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*Attorney for Questar Gas Company
dba Dominion Energy Utah*

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

IN THE MATTER OF THE FORMAL
COMPLAINT OF SCOTT SOULIER
AGAINST DOMINION ENERGY UTAH

Docket No. 18-057-24

**QUESTAR GAS COMPANY DBA
DOMINION ENERGY UTAH'S
RESPONSE AND MOTION TO
DISMISS THE COMPLAINT OF
SCOTT SOULIER**

Respondent, Questar Gas Company dba Dominion Energy Utah (“Dominion Energy” or “Company”), respectfully answers the *Complaint of Scott Soulier Against Dominion Energy Utah* (“Complaint”) and responds to the allegations of Scott Soulier (“Complainant”) as follows:

ANSWER

1. This Complaint refers to the closing of a Compressed Natural Gas Fueling Station (“Station”) operated by Dominion Energy on property owned by the Board of Education of Canyons School District (“District”) and commonly known as 9150 South 500 West, Sandy City, Utah (“Property”)

2. In 2005, the Board of Education of Jordan School District (“Jordan School District”) and Company entered into a Compressed Natural Gas Station Agreement, effective July 1, 2005 (“Agreement”) granting the Company an easement and right of way to construct,

operate, and maintain a Compressed Natural Gas Fueling Station (“Station”) on the Property to provide CNG as a vehicular fuel to the Jordan School District and the public generally.

3. On July 1, 2009, the Jordan School District assigned all of its rights, title, and interest in the Agreement to the District.

4. Pursuant to the Agreement, the parties held the right throughout the term of the Agreement to terminate without cause upon 90 days written notice to the non-terminating party, and upon restoration and cleanup of the Property, the Company was required to release all easements and property interests back to the District.

5. In accordance with the terms of the Agreement and in its sole discretion, on or around April 18, 2018, the District provided written notice to terminate the Agreement between the District and the Company.

6. Following notice of termination, the Company began preparations to begin decommissioning the Station, which included soliciting formal bids and arranging contractors to perform the necessary work.

7. In September 2018, while coordinating the decommissioning of the Station, the District requested consent of the Company to assign the Agreement to a third party buyer of the Property. The Company coordinated the decommissioning activities with the third party buyer.

8. On or about October 2, 2018, the Company provided public notice, through postings at the Station and through social media, indicating the Station would be permanently closing on October 10, 2018.¹

9. In the Complaint, Complainant states that Company’s notice of closing the Station required a public comment period prior to closing. The Company is not aware of any law, rule, regulation, or tariff requirement to provide a public comment period regarding closing of the

¹ Please see Exhibit “A”

Station. Under the terms of the Agreement, the Company held no discretion as to whether to continue operations at the Property, and the District held the right to terminate the Agreement and discontinue the operation of the Station.

10. Dominion Energy is evaluating options and began discussions regarding future locations for NGV stations. In the interim, those customers who used the Station are encouraged to use the Company's CNG station located at 4646 South 500 West, Murray City, Utah. Another option is a CNG station owned by a third party located at 160 North 850 East, Lehi, Utah. Dominion Energy always evaluates its stations to determine the best utilization on behalf of its customers. Moving forward, the Company also plans to expand some of the existing CNG stations to better service sales and industrial customers.

11. While the Company sincerely apologizes for any inconvenience caused to the Complainant, Dominion Energy has complied with the terms of the Agreement between the District and Company, as well as all statutes, Commission rules and the Dominion Energy Utah Natural Gas Tariff PSCU 500 ("Tariff").


MOTION TO DISMISS

1. Dominion Energy respectfully requests that the complaint of Scott Soulier be dismissed because it fails to state a claim upon which relief can be granted.

2. Dominion Energy has established that it has acted in accordance with all Tariff requirements and Commission rules.

WHEREFORE, Dominion Energy submits its Answer and respectfully moves that the Formal Complaint of Scott Soulier be dismissed.

DATED: January 7, 2019



Arminda I. Spencer
*Attorney for Respondent Dominion Energy
Utah*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **QUESTAR GAS COMPANY dba DOMINION ENERGY UTAH'S ANSWER AND MOTION TO DISMISS FORMAL COMPLAINT OF SCOTT SOULIER** was served by email upon the following as set forth below on January 7, 2019:

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/s/ _____

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DEU Exhibit A

EXHIBIT "A"



Dominion Energy Utah 

@DomEnergyUtah

The Sandy CNG station located at 9242 South 500 West is closing Wednesday, Oct. 10, due to termination of the lease. Please fill up at other CNG stations found here. >>

dominionenergy.com/about-us/movin...

10/2/18, 3:49 PM

This station will close permanently on Wednesday, October 10. We apologize for any inconvenience. Please visit our website at www.dominionenergy.com/about-us/moving-energy/natural-gas-vehicles for the location of nearby stations.

This station will close permanently on Wednesday, October 10. We apologize for any inconvenience. Please visit our website at www.dominionenergy.com/about-us/moving-energy/natural-gas-vehicles for the location of nearby stations.





Natural Gas For Vehicles

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CNG
Natural Gas For Vehicles

Dominion Energy
Natural Gas For Vehicles

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WARNING: Natural Gas is highly flammable and explosive. Do not use open flames, matches, or cigarettes near the pump. Do not touch the pump if you smell gas. If you smell gas, call the fire department immediately. Do not use the pump if you are unsure of its safety.

