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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Application of Dominion)	Docket No.
Energy Utah for Approval)	18-057-T05
of Modifications to Tariff)	
Section 7.07)	HEARING
)	

December 20, 2018
9:00 a.m.

Location: Public Service Commission
160 East 300 South, 4th Floor
Salt Lake City, UT 84111
(801) 530-6769

Reporter: Teri Hansen Cronenwett
Certified Realtime Reporter, Registered Merit Reporter

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1 December 20, 2018

9:00 a.m.

2 P R O C E E D I N G S

3 PRESIDING OFFICER REIF: All right. Good
4 morning, everyone. We're on the record. I am Melanie
5 Reif, presiding officer for the Utah Public Service
6 Commission, and this morning we are having a hearing in
7 Docket 18-057-T05. This is entitled In the Matter of
8 the Application of Dominion Energy for the Approval of
9 Modifications to Tariff Section 7.07.

10 Let's start by taking appearances, please,
11 starting with the company.

12 MS. CLARK: I'm Jenniffer Clark. I'm counsel
13 for the company. I have with me Jordan Stephenson. He
14 will serve as the company witness today.

15 HEARING OFFICER REIF: Thank you. And for the
16 division.

17 MS. SCHMID: Good morning. Patricia E. Schmid
18 with the Utah Attorney General's Office. Also with me
19 is Douglas D. Wheelwright, who will be the division's
20 witness in this matter.

21 HEARING OFFICER REIF: Thank you. And the
22 office.

23 MR. MOORE: The office, this is Robert Moore
24 from the AG's office representing the Office of
25 Community Services -- Consumer Services. With me is

1 Michele Beck, director of the office. She will be the
2 witness today.

3 HEARING OFFICER REIF: Thank you. Welcome
4 everyone. Would you like to proceed, Ms. Clark?

5 MS. CLARK: Yes, thank you. Mr. -- can we --
6 I guess we need to have our witness sworn.

7 HEARING OFFICER REIF: Good morning.
8 Mr. Stephenson, correct?

9 THE WITNESS: Yes.

10 HEARING OFFICER REIF: Do you intend to tell
11 the truth?

12 THE WITNESS: Yes.

13 HEARING OFFICER REIF: Thank you.

14 JORDAN STEPHENSON,
15 was called as a witness, and having been first duly
16 sworn to tell the truth, testified as follows:

17 DIRECT EXAMINATION

18 BY MR. CLARK:

19 **Q. Can you please state your name and business**
20 **address for the record.**

21 A. Yes. Jordan Stephenson, 333 South State, Salt
22 Lake City.

23 **Q. Please identify your employer and the position**
24 **you hold there.**

25 A. I work for Dominion Energy Utah as a

1 regulatory affairs analyst.

2 Q. Was the application in this matter and the
3 accompanying exhibits prepared by you or under your
4 direction?

5 A. Yes.

6 Q. And are you the same Jordan Stephenson who
7 offered direct testimony in this matter, along with
8 accompanying Exhibits 1.1 through 1.4?

9 A. Yes.

10 Q. Do you adopt the application, the prefiled
11 testimony, and the accompanying exhibits as your
12 testimony today?

13 A. Yes.

14 MS. CLARK: And I believe we have stipulated
15 to the admission. But to the extent that we need to
16 move for the admission of the application,
17 Mr. Stephenson's prefiled direct testimony and DEU
18 Exhibits 1.1 through 1.4, we would do so now.

19 HEARING OFFICER REIF: Any objection?

20 MS. SCHMID: No objection.

21 MR. MOORE: No objection.

22 HEARING OFFICER REIF: They are admitted.

23 MS. CLARK: Thank you.

24 Q. (By Ms. Clark) Mr. Stephenson, can you -- are
25 you familiar with the settlement stipulation that was

1 submitted in this matter?

2 A. Yes.

3 Q. Can you summarize the company's position as it
4 relates to this docket and that settlement stipulation?

5 A. Yes, I can. In this docket the company seeks
6 to create a new service that would allow renewable
7 natural gas or RNG transporters to deliver RNG to their
8 customers as compressed natural gas fuel using Dominion
9 Energy's CNG refueling stations.

10 As this is a new concept for Dominion Energy
11 and its various stakeholders, the company worked
12 collaboratively with the Division of Public Utilities,
13 the Office of Consumer Services, as well as local
14 industry experts to ultimately land on a solution that
15 the company believes serves an emerging RNG market well,
16 supports various environmental and economic benefits,
17 and is in the public interest.

18 In the that effort, the Division of Public
19 Utilities, the Office of Consumer Services and the
20 company filed a settlement stipulation which revised the
21 company's original application.

22 The company's intent in its original filing
23 was to create a high level mechanism in the tariff that
24 would allow for special contracts to be approved on a
25 case-by-case basis, while the working details would be

1 included -- would be included within each special
2 contract.

3 Through discussions, the parties to the
4 settlement stipulation identified key details that could
5 be added to a new tariff section that would provide more
6 clarity and guidance outside of a special contract. The
7 parties encompassed these details in new tariff Section
8 5.07, renewable natural gas transportation service, or
9 RNGT for short.

10 And now I'd like to walk through some of the
11 key points excluded in this section. It was filed as
12 Exhibits A and B as legislative and proposed versions,
13 respectively. I have copy -- a copy of Exhibit A here,
14 and I'll just highlight some of the key provisions that
15 were included in the tariff.

16 So starting on page 5-18, which will be added
17 a new page to the tariff, we -- the parties agree to
18 include new definitions that at this point had not been
19 defined in our tariff. Those included renewable natural
20 gas, green attributes, receipt point and RNGT service.

21 Following there, midway down on page 518,
22 there is a section on applicability which defines that
23 this section is applicable to RNGT service. And then we
24 have an availability section which defines that the
25 service will be available for customers transporting RNG

1 from a receipt point on the DEU system to a defined set
2 of company-owned NGB stations.

3 Following availability, we have an application
4 section which provides guidance to RNG transporters who
5 wish to apply for this service. And this includes an 18
6 month window for projects, RNG transporters who have a
7 project under construction but would like to be able to
8 begin using the stations to get their off-take in order
9 before the construction project is finished. So there's
10 an 18 month window included in this paragraph.

11 The next section is a facility modification
12 section, which really parallels some of the language we
13 have regarding service with our other transportation
14 customers but just outlines that if there are facility
15 modifications required to offer service to a particular
16 RNG transporter, then that upgrade necessary will be
17 paid by the transporter to the company in advance of
18 service being offered.

19 The next section is regarding the required
20 contract, and this provides kind of the framework that
21 will be included within that contract. So each contract
22 that the company would bring forward to the commission
23 to approve on a case-by-case basis would include an
24 approved receipt point and daily contract limit, also
25 identification of alternate receipt points.

1 And in addition, there's language regarding
2 indemnification, that RNG transporters will defend and
3 indemnify the company against claims and other
4 liabilities, as well as fees and charges that have been
5 broken out into their own section.

6 So we have a fees and charges section, which
7 identifies the specific components of fees and charges
8 that the company will include in a special contract.
9 And that includes, No. 1, a cost-based administrative
10 fee. So now I am at the bottom of page 5-19, for those
11 following along.

12 A cost-based administrative fee, a
13 distribution nongas rate. Skipping ahead, a
14 transportation imbalance charge, local charges and
15 applicable state sales taxes and then a fuel
16 reimbursement of 1.5 percent which is consistent with
17 other transportation service customers on our tariff.

18 And then the last section is conditions of
19 service, which all have been repeated on each of our
20 transportation service schedules. And this is just
21 consistent with what other transportation customers are
22 required to adhere to. And that summarizes the proposed
23 tariff section.

24 **Q. Mr. Stephenson, is it your testimony today**
25 **that approval of the settlement stipulation that has**

1 **been submitted with accompanying tariff sheets is just,**
2 **reasonable and in the public interest?**

3 A. Yes.

4 MS. CLARK: Mr. Stephenson is available for
5 cross-examination and commission questions.

6 HEARING OFFICER REIF: Thank you. Any
7 questions from the office?

8 MR. MOORE: No questions.

9 HEARING OFFICER REIF: Any questions from the
10 division?

11 MS. SCHMID: No questions.

12 HEARING OFFICER REIF: Okay. Mr. Stephenson,
13 just a couple of questions for you please. I did hear
14 your testimony, and thank you for that. And I did hear
15 you say that it was your testimony that the settlement
16 is just, reasonable and in the public interest.

17 Because we are reviewing this under Section
18 54, 7-1, I also need to ask you if you believe that the
19 settlement is just and reasonable in result.

20 THE WITNESS: Yes.

21 HEARING OFFICER REIF: Okay. Thank you. And
22 then just one thing I wanted to ask you about on page
23 519 of the tariff under required contract. I think this
24 may be a typo. I just wanted to be sure that we're
25 getting the right language, if it is a typo.

1 On the first line right below required
2 contract, it says, "Each RNG transporter receiving
3 RNGV," like Victor. I think that may be a typo. And it
4 may --

5 THE WITNESS: Yeah. My copy has an RNGT,
6 which is what we were -- it should be referred to in
7 here.

8 HEARING OFFICER REIF: Okay.

9 THE WITNESS: If we have an old version
10 provided to the commission, we can update that.

11 HEARING OFFICER REIF: Okay. I am looking at
12 the copy that was filed on December 13th. And it's the
13 red-line copy.

14 THE WITNESS: Oh, okay.

15 HEARING OFFICER REIF: And so --

16 THE WITNESS: And it may be that we updated
17 our proposed copy and then didn't go back and update our
18 red line, but this should read RNGT. And I believe the
19 company will be happy to file an updated version of this
20 today.

21 HEARING OFFICER REIF: Okay.

22 THE WITNESS: To provide a corrected copy.

23 HEARING OFFICER REIF: Okay. I just wanted to
24 confirm that the correction is noted. And then the
25 other thing that I wanted to ask you about, please, is

1 the effective date. There is no effective date listed.

2 Does the company and/or the parties have an agreement on
3 what the effective date will be for this tariff?

4 THE WITNESS: I believe that the parties --
5 but I'll let the other parties speak for themselves.
6 But I believe the parties had anticipated January 1st to
7 be the effective date of this docket.

8 HEARING OFFICER REIF: Okay. And if that is
9 the agreed-upon effective date amongst the parties, we
10 can clarify that through communication with everyone. I
11 assume that whatever is filed will reflect that.

12 THE WITNESS: Yes.

13 HEARING OFFICER REIF: Okay. All right.
14 Thank you very much. Any follow-up, Ms. Clark?

15 MS. CLARK: No, thank you.

16 HEARING OFFICER REIF: Okay. Ms. Schmid.

17 MS. SCHMID: Thank you. May the division's
18 witness, Mr. Wheelwright, be sworn.

19 HEARING OFFICER REIF: Good morning,
20 Mr. Wheelwright.

21 THE WITNESS: Good morning.

22 HEARING OFFICER REIF: Do you intend to tell
23 the truth this morning?

24 THE WITNESS: Yes, I do.

25 HEARING OFFICER REIF: Thank you very much.

1 DOUGLAS D. WHEELWRIGHT,
2 was called as a witness, and having been first duly
3 sworn to tell the truth, testified as follows:

4 DIRECT EXAMINATION

5 BY MS. SCHMID:

6 Q. Could you please state your name, title,
7 employer and business address for the record?

8 A. My name is Douglas D. Wheelwright. I am a
9 technical consultant with the Utah Division of Public
10 Utilities. My address is 160 East 300 South in Salt
11 Lake City.

12 Q. In conjunction with your employment by the
13 division, have you participated on behalf of the
14 division in this docket?

15 A. Yes, I have.

16 Q. Do you have testimony to offer today?

17 A. I have a summary of our position, yes.

18 Q. Please proceed.

19 A. Thank you. The division has reviewed the
20 original information as filed and has participated in
21 the settlement discussions with Dominion and the Office
22 of Consumer Services.

23 The division has not filed written testimony
24 in this docket but is in support of the changes to the
25 tariff that have been outlined in the stipulation and as

1 they have been explained today.

2 It is the division's understanding that
3 customers that will be taking service under this portion
4 of the tariff will most likely require a special
5 contract, which will include specific terms and
6 conditions. The proposed changes to the tariff will
7 help to clarify the general requirements for renewable
8 and natural gas transporters and will provide a
9 framework for how the billing components will be
10 structured and included in a special contract.

11 The specific terms and conditions of any
12 future special contract related to renewable natural gas
13 transportation will be presented to the commission for
14 review and approval.

15 The division supports the stipulation and the
16 tariff changes and believes that the proposed changes
17 are in the public interest and are just and reasonable
18 in result. And that concludes my summary.

19 **Q. Were you here when DEU proposed an effective**
20 **date of January 1st?**

21 A. Yes, I was.

22 **Q. Can you tell us if the division supports that**
23 **proposed effective date?**

24 A. The division would support that effective
25 date, yes.

1 **Q. Thank you very much.**

2 MS. SCHMID: Mr. Wheelwright is now available
3 for questions, cross-examination and from the presiding
4 officer.

5 HEARING OFFICER REIF: Thank you. Any
6 questions from the company?

7 MS. CLARK: No. The company has no questions.

8 HEARING OFFICER REIF: Any questions from the
9 office?

10 MR. MOORE: No questions, thank you.

11 HEARING OFFICER REIF: Mr. Wheelwright, thank
12 you for your testimony this morning. Just one follow-up
13 question regarding the correction that I referenced on
14 page 519, which DEU indicated there will be a correction
15 made. Do you agree with that correction?

16 THE WITNESS: Yes, I do.

17 HEARING OFFICER REIF: Okay. Very good. All
18 right. Thank you very much, sir. Any follow-up,
19 Ms. Schmid?

20 MS. SCHMID: Nothing further from the
21 division.

22 HEARING OFFICER REIF: Thank you. The office.

23 MR. MOORE: The office calls Michele Beck to
24 the stand and asks that she be sworn.

25 HEARING OFFICER REIF: Good morning, Ms. Beck.

1 THE WITNESS: Good morning.

2 HEARING OFFICER REIF: Do you intend to tell
3 the truth?

4 THE WITNESS: Yes, I do.

5 HEARING OFFICER REIF: Thank you.

6 MICHELE BECK,
7 was called as a witness, and having been first duly
8 sworn to tell the truth, testified as follows:

9 DIRECT EXAMINATION

10 BY MR. MOORE:

11 Q. Please state your name and how you are
12 employed.

13 A. My name is Michele Beck. I am the director of
14 the Office of Consumer Services.

15 Q. In your position as director of Office of
16 Consumer Services, do you participate in discussions and
17 negotiations leading to the settlement that is the
18 subject of this hearing?

19 A. Yes, I did.

20 Q. In your opinion is the settlement reached
21 through these negotiations, taken as a whole, just and
22 reasonable in result and in the public interest?

23 A. Yes, it is.

24 Q. Do you have a statement concerning the
25 settlement?

1 A. Yes, I do.

2 **Q. Please proceed.**

3 A. The office was actively involved in all
4 stages, and I'd like to note that we especially
5 appreciate the collaborative efforts that were involved
6 in this particular docket that we think led to good
7 results.

8 I'd like to speak to just a few of the
9 specifics. First, we think it is appropriate and also
10 important to have the new Tariff 5.07 to clearly lay out
11 the primary terms, conditions and applicable rates. I
12 would note that it does require a contract to be
13 approved by the Public Service Commission.

14 And it also, we have a new service here, and
15 in some respects, it looks like TS service. And in
16 other respects it looks like NGV service, and we think
17 that it appropriately ties to rates and conditions of --
18 or some of the rates and conditions of the TS service,
19 and it also appropriately ties to some of the terms and
20 conditions of the NGV tariff. But yet it also allows
21 for certain limited variances within the contract, if
22 those are demonstrated to be in the public interest.

23 Also we note that the new changes to 7.07
24 provide good clarifications about how bio methane is
25 accepted into the Dominion system. So together, we

1 think these tariffs help move forward potentially
2 innovative programs advancing renewable natural gas, and
3 the office does think that these changes are just and
4 reasonable in result.

5 And in conclusion, I also note that it will be
6 important to also make sure that the specific rates and
7 terms of each contract filed under this tariff are in
8 the public interest.

9 HEARING OFFICER REIF: Thank you.

10 **Q. (By Mr. Moore) Does the office have a**
11 **position on the effective date of the tariff being**
12 **January 1st?**

13 A. We support that effective date.

14 MR. MOORE: Director Beck is available for
15 cross and questions from the hearing officer.

16 HEARING OFFICER REIF: Any questions from the
17 company?

18 MS. CLARK: No, thank you.

19 HEARING OFFICER REIF: From the division?

20 MS. SCHMID: No questions.

21 HEARING OFFICER REIF: Ms. Beck, just a couple
22 of follow-up questions. On the effective date, do you
23 support the effective date that's been discussed of
24 January 1st?

25 THE WITNESS: Yes.

1 HEARING OFFICER REIF: 2019?

2 THE WITNESS: Yes.

3 HEARING OFFICER REIF: Thank you. And
4 regarding the correction of the typo, do you also
5 support that correction?

6 THE WITNESS: Yes. I think that was one of my
7 final edits. So I maybe should have looked at the filed
8 copies more carefully. But I am sure that that's easily
9 rectified, and I support it.

10 HEARING OFFICER REIF: Very good. Not to
11 worry. We just looked at these and want to make sure we
12 have everything correct. So thank you so much. All
13 right. Any follow-up?

14 MR. MOORE: No follow-up.

15 HEARING OFFICER REIF: All right. Ms. Clark,
16 is there anything else to come before the commission?

17 MS. CLARK: I just want to make sure that we
18 are on clear on what will be submitted later today. I
19 think what I heard us all agree to do was that the
20 company would submit a substitute Exhibit B to the
21 settlement stipulation that reflects the change that was
22 discussed today.

23 My question is, is it also necessary for the
24 company to in writing request an effective date, given
25 that it was discussed on the record and the parties all

1 seem to agree?

2 HEARING OFFICER REIF: I think that since the
3 effective date is normally filled in by the company when
4 they file their tariff, I would anticipate that that
5 would be filled in, and that would also be reflected in
6 the testimony today or supported by the testimony today.

7 MS. CLARK: Okay.

8 HEARING OFFICER REIF: And inasmuch as --
9 yeah. So I think just the Exhibit B, the correction and
10 the insertion of the effective date is all that needs to
11 take place.

12 MS. CLARK: Perfect. Thank you.

13 HEARING OFFICER REIF: And if you can't do it
14 today, just as soon as possible.

15 MS. CLARK: We will be prompt. Thank you so
16 much.

17 HEARING OFFICER REIF: All right. Is there
18 anything else to come before the commission? All right.
19 Then we will be adjourned, and we'll take the matter
20 under consideration. Thank you so much.

21 MS. SCHMID: Thank you.

22 HEARING OFFICER REIF: And happy holiday to
23 everyone.

24 (The hearing concluded at 9:19 a.m.)

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C E R T I F I C A T E

STATE OF UTAH)
COUNTY OF SALT LAKE)

THIS IS TO CERTIFY that the foregoing proceedings were taken before me, Teri Hansen Cronenwett, Certified Realtime Reporter, Registered Merit Reporter and Notary Public in and for the State of Utah.

That the proceedings were reported by me in Stenotype, and thereafter transcribed by computer under my supervision, and that a full, true, and correct transcription is set forth in the foregoing pages, numbered 3 through 21 inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

WITNESS MY HAND and official seal at Salt Lake City, Utah, this 31st day of December, 2018.



Teri Hansen Cronenwett, CRR, RMR
License No. 91-109812-7801

My commission expires:
January 19, 2019

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