

DUSTIN LANCE (#8804)  
**LANCE ANDREW P.C.**  
15 West South Temple, Suite 1650  
Salt Lake City, Utah 84101  
Telephone: (801) 869-6800  
Facsimile: (801) 869-6801  
Email: [dlance@lanceandrewlaw.com](mailto:dlance@lanceandrewlaw.com)

---

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

---

IN THE MATTER OF THE FORMAL  
COMPLAINT OF DUSTIN LANCE  
AGAINST DOMINION ENERGY UTAH

**RESPONSE OF DUSTIN LANCE**

Docket No. 18-057-12

---

Complainant respectfully responds to Answer of Dominion Energy Utah's Answer as follows:

**RESPONSE TO INTRODUCTION AND BACKGROUND**

1. No dispute
2. No dispute.
3. Complainant does not dispute that Dominion personnel sampled the gas but the results of said sampling were not provided to Complainant and therefore he is without sufficient knowledge to admit or deny it the remaining averments and therefore denies the same
4. No dispute.
5. No dispute.

6. No dispute.

7. Complainant disputes that Dominion returned on July 3, 2018 to reinstate service and disputes that South Davis Fire agreed that service should not be reinstated. In fact, South Davis' only condition for reconnection, reentry and full use of the building and property was that gas detectors needed to be installed. Moreover, South Davis states that the decision to refuse to reconnect or that the building should remain unoccupied was exclusively made by Dominion.<sup>1</sup>

8. Complainant does not dispute that Dominion removed the meters on July 5, 2018. However, Complainant disputes that there is any hazardous, dangerous, or toxic chemical, waste, byproduct, pollutant, contaminant, compound, product or substance that present an unsafe or hazardous risk.<sup>2</sup>

9. Complainant does not dispute that Dominion sent a letter but disputes that the "condition" isn't sufficiently controlled to allow gas service.

10. No Dispute.<sup>3</sup>

11. Complainant does not dispute that Dominion sent a letter but states that the letter speaks for itself.

---

1 Sadly, Dominion's claim that South Davis Fire agreed that service should not be reconnected or that the building should remain unoccupied is an outright fabrication and a clear attempt to mislead the commission. So much so that South Davis Fire personnel are preparing a letter and/or other documentation refuting Dominion's assertion that South Davis suggested or agreed that service should not be reconnected or that the building should remain unoccupied. Moreover, South Davis has been aware of and approved of ongoing use and occupation of the building since June 22, 2018. This Exhibit will be supplemented to the record once it is received from South Davis Fire.

2 In the many months this matter has been being dealt with, this is the first time that Dominion has raised this section as a basis for refusing to reconnect service.

3 The biogas "problem" isn't limited to Complainant's property (although Complainant's property is the only one he is aware of that has had gas service disconnected). In fact, it is an ongoing issue throughout South Davis County. So much so that the EPA has assigned a Federal On-Scene Coordinator to the issue of methane and other gas emissions they've been trying to track in the south end of Davis County. See text from Ryan Putnam, Deputy State Fire Marshal, State of Utah. Copy attached hereto as **Exhibit 1**.

12. Complainant disputes that biogas is at an unsafe level or that the building is unsafe to occupy or to use. In fact, Woods Cross City has allowed unrestricted access to and use of the building. Moreover, the Davis County Fire Department has allowed unrestricted access to and use of the building. Additionally, the Davis County and State Departments of Health have allowed unrestricted access to and use of the building. Finally, both the Davis County and Utah State Fire Marshals have allowed unrestricted access to and use of the building. Finally, although Dominion continues to state to this Commission that it has found unsafe levels of biogas at the location, it has not once tested or determined the quantity/amount of biogas vs. the quality/level of the biogas. Dominion has clear knowledge that the extent of the biogas readings are confined to a small area no larger than three square feet throughout the entire Skypark Airport where Complainant's property is located. If the biogas really were that dangerous, Dominion should be asking that the entire Skypark Airport be evacuated including all of the hangars, airplanes and personnel. Instead, its use continues unrestricted.

DATED this 16th day of October, 2018.

**LANCE ANDREW, P.C.**

*/s/ Dustin Lance*  
\_\_\_\_\_  
DUSTIN LANCE  
Complainant