself and the other building owners removed an approximate 24” x 20’ section of asphalt from the southwest corner of the building so that the biogas could vent into the atmosphere. Despite the foregoing, Dominion Energy has failed and refused to reconnect natural gas service and reinstall the removed gas meters until it obtains zero biogas readings.

In an attempt to resolve the matter, I inquired of Dominion and requested information on what Rule Regulation or Standard it was relying on to support its refusal to reconnect and its request for zero biogas readings before it would reconnect. In its written response, Dominion Energy admitted that there is no Rule, Regulation or Standard that applies to this case because “[our] situation is unique in that the source of the methane is unknown, which creates more of a challenge and is why we want to exercise caution . . .”

4. Why do you (the complainant) think these activities are illegal, unjust or improper?

Dominion Energy has been given exclusive rights to provide utilities natural gas to the people of Woods Cross, Utah. Dominion Energy has Rules, Regulations and Standards it must follow when providing that gas and when terminating gas service. In this case, when biogas was first discovered at the service location, Dominion Energy followed proper Rules, Regulations and Standards when an evacuation was ordered and when it initially disconnected service.

However, once the building was cleared for reentry by Woods Cross Fire Department, Woods Cross City, Davis County Fire Marshall, Davis County Department of Health, and the Utah

State Fire Marshall, Dominion Energy cannot continue to refuse to connect service until additional conditions are met, especially if those conditions are not part of the accepted Regulations and Standards. In fact, in this case, the only Rules, Regulations and Standards applicable to this matter state that Dominion Energy must reconnect the service line and return the gas meters. Still, it refuses.

As a result of the failure and refusal to reconnect the service line and reinstall the gas meters, myself and the other building owners, have suffered, and continue to suffer damages. Specifically, our damages include are but not limited to, lack of natural gas service from June 20 2018 to the present. As a result of no natural gas service we have suffered no less than the following damages: 1) No hot water; 2) Some of the building owners have risked losing tenants in their spaces; 3) We have been forced to expend thousands of dollars to retain an environmental consultant in an attempt to appease Dominion Energy's concerns; 4) As winter is approaching, we face no furnaces and no heat for our units; 5) Without heat, we will be forced to turn off the water to each of the units; 6) Without heat, we will be forced to drain our fire sprinkler system; and 7) Without fire sprinklers, we will be forced to evacuate the premises as fire sprinklers are required for ongoing use.

5. What relief does the Complainant request?

An Order to Dominion Energy to immediately reconnect the service line; reinstall the gas meters and to reimburse the owners for damages sustained as a result of the failure and refusal to reconnect after June 21, 2018.

6. Signature of Complainant



Dustin Lance

Date: 9/11/18