

PUBLIC SERVICE COMMISSION

Docket No. 19-057-31

TELEPHONIC HEARING

July 16, 2020

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Telephonic Hearing
July 16, 2020

1 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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3 In re: Request of Dominion)
4 Energy Utah to Extend)Docket No. 19-057-31
5 Natural Gas Service to)
6 Eureka, Utah;)

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10 TELEPHONIC HEARING

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12 Taken on Thursday, July 16, 2020

13 at 9:00 A.M.

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15
16 The Public Service Commission of Utah

17 160 East 300 South

18 4th Floor

19 Salt Lake City, Utah 84111

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23 Reported by: Kellie Peterson, RPR, CSR

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1 July 16, 2020 9:00 A.M.

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

3 COMMISSIONER LEVAR: Okay. We will start the
4 transcript and begin.

5 Good morning. We are here for Public Service
6 Commission hearing in Docket 19-57-31, application of
7 Dominion Energy Utah to extend gas service to Eureka,
8 Utah.

9 Why don't we start with appearances? So for
10 Dominion Energy Utah?

11 MS. CLARK: Thank you. This is Jenniffer
12 Clark. I'm counsel for Dominion Energy. I have with me
13 as co-counsel, Cameron Sabin.

14 We also have with us the witnesses who have
15 filed pre-file testimony in this matter: Austin Summers,
16 Michael Gill and Mayor Nick Castleton.

17 COMMISSIONER LEVAR: Thank you, Ms. Clark.
18 For the Division of Public Utilities?

19 MS. SCHMID: Good morning. This is Patricia
20 E. Schmid, with the Attorney General's Office,
21 representing the Division of Public Utilities.

22 Eric Orton will be the Division's witness
23 today.

24 COMMISSIONER LEVAR: Thank you, Ms. Schmid.
25 For the Office of Consumer Services?

1 MR. MOORE: Yes, this is Robert Moore for the
2 Office of Consumer Services. With me is the utility
3 analyst of the office, Alex Ware.

4 COMMISSIONER LEVAR: Thank you, Mr. Moore,
5 and thank you, Mr. Ware.

6 Okay. Do we have someone on the line
7 representing Rocky Mountain Propane Association?

8 MR. FROERER: This is Zane Froerer, counsel
9 for Rocky Mountain Propane Association, and I know
10 that -- I know that Tom Clark, president of the
11 association, is on the line as well. Thank you.

12 COMMISSIONER LEVAR: Thank you, Mr. Froerer.
13 Do we have anyone on the line for the Utah
14 Association of Energy Users? They intervened but did not
15 file anything.

16 Okay. I'm not hearing an answer, so
17 apparently the answer is no.

18 Before we go to Dominion Energy, Dominion
19 Energy Utah's first witness, before we started the
20 transcript, Ms. Clark, from Dominion Energy Utah,
21 referred -- mentioned that there are some confidential
22 materials in this docket. And her intent is for her
23 witness, she said before the hearing started, not
24 to address those unless they need to come up in
25 questions.

1 So I will just make a couple of comments now.
2 I will ask the attorneys to please, you know, jump in if
3 anyone starts to go into confidential material so we can
4 address it. If there's a need to close the hearing to
5 discuss confidential material, because it's telephonic,
6 it would probably be easiest to save it all at the end
7 and have one closed proceeding near the end.

8 However, there are -- there are some
9 difficulties with doing that on the telephonic hearing,
10 so I would encourage anyone asking questions about the
11 confidential material, if possible, to just try to do
12 things like refer to the page and paragraph number so
13 that everyone knows what you are referring to without
14 speaking the confidential material.

15 Sometimes that works. Sometimes there are
16 questions that need to be asked that can't be done that
17 way, and if they can't, we will deal with it. But I will
18 just make those comments as we go.

19 And, again, I will remind everybody one more
20 time, please keep your phone on mute when you are not
21 speaking, and please identify yourself when you begin
22 speaking.

23 And with that, I think we will go to Dominion
24 Energy Utah, so you can call your first witness.

25 MS. CLARK: Thank you. Again, this is

1 Jenniffer Clark, and our first witness is Austin Summers.

2 COMMISSIONER LEVAR: Good morning,
3 Mr. Summers. This is Thad LeVar. Do you swear to tell
4 the truth?

5 MR. SUMMER: Yes.

6 COMMISSIONER LEVAR: Thank you.

7 Ms. -- I'm sorry, Ms. Clark.

8 DIRECT EXAMINATION

9 BY MS. CLARK:

10 Q. Mr. Summers, please state your full name and
11 business address for the record?

12 A. My name is Austin Summers. My business
13 address is 333 South State Street, Salt Lake City, Utah.

14 Q. And what position do you hold with Dominion
15 Energy Utah?

16 A. I am a manager of rates and regulation.

17 Q. Mr. Summers, in this docket, did you prepare
18 or cause to be prepared direct testimony that is marked
19 as DEU Exhibit 1.0, with accompanying exhibits 1.01
20 through 1.09?

21 A. Yes.

22 Q. And did you also prepare or cause to be
23 prepared supplemental direct testimony, marked as DEU
24 Exhibits 1.0S, with accompanying Exhibits 1.10S though
25 1.13S?

1 A. Yes.

2 Q. And did you also prepare or cause to be
3 prepared rebuttal testimony, marked as DEU Exhibit 1.0R,
4 with accompanying Exhibit DEU 1.01R?

5 A. Yes.

6 Q. And finally, did you also prepare surrebuttal
7 testimony, marked as DEU Exhibit 1.0SR?

8 A. Yes, I did.

9 Q. And do you adopt all of those documents as
10 your testimony today?

11 A. Yes, I do.

12 MS. CLARK: The company would move for the
13 admission of Mr. Summers' pre-filed testimony, direct,
14 supplemental direct, rebuttal, surrebuttal and all the
15 accompanying exhibits referenced.

16 COMMISSIONER LEVAR: Okay. Thank you,
17 Ms. Clark.

18 This is Thad LeVar. If any party objects to
19 that motion, please speak up or indicate your objection
20 at this point.

21 I'm not hearing any objection from anyone, so
22 the motion is granted. Thank you.

23 MS. CLARK: Thank you.

24 BY MS. CLARK:

25 Q. Mr. Summers, have you prepared a summary of

1 **your testimony?**

2 A. Yes, I have.

3 **Q. Please provide it.**

4 A. I would be happy to. I just want to make
5 sure everybody can hear me. Is there any audio problems?

6 COMMISSIONER LEVAR: This is Thad LeVar.
7 From my end, I'm not hearing any. If anyone else has a
8 problem with the audio, please feel free to jump in,
9 identify yourself, and identify that you are having an
10 issue.

11 Other than that, feel free to go ahead,
12 Mr. Summers.

13 THE WITNESS: Thank you and good morning.

14 In this docket, Dominion Energy has proposed
15 to extend natural gas service to the City of Eureka.
16 Dominion Energy proposes to do this under new laws put in
17 place in the last two years to help bring natural gas
18 service to smaller, rural communities.

19 Since this is a new concept, there has a been
20 a great deal of discussion and ideas about how best to go
21 about this process. I appreciate the support of those in
22 the Division, the Office, and Mayor Castleton that have
23 provided ideas to accomplish the legislative intent of
24 achieving rural expansion, while also ensuring that
25 impacts to existing customers are kept to a minimum.

1 There are two pieces of legislation that are
2 directly relevant to this docket. The first is House
3 Bill 422 that was passed in 2018. House Bill 422 amended
4 existing law to facilitate the expansion of natural gas
5 infrastructure to rural areas by spreading the cost of
6 that infrastructure to the entire Utah customer base.

7 The next piece of legislation was House Bill
8 129 that passed in the 2020 legislative session. House
9 Bill 129 amended the definition of rural gas
10 infrastructure to include additional types of
11 infrastructure, such as existing pipeline, LNG facility
12 and service line into the facilities for which cost
13 recovery can be sought from all customers.

14 The amendments brought about through this
15 legislation caused the Company to amend its original
16 application in this docket to seek approval service line
17 to also be included in the rural expansion tracker.

18 To determine the best candidates for rural
19 expansion, the Company assembled a team to look at those
20 communities that would be best suited for gas service
21 immediately. To do this, the Company sent surveys to
22 several communities and asked each community for such
23 information, as 1, interest of that community in
24 receiving gas service; 2, how many potential gas
25 customers there would be; 3, the community's future

1 development plan; 4, how concentrated the existing
2 housing in the area is; and 5, how quickly the community
3 was interested in receiving service.

4 Along with this information from the
5 communities, the Company performed its own analysis to
6 determine the specific system expansion requirement that
7 would be needed for each community. Eureka was
8 ultimately chosen as the first candidate for expansion
9 because of its close proximity to the existing system, it
10 was the least costly option for expansion, there was high
11 interest from the community, and there are existing
12 industrial, commercial and residential plans that could
13 be pursued immediately if gas service was made available
14 in the short term.

15 In its application as amended, the Company is
16 asking for two things. First, the Company seeks
17 Commission approval to install high-pressure mains to
18 Eureka, intermediate high-pressure mains throughout the
19 city, and service lines through -- service line to those
20 residences and businesses that sign up for service within
21 a specific time frame. I will address this time frame
22 more in my -- later on in my summary.

23 The Company's second request is that it be
24 allowed to recover these costs through a rural expansion
25 tracker. Once the mains and service line are installed,

1 the Company will file an application detailing the cost
2 of the project and seek immediate rate recovery. This
3 tracker program would be similar to the Company's current
4 infrastructure tracker replacement program that has been
5 used successfully since 2009. The cost of this project
6 will be spread to the customer classes, using the cost of
7 service for the Company's most recent rate case.

8 Based on the expansion costs, the effect of
9 extending gas service to Eureka on a typical customer
10 using 80 Decaderms per year would be \$1.85 per year or an
11 increase of about 0.27 percent.

12 It's important to note that though the cost
13 of main lines and service lines will be installed with no
14 upfront cost to Eureka customers, those customers will
15 still have costs that they will need to pay. Other
16 parties in the -- in this case have accurately pointed
17 out that costs will be incurred to convert from one fuel
18 source to natural gas.

19 To be clear, customers will be required to
20 pay for any costs on their side of the meter, this could
21 include appliance conversion cost or the cost to purchase
22 new appliances, as well as any necessary plumbing or HVAC
23 work.

24 Customers with propane will also be
25 responsible for making their existing propane system

1 safe. This will include evacuating remaining propane
2 from the tank, removing the tank and securing the propane
3 line. The amount of work needed for the conversion will
4 vary from home to home, depending on the existing
5 infrastructure in each home.

6 Before gas service will begin in any home or
7 business, Eureka's city inspector will inspect the home
8 or business to ensure that the conversion process has
9 been completed properly.

10 While conversion costs could be significant
11 for some home owners, Dominion Energy, along with Mayor
12 Castleton, has provided three solutions that will help
13 Eureka customers defray these costs.

14 First, six county associations of government
15 attended the open houses and discussed the availability
16 of low interest loans for conversion costs, as well as
17 weatherization programs for customers that qualify. The
18 Company is also proposing to give these customers
19 sufficient time to complete their conversion, that they
20 will be able to plan ahead and save funds for the
21 conversion.

22 Finally, as I discussed in my surrebuttal
23 testimony, the current price differential between natural
24 gas and propane will lead to energy savings that provide
25 a quick payback of the investment necessary to convert a

1 home to natural gas.

2 I would like to take a moment just to explain
3 the timing of obtaining and installing the service line.
4 My supplemental direct testimony proposed to give
5 customers two years to sign up for service. I will refer
6 to this initial two years as the "sign up period." As
7 proposed, it would apply to the entire community.

8 Every customer that wishes to obtain a
9 service line under the proposed program would have to
10 sign up within the sign-up period. And in its direct
11 testimony, the Office pointed out a scenario under which
12 a customer could have a service line installed at no cost
13 but never sign up for service and proposed the customers
14 be given one year to begin taking natural gas service.

15 In my rebuttal testimony, I agreed that a
16 time limit is appropriate but proposed a two-year grace
17 period within which the customer would have to begin
18 taking service or would be required to pay for the
19 service line.

20 As the Office has pointed out, if a customer
21 were to have a service line installed at the end of the
22 two-year sign-up period but did not take service until
23 the end of the grace period, they could effectively take
24 four years to become a customer without paying for their
25 service line.

1 The Office argues that this is an unintended
2 consequence of the Company's proposal. However, the
3 Company believes it is unlikely customers will want to
4 wait four years unless they truly do not have the
5 resources to complete the conversion sooner.

6 If indeed a customer needs the full amount of
7 time to complete the conversion, the Company believes
8 that should be permitted. After all, the intent of the
9 legislation which brings natural gas to rural communities
10 by allowing citizens in those communities with the
11 ability to convert to natural gas to do so.

12 Further, given the relatively small numbers
13 of customer at issue, even if some customers waited the
14 full four years to begin service, that would have an
15 immaterial impact on the program or its costs.

16 The Company requests that the Commission
17 approve the tariff proposed by the Company, as it is the
18 most likely to create the best chance of having a high
19 rate of consumers convert to natural gas.

20 I do have one more scenario to explain so
21 that what is in my testimony and what I have presented in
22 the tariff, filed with my rebuttal testimony, is clear.
23 There will certainly be customers that will sign up for
24 service while construction of the IHP system is
25 occurring.

1 As I discussed in my supplemental direct
2 testimony, this is ideal and will allow the Company to
3 take advantage of economies of scale. For these
4 customers, the sign-up period is irrelevant because they
5 have signed up before the sign-up period even begins for
6 the rest of the community.

7 For these customers, the two-year grace
8 period does not start on the date they sign the service
9 plan agreement, but, rather, on the day gas starts
10 flowing to the city. This means the customer could get a
11 longer grace period than two years.

12 Utah's governor and Legislature have made it
13 clear that they want to create opportunities for growth
14 and progress in rural communities that are being left
15 behind when it comes to economic development. The
16 legislation at issue was enacted to help get natural gas
17 to these communities to provide them with a key energy
18 source to prime the economic development program.

19 The Company's request is not only just,
20 reasonable and in the public interest of those in Eureka,
21 but also is the first step of bringing economic
22 development opportunities to the entire state of Utah.

23 And that concludes my summary.

24 MS. CLARK: Mr. Summers is available for
25 cross-examination and Commission questions.

1 COMMISSIONER LEVAR: This is Thad LeVar.
2 Thank you, Ms. Clark.

3 Ms. Schmid, do you have any questions for
4 Mr. Summers?

5 MS. SCHMID: This is Ms. Schmid. I do not
6 have any questions for Mr. Summers. Thank you.

7 COMMISSIONER LEVAR: Thank you.

8 Mr. Moore, do you have any questions for
9 Mr. Summers?

10 MR. MOORE: Just some brief questions. Thank
11 you.

12 COMMISSIONER LEVAR: Okay. Go ahead.

13 CROSS-EXAMINATION

14 BY MR. MOORE:

15 Q. Mr. Summers, can I direct you to your June
16 24, 2020 rebuttal testimony, line 34? Do you have your
17 testimony with you?

18 A. Give me just a moment. Okay. My testimony,
19 and was that line 34, Mr. Moore?

20 Q. 34, starting first, "The Company proposes
21 that the customer will have a two-year window, beginning
22 when gas starts to flowing to Eureka to sign up for a
23 no-charge service line."

24 Then you state --

25 A. That's correct.

1 Q. -- "I will call this two-year period the
2 sign-up period.

3 Did I read that correctly?

4 A. That's correct.

5 Q. And as you said before, Dominion will allow
6 potential new customers in Eureka to sign up prior to
7 when gas starts flowing to Eureka. Correct?

8 A. That's correct.

9 Q. And Dominion will actually solicit new
10 customers in Eureka, prior to when gas start flowing to
11 Eureka. Correct?

12 A. That is also correct.

13 Q. Isn't it true that as a practical matter,
14 customers have longer than two years to sign up for a
15 no-charge service line because the proposed tariff allows
16 customers to sign up prior to the time gas starts to
17 flowing to Eureka?

18 A. Yes, that's correct. So just to clarify, if
19 a customer waits until gas is flowing, that's when
20 the -- that's when the two -- two-year window starts.

21 If a customer signs up before, you know,
22 while we are -- while we are installing the IHP system,
23 then I guess that they don't really need the sign-up
24 period any more. They've already signed up.

25 But yes, the sign-up period would go from

1 whenever we start soliciting until two years after gas is
2 flowing.

3 **Q. That's correct. So it would be more precise**
4 **and consistent with your proposed tariff finders to**
5 **describe the sign-up period as a period of time ending**
6 **two years from the date gas starts flowing to Eureka; is**
7 **that correct?**

8 A. That's an accurate way of saying it, yes.

9 **Q. Thank you. I have no further questions.**

10 COMMISSIONER LEVAR: This is Thad LeVar.

11 Thank you, Mr. Moore.

12 Mr. Froerer, do you have any questions for
13 Mr. Summers?

14 MR. FROERER: Yes, I do. Thank you.

15 COMMISSIONER LEVAR: Okay. Go ahead.

16 CROSS-EXAMINATION

17 BY MR. FROERER:

18 **Q. Mr. Summers, I would direct you to your**
19 **Exhibit 1, or the Dominion Energy Exhibit 1, which is**
20 **your first testimony given December 2, 2019.**

21 A. And give me just a second to get there.

22 **Q. That's fine. Yes, that's what I'm doing.**

23 A. Okay. Which exhibit was it? 1. --

24 **Q. It's 1.0.**

25 A. Okay. On my direct testimony?

1 Q. Yes.

2 A. Okay. I've got that.

3 Q. Okay. Let me get back to where I was. All
4 right. So this is on page 7 of 18, starting at line 178.

5 A. Okay.

6 Q. 178. You were asked, "How many potential
7 customers are there in Eureka?"

8 And at 179, your answer is, "Currently, there
9 are approximately 360 potential customers."

10 For the rest of that answer, you go into how
11 you obtained that information. And isn't it true that
12 you relied upon Eureka City's water services to its
13 residents and some detailed mapping information; is that
14 correct?

15 A. That is correct.

16 Q. I didn't see attached to this testimony in
17 the exhibit providing the water services that you refer
18 to, the replaced -- the water services to its residents.

19 Did you review some documents or some
20 material regarding this water services replacement that
21 Eureka performed that are not a part of -- that were not
22 attached to your testimony?

23 A. I didn't. Just to give you -- you know, you
24 a little bit of, kind of, the groundwork of how we put
25 this together. Yeah, we did work with the city. Because

1 they had just replaced all of the service lines and they
2 had updated their mapping, they were able to provide our
3 engineers with the -- with some detailed mapping.

4 Our engineers also took a drive through the
5 city, looked at everything. They also would use just
6 Google Earth to view the areas and figure out what homes
7 looked like it would be a reasonable system for us to set
8 up there.

9 So I personally did not look at any of the
10 city's waterline information, but that was kind of the
11 background of how we came up with that number.

12 **Q. So did this number come from Eureka City?**
13 **Did they give you this specific number as the number of**
14 **waterlines that had been replaced?**

15 A. No, I believe this -- this was a number -- I
16 don't know how many waterlines they replaced. The 360
17 was a number that Dominion came up with based on where we
18 were going to put our natural gas mains.

19 So based on where we were going to put them,
20 there were about 360 potential customers.

21 **Q. Well, and I'm trying to nail down those 360**
22 **potential customers, and your testimony -- you just**
23 **stated that you don't know how many waterlines were**
24 **replaced.**

25 **But you do state in your testimony, at**

1 Exhibit 1 at 180, it says, "During that process, it
2 obtained detailed mapping information."

3 I'm assuming that "it" refers to Eureka City?

4 A. That is correct.

5 Q. And then you go on to testify that that
6 mapping information shows that there are at least 340
7 potential residential customers.

8 Did you attach to your testimony that mapping
9 information?

10 A. No.

11 Q. Did that mapping information -- since it's
12 not attached, I would like to ask some questions about
13 that.

14 Did that mapping information identify
15 individual waterline users?

16 A. I think that the mapping information would
17 have -- yeah, it would have shown individual waterlines.
18 Again, that might be a question that's better for
19 engineering. I might pitch that to Mike Gill, who is --

20 Q. Okay.

21 A. -- the engineer.

22 Q. Well, I understand that, but, Mr. Summers,
23 you were the one that was testifying and supporting this
24 petition with the testimony that there were approximately
25 360 potential witnesses -- potential customers, and I'm

1 trying to figure out where you came up with the number
2 because that number has been contested.

3 So is it true that the mapping, which -- the
4 mapping information, which you have not provided to the
5 Commission, is it true that that was like a Google Map,
6 or did it show -- were you able to discern from it
7 individual users that could be identified?

8 A. Well, the mapping information was detailed,
9 and like I said, I personally have not reviewed that
10 information, so I wouldn't be able to answer a question
11 of what it did show. That was something that the
12 engineers talked about, and then I talked with the
13 engineers and got that estimate of 360.

14 The only thing that I -- when this number has
15 been contested, was how many would actually participate.
16 I don't recall that it was ever contested that, you know,
17 I didn't provide mapping information or that I, you know,
18 didn't have a good estimate of the 360. I never saw that
19 in testimony anywhere.

20 Q. But -- very well. So your testimony today is
21 that you did not review the mapping information, that you
22 got this information from the engineer, which would be
23 who?

24 A. So I think that might be a question for Mike
25 Gill. He is the other witness that will be --

1 Q. Okay.

2 A. -- on here shortly. He might have more
3 information on that. But I -- like I say, I talked with
4 the engineers and came up with that, and that's how
5 I -- why I put that number in there.

6 Q. Okay. But you don't have any personal
7 knowledge of the mapping information or the waterlines
8 because that was reviewed by Mr. Gill, not by you?

9 A. Or somebody in Mr. Gill's group, yes. But
10 that's what I'm saying, yes, I did not review the
11 waterline information.

12 Q. Okay. So when you say there are
13 approximately 360 potential customers, you're relying
14 entirely upon Mr. Gill or his staff to provide you that
15 information?

16 A. What I'm relying on is that -- exactly what
17 that paragraph reads that you pointed me to, that the
18 city recently replaced its water service lines. During
19 that process, it obtained detailed mapping information,
20 and that mapping information shows that there are, at
21 least, 340 potential residential customers and 20
22 potential commercial customers that could receive the
23 gas.

24 So that information, the waterline
25 information, combined with what our engineers are -- have

1 developed, that's what -- that's what I'm relying on.

2 Q. Okay. Did you participate in the replacement
3 of the water services to the residents?

4 A. No, I did not.

5 Q. So you don't know if it happened? You had to
6 be told by somebody else that it happened. Correct?

7 A. That is correct.

8 Q. So you can't rely upon that. You have to
9 rely upon what you were told; is that right?

10 A. I do have to rely on what I was told.

11 Q. And the same is true for the mapping
12 information, showing that there are, at least, 340
13 potential customers. You testified that you didn't
14 review that mapping information, that it was told to you.

15 So you are not relying on the mapping
16 information. You are relying on what you were told; is
17 that correct?

18 A. I didn't physically go out and count them, if
19 that's the -- if that's what I had to do, then no, I
20 didn't do that. So yes, I am relying on what other
21 information sources told me.

22 Q. Now when you say "information sources," what
23 you were told by the Dominion Energy engineers, Mr. Gill
24 or his staff; is that right?

25 A. That's right.

1 Q. Let's go to line 183, where you testified in
2 addition, "As discussed by Mayor Castleton, all
3 indications are that Eureka is likely to experience both
4 residential, industrial and commercial growth in the
5 coming years."

6 Is your projection of residential, industrial
7 and commercial growth in the coming years based on
8 anything other than Mayor Castleton's discussion or
9 testimony?

10 A. It was also based on Mayor Castleton's -- he
11 has done a survey with his community, so they have, kind
12 of, a growth plan that they have talked about and posted
13 online and it is also based on that.

14 Q. Did you attach that survey to your direct
15 testimony?

16 A. I believe -- give me just one moment. I
17 don't think I did. I believe we mentioned -- I believe
18 it was mentioned in Mayor Castleton's testimony, that the
19 survey information -- where that was from.

20 Q. Were you able to review this survey?

21 A. I reviewed the results.

22 Q. Were these results provided to you by
23 Mr. Castleton?

24 A. Mayor Castleton told me that the survey had
25 been done. I believe I found the results through Google

1 and through the Eureka City website.

2 Q. Okay. All right. Is your projection of
3 residential, industrial and commercial growth, is it
4 based on anything else other than that survey?

5 A. No, I think just in conversations with the
6 mayor and that survey.

7 Q. Okay. So I would like to direct your
8 attention to line 186 of Exhibit 1.0, still in your
9 direct testimony.

10 You were asked, "How did the Company
11 determine if these potential customers would have any
12 interest in receiving gas?"

13 And at 188, your answer, you start by
14 holding -- by -- your answer starts, pardon me.

15 And you start your testimony answer by
16 saying, "The Company held open houses on October 21st and
17 23rd at Tintic High School in Eureka."

18 Did you -- were you there at any of those
19 open houses?

20 A. Yes, I was. I was at both of those.

21 Q. Okay. And you were able to provide
22 information and answer questions to residents?

23 A. Yes.

24 Q. And in addition to that open house, on line
25 199, on page 8 of 18, you indicated that there was a

1 survey available online and that there was also an
2 insert, among other -- the water, and that you received
3 94 unique responses, and then the online survey provided
4 another 50; is that right?

5 A. Correct.

6 Q. So, and that survey, I believe, was attached
7 to your -- I believe it was attached to your direct
8 testimony as Dominion Energy Exhibit 1.04. If you would
9 mind -- if you wouldn't mind looking at Exhibit 1.04 and
10 confirming that that was the survey that was provided to
11 the Eureka residents.

12 A. That's the survey that was given to the
13 Eureka residents.

14 Q. So just going through this survey, the first
15 question is, "Are you interested in natural gas service
16 at your home or business?"

17 Is that correct?

18 A. That's correct.

19 Q. Is there anything in this survey providing
20 the respondents with information about potential costs
21 or -- well, potential costs?

22 A. No, there was not. What we did do is at the
23 open houses, we had display boards that were out, and as
24 I mentioned in my -- in my original direct testimony,
25 there were two pages of that, that were kind of an

1 informal -- informal -- an informational handout that
2 could be given to customers, and that did tell them about
3 the cost of natural gas and what a typical customer would
4 pay for natural gas.

5 **Q. Did you attach -- I know you attached some**
6 **things to your testimony. Are those -- are you referring**
7 **to Exhibit 1.05 as the --**

8 A. Exhibit 1.05 -- that's correct. So Exhibit
9 1.05 was the open house display boards that we had out,
10 and there were two of the display boards that were most
11 relevant that were -- we turned into a handout.

12 So that was pages -- page 6 was the Eureka
13 project overview, and it had some -- that page had some
14 questions and answers, including how much would their
15 annual bill be, would they need to buy new appliances,
16 how much would it cost for this project out of pocket.
17 So we gave them that page as an informational handout,
18 and we also had that on the display boards.

19 And then the other page that we handed out
20 was the map that is shown on page 2.

21 **Q. So let's go through some of these. So on**
22 **page 2 of Exhibit 1.05, you have the map line, and this**
23 **orange line says, "Proposed pipeline to Eureka."**

24 **Is that right?**

25 A. That's correct.

1 Q. And that is the expansion pipeline that is
2 being sought today; is that right?

3 A. That is correct.

4 Q. So on page 6 in the "Purpose and description"
5 section, the third paragraph, your first sentence is,
6 "This will be a \$20 million project."

7 Throughout the docket, you -- Dominion Energy
8 has marked as confidential the specific costs, and so I
9 don't want to get into that. But it appears that the
10 minimum to the public, it was disclosed that this project
11 would be at least \$20 million; is that correct?

12 A. Yes, these -- these preliminary meetings -- I
13 mean, this was in October. Right? And so these were
14 still some preliminary costs. And so it was basically a
15 high-level estimate of letting customers know how much we
16 would be investing to get out there.

17 And as we got closer to December when we
18 filed, those estimates were refined to the confidential
19 numbers that were filed by Mr. Gill.

20 Q. Okay. Without disclosing those confidential
21 numbers, did the projected costs decrease or increase
22 from this -- from this early preliminary estimate?

23 A. I believe they are a little bit higher than
24 this.

25 Q. Okay. So if we go down to question, "Will I

1 need to buy new appliances?"

2 "In many cases, appliances can be converted
3 from propane to natural gas."

4 Do you know -- do you know if that is true?

5 A. Well, I know that -- if it's a propane
6 appliance, something like a furnace, my
7 understanding -- and I'm not a -- one of our service
8 techs, but in discussions with our service techs, as well
9 as those who have worked in other expansion areas,
10 generally speaking, furnaces can be converted from
11 propane to natural gas.

12 I know -- I mean, obviously, if you have an
13 electric water heater, which a lot of customers do, that
14 cannot be converted from electric to natural gas. But
15 yeah, the furnace, from what I've heard, generally, can
16 be converted to natural gas.

17 Q. But you don't personally know that. You have
18 heard that. That is maybe, I guess, a rumor or
19 perhaps even a --

20 A. Well, it's not a rumor. It's not a rumor or
21 a myth. It's a fact. Like I say, I am not a service
22 technician, but I -- from what our operations people have
23 told me and from what the Company has experienced in
24 other expansion areas, furnaces, generally, are -- can be
25 converted.

1 **Q.** But you wouldn't know whether the
2 specifications of what kind of furnaces can be converted,
3 how old it -- or how new, you don't know any of that, do
4 you?

5 A. I am -- I couldn't walk up to a furnace right
6 now and do the work, no. I have an accounting
7 background, so I don't know how to do that.

8 **Q.** Okay.

9 A. But I do know that there's really -- the
10 difference is between -- like the orifice size, so how
11 much gas can get through to the burner and some -- I
12 think some springs need to be adjusted, maybe replaced.
13 It's not a -- it's not a complex process.

14 Like, again, I have spent time with our
15 Springville operations manager just last week talking
16 about this, and yes, furnaces can be converted. I don't
17 know if, you know, there's an age requirement that, you
18 know -- something, you know, 30 years older or something
19 couldn't be converted. I don't know what the case is on
20 those appliances.

21 But, generally speaking, propane furnaces can
22 be converted to natural gas.

23 **Q.** And that is based upon your technical support
24 or the tech people telling you they can be converted?

25 A. Yes.

1 **Q. Were any of those tech -- technical support**
2 **people at the open house to answer questions about**
3 **conversion?**

4 A. Yes, they were. We had our general
5 manager -- or not our general manager but our Springville
6 manager of operations was there, and I know that he has
7 been a service tech in the past. His experience is in
8 that, and he was there to answer questions about
9 conversions.

10 **Q. Did you have any kind of -- did Dominion**
11 **Energy provide any kind of cost estimates or evaluations**
12 **on what those conversions would cost?**

13 A. No, we talked about it internally and decided
14 it -- each home is so different, it would be, perhaps,
15 misleading to go out and say, "This is the only cost you
16 can -- you can expect."

17 What we did tell people is that "You should
18 go and talk to a contractor, get an estimate for your
19 specific home, and see what -- see what work this will
20 take, see what costs will be incurred."

21 **Q. But you were willing -- Dominion Energy was**
22 **willing to state that they -- that appliances can be**
23 **converted despite what you just said about the**
24 **inconsistency in every home and not knowing what**
25 **conversions would be required or if a conversion would**

1 even be possible for that home, Dominion Energy was
2 willing to represent to the consumers that they could
3 convert their appliances from propane to natural gas; is
4 that correct?

5 A. Yes. In fact, as that answer says, in many
6 cases, appliances can be converted from propane to
7 natural gas. I think that's as clear as it can be. You
8 know, it doesn't make as much of a concise statement to
9 say, you know, "An electric water heater cannot be
10 converted, but, you know, neither can an electric range.
11 But a propane grill might be converted to natural gas
12 depending on these factors."

13 I mean, it's -- for the information for a
14 handout like this, a concise statement like that, that is
15 true, is sufficient.

16 Now like I said, we were there, and we were
17 there to answer questions, and customers who had
18 questions got answers to their questions.

19 Q. So in your next question, "How much will my
20 annual bill be?"

21 You provide that "The typical Utah resident
22 pays \$635 annually"?

23 A. Yes.

24 Q. And the Eureka -- the typical Eureka customer
25 would pay about 807; is that correct?

1 A. Let me just clarify on that because a typical
2 Utah residential customer pays about \$635 annually, and
3 that was back in October. If infrastructure costs need
4 to be paid by Eureka customers, so if they need to pay
5 for, you know, a portion of their service line or some of
6 their main, the plan would have been to have them pay
7 some additional on their bill that would have increased
8 it to \$807.

9 But the -- as it stands, because we filed for
10 service lines to be included in -- in this program, the
11 cost that these -- that these customers, a typical
12 customer would pay, would be the same as every other Utah
13 customer. So a Eureka customer would be paying about
14 \$635 as well.

15 **Q. And then -- and you have answered my next**
16 **question, and that's, the reduction -- getting that \$807**
17 **down to the Utah average is being done because Dominion**
18 **is not only asking for all of its customers to subsidize**
19 **the expansion line, which is on page 2, but all of the**
20 **service lines to all of the potential customers in Eureka**
21 **as well; is that correct?**

22 A. That's correct. And I believe that that
23 follows the -- what the Legislature had intended. The
24 legislative intent was to get natural gas service to
25 these communities that are lagging behind in economic

1 development. And so I think that it's a reasonable thing
2 to do, to get them natural gas by having those service
3 lines included.

4 It's also -- you know, it's really similar to
5 the principle of average ratemaking. There are 20 rural
6 communities that are already on the system that pay for a
7 feeder line replacement in Salt Lake or a system
8 expansion in St. George. You know, the whole system pays
9 for upgrades and things like that, so it follows that
10 system of just average ratemaking.

11 Q. One moment, Mr. Summers, I'm just looking at
12 an exhibit. So I would like to turn to -- I would like
13 you to turn to your surrebuttal testimony. It's Exhibit
14 1.0SR.

15 A. Okay.

16 Q. In this testimony, you're responding to and
17 you're addressing the cost benefit analysis provided by
18 Professor Gavin Roberts of Weber State University which
19 was submitted on behalf of Rocky Mountain Propane
20 Association; is that correct?

21 A. That is correct.

22 Q. And in this surrebuttal testimony, you
23 state -- on page 1 at 23 and at 22, you're asked, "Why
24 didn't the Company provide a cost benefit analysis with
25 its original filing?"

1 And your answer is, "The Company brought its
2 application under Utah Code Annotated 54-17-401 and
3 54-4-25. Not surprisingly, neither statute includes
4 requirements that a cost benefit analysis for rural gas
5 infrastructure development project."

6 Is it your testimony that neither of those
7 statutes require Dominion Energy to provide any type of
8 cost or benefit analysis?

9 A. Yes, it's my testimony that -- in fact, in my
10 direct testimony, my supplemental direct testimony, I
11 listed all of their requirements brought under those
12 codes -- under that code and where we had met them.

13 If Eureka and some of these other communities
14 would have passed a normal cost benefit analysis,
15 the -- we would have already gone there to serve them,
16 and it would have been, you know, a proven decision
17 because it would have passed a normal cost benefit
18 analysis. The reason we're proposing to go to Eureka now
19 is because of the legislation that warrants us to go
20 there.

21 So if you're only looking at a cost benefit
22 analysis that's paid for by the Eureka customers for this
23 project, it wouldn't pass, and I think that -- well, we
24 knew that. Like I said, we would have gone there
25 years -- years ago if it would have passed.

1 But the legislative intent in wanting gas in
2 these rural communities and passing those costs through
3 the entire system of customers is what makes it a prudent
4 decision now.

5 **Q. So let me -- when you talk about the statute**
6 **in the legislative intent, I'm assuming that you've read**
7 **through that. Like you said, you -- you quoted that**
8 **language.**

9 So you are familiar with the legislative
10 **language. Correct?**

11 A. Yes.

12 **Q. So I think -- I think you addressed this in**
13 **your direct testimony, Exhibit 1, on page 2 of 18. It is**
14 **listed at 48.**

15 COMMISSIONER LEVAR: This is Thad LeVar. Let
16 me jump in before you continue.

17 If whoever has the dog, the barking dog is
18 not currently participating, I would ask you to put it on
19 mute. If it is one of the participants, I'll just
20 mention, it's making it difficult to hear. It sounds
21 like the problem is solved, so I will exit now. Thank
22 you.

23 BY MR. FROERER:

24 **Q. All right. Mr. Summers, pardon that**
25 **interruption.**

1 A. Not a problem.

2 Q. Are you -- are you following where I'm at in
3 your -- Exhibit 1, your direct testimony?

4 A. Yes, I am.

5 Q. Where you have summarized the requirements of
6 54-17-401. "The Commission attests whether" -- and this
7 is on line 47. "The Commission attests whether approval
8 is in the public interest, taking into consideration the
9 potential benefits to the previously unserved rural
10 areas, the potential number of new customers, natural gas
11 consumption, revenues, costs and other factors determined
12 by the Commission to be relevant."

13 And I will submit that the exact language of
14 the statute, which I believe you testified you are
15 familiar with, 54-17-402, subparagraph 2, subparagraph C,
16 "The request for approval of natural gas infrastructure
17 development shall include: The description of the
18 proposed rural gas infrastructure development project,
19 and explanation of projected benefits from the proposed
20 rural gas infrastructure development project, the
21 estimated costs of the rural gas infrastructure
22 development project, and any other information the
23 Commission requires."

24 Is it your testimony that even though this
25 statute and even though your own testimony, previous

1 testimony, identified that as a requirement of the
2 statute, Dominion Energy would require to provide an
3 analysis and an explanation of the benefits, as well as
4 the estimated costs that Dominion Energy -- the petition
5 or application would not require to provide information
6 that would allow the Commission to do a cost benefit
7 analysis.

8 A. Okay. So I think we are seeing a couple of
9 different things here, because one of those says that you
10 need to look at the benefits, and the benefits --

11 Q. Yes.

12 A. -- of bringing natural gas are covered
13 by -- well, I covered some of them and Mayor Castleton
14 covered some of them. But, you know, the benefits of us
15 going out there is, you know, that they get natural gas,
16 they get an affordable source of energy, they get a
17 reliable source of energy. They have all of those
18 things.

19 Then you're also talking about -- the other
20 things you're talking about is the cost, which Mr. Gill
21 covered. But having to fill out the benefits and having
22 to fill the cost is not the same thing as showing a cost
23 benefit analysis. Those are different.

24 Q. So when the Legislature states, "Provide an
25 explanation of benefits," and then right after that, "an

1 estimate -- the estimated costs," it is your opinion and
2 your testimony opinion that the Legislature is not
3 expecting a cost benefit analysis to take place?

4 A. That is exactly what I'm saying.

5 Q. So it would be your opinion that the project
6 should be considered regardless of the cost benefit
7 analysis, that a --

8 A. I mean, you could do it, you could do a cost
9 benefit analysis, but the weakness that I saw in the
10 analysis that was provided by our RMPA was that it
11 expected the Eureka customers to pay for the extension
12 costs.

13 And, obviously, it's not going to pass a cost
14 benefit analysis under those terms. That's why those
15 costs are being spread to existing Utah customers.

16 And if you were to look at it that way and
17 spread the cost over, you know, a million-plus customers,
18 then it starts to be a lot more feasible. It is very
19 feasible. In fact, it increases the cost for a typical
20 Utah customer by -- what was it I said in my summary
21 earlier? \$1.85 a year, which is increased by 0.27
22 percent.

23 So when you're spreading those costs through
24 the entire system, that -- that's how you have to perform
25 the cost benefit analysis.

1 Q. Now you testified earlier that you did not,
2 in your exhibits, which was the questionnaire or the
3 display boards, you didn't provide the residents and I
4 don't think you provided the Commission -- the Commission
5 with any estimates of the cost for doing any of the
6 conversion work; is that correct?

7 A. That's correct. Like I said before, each
8 home would be different, so we didn't -- we didn't try to
9 address that.

10 Q. So the statute, when it says the estimated
11 costs, is it your opinion that those costs are limited to
12 the cost of Dominion Energy's improvements?

13 A. Yeah, I believe that would be the cost of the
14 project, of the project that we are -- that we are trying
15 to do. There's -- there's only so much that the
16 Commission can be expected to regulate, so when we come
17 in and we have to show what the cost of the projects are,
18 those are the costs that we need to get rate recovery
19 for. That's the purpose of us coming in for a
20 proceeding.

21 The Commission, while I think that it is kind
22 of an extreme factor, that they need to consider that
23 these customers will have some conversion costs, they
24 have some skin in the game, it's not something that the
25 Commission needs to regulate.

1 So yes, I believe that just the Company's
2 cost are what the -- are what was expected.

3 **Q. And that's not set forth in the statute. It**
4 **just says, "The estimated cost of the rural gas**
5 **infrastructure development project." Correct? It**
6 **doesn't limit it to Dominion Energy cost?**

7 A. I believe the way that I would read it, and
8 the way that I believe everybody else has read that in
9 this docket, would be that it would be the Company's
10 cost. This is the first time that any other argument
11 that we were supposed to, by statute, show what the
12 customer's cost would be.

13 **Q. I didn't say the customer. I'm just saying**
14 **it says, "Estimated cost." Isn't it true that**
15 **you -- that your report and your application -- or your**
16 **petition, and you referred to over and over again in your**
17 **testimony, the projected benefits to the customers; isn't**
18 **that true?**

19 A. Yes, we did talk about the benefits.

20 **Q. And you testified about the benefits to the**
21 **community. Correct?**

22 A. That's correct.

23 **Q. But you -- you're now testifying that you**
24 **don't have to provide any of the costs to the community**
25 **or to the customers; is that true?**

1 A. Repeat that question.

2 Q. So while you -- you provided testimony
3 regarding the projected benefits to the community and the
4 individual potential customers, your testimony is that
5 you are not required to provide the costs to the
6 community or to the potential customers; is that right?

7 A. Yeah, I -- it's my testimony that we -- that
8 the Company has the burden of showing what the costs will
9 be.

10 In fact, I'm looking at Rule 54-17-203, sub
11 4, it says, "In the decision relating to request for
12 approval of rural gas infrastructure development, the
13 Commission may determine that spreading all or a portion
14 of the costs of the rural gas infrastructure development
15 to the larger customer base is in the public interest."

16 So it didn't say that -- it is very specific
17 there, that it is the cost of the rural gas
18 infrastructure development. It is not the cost that the
19 community will be paying.

20 Q. Well, we can disagree on what that says and
21 the applicability of the rule. But the bottom line is,
22 in your -- in Dominion Energy's application, they go into
23 great lengths discussing the projected benefits, the
24 projected -- the woe to the community; is that right?

25 MS. CLARK: This is Jenniffer Clark. I'm

1 going to assert an objection that we are moving from
2 cross-examination into argument, and, in fact, even legal
3 argument. And I would object to the question on that
4 basis.

5 COMMISSIONER LEVAR: This is Thad LeVar.
6 Mr. Froerer, do you want to respond to the objection?

7 MR. FROERER: Yes, I do. I didn't ask him
8 about legal analysis. He is volunteering a lot of legal
9 analysis. What I'm asking about is how Dominion Energy
10 treated the obligations that he testified to under the
11 statute.

12 On the one hand, he has testified over and
13 over again about the projected benefits, and they focused
14 on the community and the customer and those types of
15 things. They are not focusing on the profit line. They
16 are not focusing on the benefit to Dominion Energy.

17 Yet, when it comes to the cost, they want to
18 isolate their analysis of the costs and what they need to
19 provide to the Commission strictly to cost for Dominion
20 Energy -- to Dominion Energy.

21 And I do plan to assert check that this
22 statute does require a cost benefit analysis based upon
23 the entire project, and I'm trying to establish whether
24 or not Mr. Summers and Dominion Energy, to what extent
25 that they did that and the inconsistency in which they

1 are providing the Commission with the community benefit,
2 but they are not providing any estimates of the cost to
3 the community. That -- that's the line of questioning.

4 COMMISSIONER LEVAR: Okay. Thank you, Mr.
5 Froerer.

6 This is Thad LeVar. I'm going to rule that
7 while the question does have some combination of
8 statutory interpretation and description of Dominion's
9 application, in my opinion, Mr. Summers has opened the
10 door to that statutory interpretation element to the
11 question, so I will overrule the objection on that
12 ground.

13 However, I'm going to note that we are
14 treading into asked and answered territory. I think the
15 question has primarily already been asked and answered,
16 so I will just ask Mr. Froerer and Mr. Summers to address
17 this question and continue moving forward. Thank you.

18 MR. FROERER: If the Commission feels like it
19 has been asked and answered, I can move on. So...

20 COMMISSIONER LEVAR: Well, why don't -- I
21 will ask Mr. Summers to give an answer to this question,
22 and then you can continue moving on with your
23 questioning.

24 MR. FROERER: Okay.

25 BY MR. FROERER:

1 Q. Mr. Summers, would you like me to restate the
2 question?

3 A. Please.

4 Q. So is it your opinion that in complying with
5 the statute, and I will just -- I will try to make this
6 very simple. Is it your opinion in complying with this
7 statute that when it says the -- that you are to provide
8 the estimated cost to the project, you do not need
9 provide an estimate of cost, such as environmental
10 impacts or conversion impacts or cost to the community
11 such as job losses; is that your opinion?

12 A. It is my opinion that we need to show the
13 cost of the project that will be included in the rate
14 recovery, and then we also have the benefit -- or the
15 obligation to show the benefits of the -- of the project
16 to the community.

17 If there's other things such as, you know,
18 job losses or cons, I guess, to the project, those are
19 generally addressed by parties through testimony.

20 Q. Okay. But just to be clear, it is your
21 testimony that this statute requires you to provide the
22 benefits to the community but only the costs to Dominion
23 Energy; is that correct?

24 A. That is correct.

25 Q. Okay. Thank you for that clarification.

1 **So earlier, you testified that in your**
2 **surrebuttal, one of the problems you had with**
3 **Mr. Professor Robert's cost benefit analysis is that it**
4 **assumes Eureka customers will pay for the service line**
5 **cost; is that correct?**

6 A. No, I think that the flaw is that it assumes
7 that they pay for any of the infrastructure cost, for the
8 main line extension, high-pressure main extension, the
9 intermediate high-pressure main that goes through the
10 city and the service lines, none of those costs will be
11 paid for only by Eureka customers. They will contribute
12 to them, but they will be spread through the entire Utah
13 customers.

14 **Q. Do you have a specific point in that report**
15 **that you are relying upon, that indicates that it -- that**
16 **a cost benefit analysis is based upon that assumption?**

17 A. The thing that I -- that I saw was that they
18 were including the entire cost of the main extension,
19 that it was -- you know, if you are trying to add some
20 kind of cost in there that the Eureka revenue would
21 cover, that's -- that's not an appropriate analysis.
22 Because the Eureka customers are not the only customers
23 that are paying for that.

24 **Q. Is there anything in this report that**
25 **indicates that the Eureka customers will be the only**

1 customers paying for that, that that was assumed, that
2 the Eureka customers would only be paying for that?

3 A. I was never given the Excel model or anything
4 that showed it, but the way that it was written, they
5 were including the cost, the entire cost of the project,
6 and only assuming the revenue from the Eureka customers.

7 Q. So when you review -- when you are reviewing
8 this report, are you -- is it based upon the assumptions
9 that this cost benefit analysis is specifically just the
10 cost benefit to the Eureka customers?

11 A. Yes.

12 Q. Where it takes into account the total cost,
13 isn't it more appropriate to treat this as a cost benefit
14 analysis to all Dominion customers, including those
15 outside of Eureka who will be partially paying for
16 these -- or, well, will be paying for these as a group?

17 A. I am not sure I understand your question.
18 I -- well for starters, I don't think that we need to do
19 a cost benefit analysis. We have already talked to that
20 ad nauseam.

21 Q. I agree. I agree.

22 A. But if you were to do -- if you are looking
23 at whether or not it's a benefit to the Eureka customers,
24 and I think that the argument that the cost benefit
25 analysis makes is that this is too much of an expense to

1 incur, to get the small amount of revenue from the Eureka
2 customers, yeah, that's why the Legislature didn't
3 require a cost benefit analysis because it simply
4 wouldn't pass if you had the Eureka -- if it was just the
5 Eureka system.

6 But when you're -- you know, you're spreading
7 those costs out, it makes it so that you can get to
8 Eureka, and still probably wouldn't pass a normal cost
9 benefit analysis but it passes the legislation intent of
10 getting natural gas to rural communities.

11 **Q. So the Public Service Commission, it's**
12 **looking out for all of Dominion Energy customers. Right?**

13 A. That's right.

14 **Q. Including the ones who do not live in Eureka;**
15 **is that correct?**

16 A. That's correct.

17 **Q. And that would include all the customers that**
18 **are going to have to subsidize the -- this expansion**
19 **through a rate increase or fee increase; is that right?**

20 A. That's correct. Yeah, and that's the
21 Commission responsibility, as well as the Office of
22 Consumer Services. I know that they have been -- they
23 have concerns about that as well. That's why I think the
24 legislation, as it was written, has caps on how much can
25 be spent and how much the bill can increase for

1 those -- those other customers.

2 Q. But it is your testimony that the statute,
3 the legislator -- the Legislature and this Commission did
4 not require Dominion Energy to do any kind of cost
5 benefit analysis regarding the impact that these rate
6 increases would have on all of Dominion Energy's
7 customers versus the benefits that will be obtained for
8 just the Eureka customers. That's not something the
9 Commission should consider?

10 A. I think it is something that the Commission
11 should consider. They should consider -- you know, as I
12 mentioned before, that the typical customer is going to
13 see about \$1.85 per year increase. That's something that
14 they need to consider, and that's why we provided it.

15 They also need to consider, you know, what
16 benefits will there be. Are there -- are there
17 businesses on the way to Eureka that could benefit from
18 this natural gas line? Are there -- you know, are there
19 commercial or industrial customers that would want to use
20 this?

21 Those are all definitely things that the
22 Commission should consider. I just don't think that they
23 should -- that a traditional analysis of a cost benefit
24 is appropriate here.

25 Q. And fair enough, and we have beat that dog up

1 quite a bit. Let me ask you just a couple more questions
2 and then I will be done.

3 Do you -- has Dominion Energy -- are you
4 aware of any commitments that any businesses have made to
5 Eureka or Dominion Energy to move in or expand into
6 Eureka if the -- if this expansion goes through?

7 A. We have been in discussions with an
8 industrial customer that is interested in natural gas,
9 that is -- that would benefit from this line, which I
10 can't divulge too much information on that because it
11 is --

12 Q. That is fine. Let me just -- let me just ask
13 this: Are they already in Eureka?

14 A. They are -- yes, they are an existing
15 customer, an existing operation.

16 Q. Okay. So this -- so this would not be an
17 expansion of business. This would be, essentially,
18 existing business switching from propane or electricity
19 to Dominion Energy; is that correct?

20 A. No, this was a this was a sizable -- a
21 sizable increase in their operations, in this company's
22 operations. And in addition to that, you've got
23 the -- this line would pass right through the Elberta
24 Mega Site that has been proposed by the Utah EDCU.

25 So there are a lot of business opportunities

1 in that part of -- in that part of the state that natural
2 gas would be a benefit.

3 Q. That brings me to my final line of
4 questioning. This Elberta Mega Site, did -- does that
5 factor into the -- how do I say this? -- where Dominion
6 Energy has plotted or proposed to put this new line, is
7 that potential business opportunity to service the
8 Elberta Mega Site factor in?

9 A. Yes.

10 Q. Were there less expensive options that bypass
11 the Elberta Mega Site?

12 A. That might be a better question for Mr. Gill.
13 I will let you ask Mr. Gill that question.

14 Q. Well, are you aware of any less expensive
15 extension options that bypass the Elberta Mega Site?

16 A. Yes, I am aware that was a less expensive
17 option, but it wouldn't have had the same benefit as what
18 this -- the proposed route has.

19 Q. And that's because it wouldn't be able to
20 take advantage of servicing the growth potential in the
21 Elberta Mega Site; is that right?

22 A. Yes, the Elberta Mega Site, as well as the
23 city of Elberta and Goshen that are right out there. I
24 think that they both benefit from that. Again, you might
25 get a more -- a more thorough answer from Mr. Gill.

1 **Q. Fair enough, fair enough. But it appears**
2 **that your testimony is that, essentially, this expansion**
3 **line will also feed a significant commercial development**
4 **along its path in the Elberta Mega Site; is that correct?**

5 A. That's correct.

6 **Q. And Dominion Energy expects to sign up**
7 **several new industrial and commercial customers from that**
8 **project; is that correct?**

9 A. Well, I think that's the long-term hope. I
10 think that everybody wants to see economic growth from
11 this. That was the legislative intent was to have, you
12 know, economic growth and provide energy sources to
13 people who -- who don't have it.

14 So not just residences but it's also
15 businesses. And who -- who is going to sign up? I don't
16 know. I wish I did.

17 **Q. And all the customers, all the state's**
18 **customers, all Dominion -- well, not the state's, all the**
19 **Dominion Energy customers would be subsidizing not just**
20 **the expansion to Eureka but they would be subsidizing the**
21 **expansion into the Elberta Mega Site; is that correct?**

22 A. Yeah, that is correct. Which, again, is what
23 the whole point of this is, is to encourage economic
24 growth by getting energy to these to those places.

25 So yes, that's accurate.

1 **Q. Okay. Thank you, Mr. Summers. I have no**
2 **further questions.**

3 COMMISSIONER LEVAR: Thank you, Mr. Froerer.

4 This is Thad LeVar. I think what we will do
5 is take a short recess then, and then return for any
6 direct from Dominion Energy for Mr. Summers.

7 So why don't we take a recess right now and
8 reconvene in ten minutes. Thank you.

9 (Whereupon, a break was taken.)

10 COMMISSIONER LEVAR: We are back on the
11 record in Docket 19-57-31 with the Public Service
12 Commission.

13 And we will go to Ms. Clark, if you have any
14 redirect for Mr. Summers.

15 MS. CLARK: I do, just a few. Thank you.

16 REDIRECT EXAMINATION

17 BY MS. CLARK:

18 **Q. Mr. Summers, do you recall Mr. Froerer asking**
19 **you questions about how the Company concluded there were**
20 **as many as 360 customers in the town of Eureka? Do you**
21 **remember having that discussion.**

22 A. I do.

23 **Q. And I believe that you testified that the**
24 **City of Eureka had provided the Company with data related**
25 **to water customers; is that correct?**

1 A. That's correct.

2 Q. Did the Company take any steps to verify that
3 information independent of what the city provided?

4 A. Yes, the Company's engineers did look at
5 individual residences, counted those and got its own
6 estimates.

7 Q. Mr. Summers, there was also some discussion
8 between you and Mr. Froerer about economic development in
9 the community and industrial customers. Do you recall
10 that discussion?

11 A. Yes.

12 Q. And I believe that you testified that the
13 city provided you with some information about economic
14 development opportunities; is that correct?

15 A. Yes.

16 Q. And did the Company take any step to
17 independently verify the information provided to the city
18 about economic development in the area?

19 A. Yes, the Company has its key account group
20 that's constantly talking with customers. In fact, the
21 Company has one of its employees sit on the board of
22 EDCU, the economic development group that goes out there.

23 So the Company has had its own discussions
24 and has verified this information that it got from
25 Eureka.

1 Q. Mr. Summers, do you recall responding to
2 questions about whether or not furnaces, in particular,
3 can be converted from propane to natural gas?

4 A. Yes.

5 Q. And you indicated that you had interfaced
6 with some experts within the Company on that subject;
7 isn't that correct?

8 A. That's correct.

9 Q. Mr. Summers, are you aware that the Company
10 had expanded to other rural communities under other
11 statutory and regulatory constructs in the past?

12 A. Yes, I am. The Company has expanded into
13 several areas. It expanded into Southern Utah back in
14 the early '90s using the GSS program, the GSS rate. That
15 also has expanded into some smaller communities using the
16 expansion area charge. And under both of those programs,
17 the GSS and the EAC, customers were still responsible for
18 their conversion costs.

19 And they were also -- in addition to those
20 conversion costs, they were also responsible for paying
21 for a portion of the system to expand to them. So they
22 had to pay for their main lines over a course of -- over
23 a period of time, they had to pay for their service
24 lines.

25 The key thing, though, is that in each of

1 those communities, customers were responsive and
2 customers have converted. If you were to drive through
3 any of those communities now, even with the extra cost,
4 their conversion cost plus the cost of the
5 infrastructure, every one of those communities is totally
6 on natural gas now. The -- they have all been able to
7 overcome those conversion costs.

8 Q. And as part of those conversion costs, is it
9 your understanding that furnaces within those communities
10 were converted from propane to natural gas users?

11 A. Yes.

12 Q. I don't have any additional questions -- oh,
13 I do have one more question.

14 MS. CLARK: I apologize, Commissioners.

15 BY MS. CLARK:

16 Q. My last question is this, Mr. Summers. There
17 were -- do you recall -- well, let me say it this way.
18 Do you recall being asked about some of the industrial
19 customers and even the Mega Site down there?

20 A. Yes.

21 Q. And do you recall the discussion about
22 whether serving those entities would be subsidized by the
23 entire customer base?

24 A. Yes.

25 Q. Mr. Summers, is it your understanding that

1 the facilities in this application has been sized to
2 serve the community of Eureka?

3 A. They have been sized to serve the community
4 of Eureka, as well as a little buffer for extra growth.

5 Q. And from a rate's perspective, from a cost
6 recovery perspective, and a tariff perspective, what
7 would happen if one of these industrial customers or even
8 the Mega Site required upsizing to those facilities for
9 additional facilities to be built?

10 A. If there was a facility that came in that was
11 going to take a large portion of this, of the capacity,
12 that customer would be charged for upsizing sufficient to
13 meet their needs so that the community this was built for
14 would still be able to have that.

15 Q. I don't have any further questions. Thank
16 you.

17 COMMISSIONER LEVAR: This is Thad LeVar.
18 Thank you, Ms. Clark.

19 Mr. Moore, I don't think any of those
20 questions related to your cross-examination, but do you
21 have any redirect -- or sorry, recross questions?

22 MR. MOORE: No recross. Thank you.

23 COMMISSIONER LEVAR: Okay. Thank you.

24 Mr. Froerer, any recross from you?

25 MR. FROERER: No recross from me. Thank you.

1 COMMISSIONER LEVAR: Okay. Thank you, Mr.
2 Froerer.

3 Commissioner Allen, do you have any questions
4 for Mr. Summers?

5 COMMISSIONER ALLEN: I have a few questions.
6 Thank you.

7 And just confirming -- thank you,
8 Commissioner LeVar.

9 EXAMINATION

10 BY COMMISSIONER ALLEN:

11 Q. Confirming, this is Commissioner Allen. I
12 have some questions for you, Mr. Summers. I want to be
13 certain that I understand spending limitations on rural
14 infrastructure development.

15 And so in reading -- I noticed that we have a
16 tech conference held on January 21st of this year. And I
17 see on pages 12 and 13 of the presentation, that the
18 Commission has what appears to be a cap on spending for
19 infrastructure development like the one we are
20 considering today; is that correct?

21 A. That is correct.

22 Q. And it appears that cost cannot exceed a
23 percentage, and I won't reveal that percentage. I
24 believe that was confidential. But they cannot exceed a
25 percentage of base distribution on gas revenue

1 requirements in, I believe, a three-year period and
2 there's an aggregate cap that that appears to accrue over
3 five years.

4 Did I understand that correctly?

5 A. That is correct.

6 Q. Okay. Good. So I guess I'm not -- then I
7 realize that considering this possible future rural
8 development project, the Commission must always be aware
9 of any applicable ceiling.

10 And since the cap is based on a percentage of
11 ongoing revenue requirement, the actual dollar amount
12 will change going forward; is that correct?

13 A. Yeah, the -- so it will update every general
14 rate case, and I actually addressed this more in my
15 supplemental direct testimony. So that was DEU Exhibit
16 1.0S, and it is on page 9, starting on line 232.

17 Q. Okay. I was going to say thanks for that
18 reference.

19 A. Oh, yeah. So we are currently -- we
20 are -- we are under our spending cap for the -- both
21 the -- on the 2 percent cap, and we haven't had to do
22 anything for the 5 percent cap because this was our first
23 project.

24 So we do show, you know, where we stand right
25 now, and that will change with every time there's a

1 general rate case, that distribution non gas amount will
2 change, but the numbers that are in my supplemental
3 direct are updated with the -- with the numbers from the
4 most recent general rate case that just went into effect
5 March of this year.

6 Q. Okay. Great. I believe you answered my next
7 question. I just wanted to confirm this project is
8 still -- still has -- projected of the costs below the
9 existing spend limits. And that's correct? Did I
10 understand that correctly?

11 A. Yes, that's correct.

12 Q. Okay. So then what I would anticipate, if I
13 understand this correctly, is going forward, any new
14 application going forward, that the Company is going to
15 be providing updated allowance -- allowed spending limits
16 so the Commission will always be aware of any ceiling and
17 what the aggregate limit is; is that correct? For any
18 new case?

19 A. That is absolute -- that is absolutely
20 correct. That would definitely be our plan for any
21 upcoming application.

22 Q. Okay. You answered my questions. Thanks
23 very much.

24 COMMISSIONER LEVAR: This is Thad LeVar.
25 Thank you, Commissioner Allen.

1 Commissioner Clark, do you have any questions
2 for Mr. Summers?

3 COMMISSIONER CLARK: Yes, thank you, just a
4 couple.

5 EXAMINATION

6 BY COMMISSIONER CLARK:

7 Q. Good morning, Mr. Summers.

8 A. Good morning.

9 Q. So that we have it in close proximity to this
10 discussion you have been having with Commissioner Allen,
11 could you remind us what the build-out times are for the
12 HP and IHP lines? So at what point in time would they be
13 completed?

14 And I guess I'm interesting in that, both
15 with or without the track, because I recognize that the
16 potential existence of a tracker mechanism, you know,
17 affects that answer.

18 A. Yes, the -- I can speak to that. I'm going
19 to possibly have you ask that question of Mike Gill as
20 well, if I don't answer that well enough.

21 But the Company's current plans would be to
22 start construction as soon as we possibly can, but
23 everything would go into service in 20- -- at the
24 end -- toward the end of 2021.

25 So if we got a -- that would be if we were

1 doing this with an infrastructure track -- or with a
2 tracker program. If everything -- if we didn't have a
3 tracker, we would delay the construction so that it would
4 went into -- so we could include the rate base in our
5 next general rate case, which will be filed -- we were
6 looking at May 2022 is when we would file that. So we
7 would have that being included in the test period of
8 2022.

9 So it would probably be a delay of around a
10 year.

11 **Q. So you'd complete it during the test year**
12 **then?**

13 A. That's right.

14 **Q. Okay. Thanks very much. And just, could you**
15 **comment on -- maybe this is also for your other witness,**
16 **but I'm interested in how long it takes to complete the**
17 **individual service lines for the individual customers.**
18 **And assuming that there's a large enrollment percentage**
19 **in relation to the total population, if that's a -- if**
20 **that time frame extends -- or how much of that time frame**
21 **for completion of the individual surface lines extends**
22 **the availability date of service for customers?**

23 A. And I'm going to let Mr. Gill answer that one
24 too. I think that would be -- I might be guessing if I
25 answered it, so...

1 **Q. At least he knows it's coming now, so thank**
2 **you very much. That concludes my questions.**

3 COMMISSIONER LEVAR: This is Thad LeVar.
4 Thank you, Commissioner Clark.

5 Mr. Summers, I don't have any additional
6 questions, so thank you for your testimony today.

7 THE WITNESS: Thank you.

8 COMMISSIONER LEVAR: And with that, I will go
9 back to Ms. Clark for your next witnesses.

10 MR. SABIN: The Company calls Mayor Nick
11 Castleton as our next witness.

12 COMMISSIONER LEVAR: Okay. Thank you,
13 Mr. Sabin.

14 Mr. Castleton, are you on the line?

15 MR. CASTLETON: Yes, I am on the line.

16 COMMISSIONER LEVAR: Okay. Do you swear to
17 tell the truth?

18 MR. CASTLETON: I do.

19 COMMISSIONER LEVAR: Okay. Thank you,
20 Mr. Castleton.

21 Mr. Sabin, you can go forward.

22 MR. SABIN: Thank you very much.

23 DIRECT EXAMINATION

24 BY MR. SABIN:

25 **Q. Mr. Castleton, can you state your full name**

1 for the record?

2 A. Nick Castleton.

3 Q. And, Mayor Castleton, you are the mayor of
4 Eureka?

5 A. Yes, that is correct.

6 Q. Could you just give a brief summary of your
7 what your duties are as mayor of Eureka?

8 A. Just, it's a little mining town, so I do
9 almost everything. I've been known to plow snow and for
10 economic development and anything in between.

11 Q. Okay. And, Mayor Castleton, you have
12 submitted testimony in this proceeding; is that correct?

13 A. That is correct.

14 Q. And for the record, your direct testimony is
15 listed as DEU Exhibit 3.0, and you have three exhibits
16 attached to that testimony, DEU Exhibits 3.01 through
17 3.03.

18 Did you prepare that testimony and those
19 exhibits for submission in this matter?

20 A. Yes, I did.

21 Q. Mayor Castleton, do you have any corrections
22 to either your testimony or any of the three exhibits?

23 A. No.

24 MR. SABIN: We would move for the admission
25 of DEU Exhibits 3.0 and then 3.01 through 3.03.

1 COMMISSIONER LEVAR: Thank you, Mr. Sabin.
2 This is Thad LeVar. If any party objects to that motion,
3 please -- please unmute your phone and state your
4 objection.

5 I'm not hearing any objection, so the motion
6 is granted. Thank you.

7 MR. SABIN: Thank you very much.

8 BY MR. SABIN:

9 **Q. Mayor Castleton, have you prepared a summary**
10 **of your testimony that you submitted in this matter?**

11 A. Yes, I have.

12 **Q. Would you please at this time share that**
13 **summary with the Commission?**

14 A. As mayor of a small community, I have many
15 responsibilities, but one of the most challenging
16 responsibilities I have and one that I take very
17 seriously is my duty to help further the economic growth
18 and strength for Eureka. Also, I want what is best for
19 my neighbors and my community.

20 In my view, for Eureka to have a serious
21 chance at economic growth and prosperity, we need natural
22 gas. Natural gas is required for real industry to come
23 back into Eureka, and natural gas will bring cost
24 savings, reliable energy and long-term stability to the
25 community.

1 When Dominion approached me about the
2 possibility of bringing natural gas to Eureka under new
3 legislation, I was really thrilled and offered to help in
4 whatever way I could. If natural gas is brought to
5 Eureka, I have no doubt that it will benefit my
6 constituents and be key to attracting businesses to
7 locate and operate in Eureka.

8 I recognize that there are upfront costs in
9 converting Eureka residents and businesses to natural
10 gas. Eureka residents are well aware of that, and it has
11 been a subject of discussion in the community. Dominion
12 Energy held open houses that were very informative and
13 that specifically discussed the fact that upfront costs
14 will have to be paid to convert the community to natural
15 gas.

16 I helped get six county associations of
17 government to the open houses, and they discussed
18 financing and weatherization options with those who
19 attended the open houses.

20 I think every step that could reasonably be
21 taken to inform the residents has been taken. I also
22 believe the steps have been taken, and will continue to
23 be taken, to encourage conversion and maximize
24 participation in conversion if the extension of natural
25 gas to Eureka is approved.

1 Safety is also a top priority for the city
2 and the residents of the Eureka. Earlier this year, I
3 met with the regional manager from Dominion Energy, along
4 with our city inspector. We discussed the procedures
5 that would need to be followed to make sure the homes are
6 ready for natural gas. Based on that discussion and the
7 nature of the procedures that would be followed, I'm very
8 confident that Dominion's existing procedures will ensure
9 that Eureka is safely converted to natural gas.

10 I speak for most people in Eureka when I say
11 I'm excited for natural gas to come to our community.
12 Even with conversion costs, over time, the switch to
13 natural gas will save our community money and will offer
14 commercial and industrial growth opportunities to
15 potential businesses that need natural gas.

16 That concludes my summary.

17 **Q. Thank you very much, Mayor Castleton.**

18 MR. SABIN: Mayor Castleton is now available
19 for cross-examination.

20 COMMISSIONER LEVAR: Thank you. This is Thad
21 LeVar.

22 Ms. Schmid, do you have any questions for
23 Mayor Castleton?

24 MS. SCHMID: No, thank you.

25 COMMISSIONER LEVAR: Okay. Thank you.

1 Mr. Moore, do you have any questions for this
2 witness.

3 MR. MOORE: No questions, thank you.

4 COMMISSIONER LEVAR: Okay. Thank you.

5 Mr. Froerer, do you have any questions for
6 this witness?

7 MR. FROERER: Yes, I do. Thank you.

8 COMMISSIONER LEVAR: Okay. Go ahead.

9 CROSS-EXAMINATION

10 BY MR. FROERER:

11 **Q. Mr. Castleton, good morning.**

12 A. Good morning.

13 **Q. Let me draw your attention to Exhibit 3.0,**
14 **which is your testimony. I'm on page 2 of 6 at line 35.**
15 **Let me give you a moment and make sure you have a chance**
16 **to get to that spot.**

17 A. Okay. I don't have mine numbered, but -- I'm
18 in the same area, so go ahead and I will locate where we
19 are.

20 **Q. Okay. Your -- the question, "Is there**
21 **potential for industrial or commercial growth in Eureka?"**

22 **Do you see that line?**

23 A. Yes, I do.

24 **Q. And your answer on line 36 is, "Yes, there**
25 **are two mines in the area and discussions have been**

1 ongoing about those mines opening and beginning
2 operations."

3 How long have those mines been inactive?

4 A. Oh, they have both been inactive since about
5 1985 -- 1984, 1985, right in there.

6 Q. What is the nature of the ongoing discussions
7 to open those mines?

8 A. Well, the Trixie is technically open. We had
9 an open house two weeks ago and they are doing
10 exploratory. They have maps. They have done some
11 drilling from the surface. And right now, they are
12 working underground with more exploration.

13 The Mammoth mine on the other side of the
14 hill is just, kind of, ongoing, doing a lot of
15 exploration. They have been doing some -- HPX is the
16 company that has been in here. They do a sonar-type of
17 an exploration underground to locate ore bodies.

18 So both sides of the mountain are being
19 explored right now and getting right down to the
20 nitty-gritty, looking like they should be in production
21 within two or three years.

22 Q. Have there been tasked explorations of both
23 these mines prior to this most recent activity?

24 A. Oh, yeah, there's been exploration going on
25 in the area since 1869. You know, whatever the most

1 up-to-date procedures are, they have been doing them ever
2 since they first found ore here.

3 **Q. But in these two mines specifically, has**
4 **there been explorations into reopening these mines since**
5 **they were closed back in the '80s?**

6 A. The Mammoth mine has been doing a lot of
7 exploration for several years. And the Trixie, the Chief
8 Consolidated Mining Company and digging minerals has just
9 been active within the last six to eight months.

10 **Q. Do you have any written confirmation from**
11 **either of these companies that the exploration, the**
12 **preliminary exploration, have indicated it will be**
13 **feasible to open these mines?**

14 A. I don't have anything right here with me, but
15 I have been to their open house and the things they are
16 showing are quite promising.

17 **Q. At their open house, were they seeking**
18 **support from the community?**

19 A. I don't know that you would say they were
20 seeking support. They were just trying to let the
21 community know where they stand, and let them know that
22 it looks like, within the next few years, they should be
23 able to -- some of their families should be able to move
24 back into town and mine here.

25 Several -- several mining families are

1 located in the -- in Nevada and Arizona, New Mexico right
2 now, and they are just kind of giving them some
3 encouragement that it's looking good, that the opening
4 and have mining going here in Eureka soon.

5 **Q. You stated also at line 37, "Those mines**
6 **would use natural gas for their mining operations."**

7 **I didn't see anything attached, any exhibits**
8 **attached showing that a mine would prefer natural gas**
9 **over propane.**

10 **Did I miss something? Is there some**
11 **attachment that you provided in this case or for that?**

12 **A. I didn't -- I didn't put in the attachments**
13 **because I know that Dominion Energy has been in contact**
14 **with the mines themselves, and so I figured they are the**
15 **ones that would know where it was.**

16 **But absolutely, they want to do natural gas.**

17 **Q. What did you talk to that told you they**
18 **wanted to do natural gas?**

19 **A. Doug Meadow is the president. He is out of**
20 **New York. And I'm in conversation with him almost every**
21 **three or four days.**

22 **Q. Did he tell you that the mines would reopen**
23 **if natural gas came to Eureka?**

24 **A. He told me that the mines are going to reopen**
25 **regardless, but that if it had natural gas, it would make**

1 it much easier and much more profitable. It would solve
2 a lot of their problems.

3 **Q. Is there anything in writing or any**
4 **documentation supporting this?**

5 A. No, there -- this is just discussion, and we
6 are just trying to get working and do what we can to help
7 them move along, move forward.

8 **Q. At line 42, you were asked, "Does the city**
9 **have interest from commercial developments in the past?"**

10 **And your answer is, "Yes, I'm aware of, at**
11 **least, one manufacturer that was interested in operating**
12 **in Eureka but could not run a profitable business with**
13 **access only to propane."**

14 **Who is that manufacturer?**

15 A. I didn't ever get the name. It was from our
16 economic development person in Juab County. Brent
17 Boswell was the one that referred them up to me, and he
18 said there was room available, and when we started
19 discussion, he says, "Do I have natural gas?"

20 And I said, "No, we don't have natural gas in
21 the area."

22 And he said, "Well, that concludes our
23 discussion then because I have to have natural gas."

24 And then -- and that was the end of it. So
25 I -- he never did -- revealed they're looking for other

1 properties in the area and they play it pretty close to
2 vest until they get the property and get everything ready
3 to go.

4 **Q. So that was very early on in their potential**
5 **interest in Eureka?**

6 A. Oh, yeah, they were just kind of putting out
7 feelers around and saying, "Can we -- could we -- if
8 everything fell into place, could we do it?"

9 And as soon as he started questioning me,
10 that was one of his early questions, and that just
11 stopped it right there. He didn't -- it didn't go any
12 farther.

13 **Q. But you have nothing to verify that they had**
14 **selected Eureka and -- but for the lack of natural gas,**
15 **they went someplace else?**

16 A. Well, all I have is the discussion I had with
17 him, and it was, "What can we do? How much property do
18 you have?"

19 You know, they ask a few little questions
20 like that. "Is there water, sewer available?"

21 "Yeah."

22 "Is there natural gas?"

23 "No."

24 "Okay. Thanks."

25 And that was the end of the discussion, so I

1 don't know.

2 **Q. Very preliminary then; is that correct?**

3 A. Very, very preliminary. But if you don't get
4 past the preliminary, you can't get to the final stages
5 either.

6 **Q. So you have provided -- hold on a second.**
7 **You provided some cost estimates as to line 60 through 67**
8 **regarding how much propane costs in the winter months.**

9 A. Right.

10 **Q. You also testified that you personally used**
11 **firewood to heat your home; is that correct?**

12 A. That's correct.

13 **Q. So you don't -- you don't -- you don't use**
14 **propane?**

15 A. I use propane, but -- yes, I use propane, but
16 I supplement it with firewood because I have a hard time
17 affording propane.

18 **Q. So you have a propane tank, do you?**

19 A. Yes, I do.

20 **Q. Do you pay 5- to \$700 a month when you**
21 **purchase --**

22 A. I don't because I supplement with firewood.
23 I used six cords of firewood last year, which is 13
24 million BTUs per a cord of firewood, and so a total cost,
25 if we were to buy that in propane, would have been 5- to

1 \$700.

2 **Q. Do you buy your propane when it is the most**
3 **expensive time to buy it, like during the winter?**

4 A. No, I always fill it in the middle of the
5 summer, and then I -- like I said, I supplement with
6 wood, and I try do the best I can to not have to fill it
7 until the next summer.

8 **Q. So when you say that it would cost 5- to \$700**
9 **per month in cold winter months, that's only if you are**
10 **buying it during the cold winter months and not buying it**
11 **during the summer months; is that correct?**

12 A. Yeah, that's correct because I only have a
13 250 gallon tank. Because of my property, I can -- that
14 is the largest tank I can legally have here at my house.
15 So I would be set stuck with buying the propane every
16 month or every three weeks even sometimes. In a really
17 cold month, I would have to fill it more than once a
18 month.

19 **Q. Have you ever paid 500 to \$700 in a month for**
20 **propane?**

21 A. Yes, I have.

22 **Q. And when was that?**

23 A. I paid about \$500. I filled it twice a
24 couple of times, and that come to about \$300 every time I
25 fill it, when I'm filling it at the expensive time of the

1 year.

2 Q. So when you state that it's 500 to 700 a
3 month in cold winter months, that's not 500 to \$700 for
4 12 months. That's for a couple -- one or two months?

5 A. Yeah, that would be December, January, maybe
6 February.

7 Q. Okay.

8 A. Just kind of depends, because it seems like
9 the colder the winter is, obviously, the more I would
10 use, and propane goes up in cost depending on how much is
11 being used. And so if -- the colder the winter is, the
12 more expensive the propane is, the more I use. So yeah,
13 it's really hard to budget.

14 Q. Well, wouldn't that be the same with natural
15 gas? The colder it is, the more natural gas you are
16 going to use and the more your bill will go up?

17 A. Except that I have a contract with the
18 natural gas that tells me X number of dollars per gallon,
19 and that doesn't change all winter. And with propane, I
20 call them and tell them I need to fill the tank, and, oh,
21 how much is it going to cost me this time? And it might
22 fluctuate 30, 40, 50 cents a gallon.

23 Q. That is correct, but the more you use, even
24 if it is natural gas, the more you are going to have the
25 buy of the natural gas. The rate may stay the same, but

1 **you would have to purchase more; is that right?**

2 A. Oh, yeah, of course. But if I have
3 two -- two moving targets instead of one, it is harder
4 to -- or harder to budget it in to my budget. With
5 propane, I have two.

6 **Q. So that -- sorry, go ahead.**

7 A. I said with propane, I have two moving
8 targets. One is how cold it gets and how much I'm
9 burning, and the other is how much per gallon it is going
10 to cost me if. I have natural gas, then I know how much
11 a gallon of natural gas is going to cost me. All I don't
12 know is how much I'm going to use for the month.

13 **Q. Have you received a cost estimate for how**
14 **much it will cost you to retire your propane gas tank,**
15 **your propane tank?**

16 A. How much it is going to cost me to retire it?

17 **Q. Yes.**

18 A. It won't cost me anything.

19 **Q. Why? Why do you believe that?**

20 A. I lease my propane tank from the propane
21 provider. And if I don't pay my lease, he comes and gets
22 it.

23 **Q. Okay. So you don't own your tank?**

24 A. No.

25 **Q. Okay. So down on --**

1 A. Now --

2 **Q. Go ahead, sorry.**

3 A. There are people here who own their own tank,
4 and I got online yesterday and looked it up, and anyone
5 who owns a tank, depending on how big it is, there is a
6 market out there and they would sell it. They bought it
7 on the market, they can turn around and sell it.

8 So it couldn't cost anything to get rid of
9 any of the tanks. Those that own the tank would,
10 obviously, make a little bit of money off of it,
11 actually.

12 **Q. But you don't know that for certain. You**
13 **don't know --**

14 A. I absolutely do. Oh, yeah, I do. I -- if I
15 had 1,000 gallon propane tank here, sitting in my front
16 yard and put it on eBay, I could sell it within three or
17 four days. I can sell it from anywhere from 500 to
18 \$3,000.

19 **Q. But that takes -- but profit takes into**
20 **account how much you paid for the original tank; is that**
21 **right?**

22 A. Right. So if I paid --

23 **Q. So are you saying it's your testimony that a**
24 **person can buy a brand new tank and then sell it for more**
25 **money after they've used it?**

1 A. No. My point is if I buy the tank and it
2 saves me some money over the years and then when I decide
3 I don't need it anymore, I've got a used tank, now I
4 can -- there's still a market out there. It isn't a
5 higher market, but I can still -- just like driving a
6 car, if you put 100,000 miles on it, there's still a
7 market for it. I can still sell it.

8 **Q. And that relies upon the demand out there for**
9 **propane tanks; is that right?**

10 A. Right. And yesterday, there was a demand for
11 propane tanks, anywhere from 500 to \$3,000, Depending on
12 the condition of the tank, how new it is and how big it.

13 **Q. Do you think that demand will be affected by**
14 **natural gas coming into Eureka?**

15 A. No. Eureka is a small piece of that
16 little -- of the whole economy of it, and so it wouldn't
17 affect it. It wouldn't affect it at all.

18 **Q. You don't think it will affect the demand for**
19 **tanks within Eureka?**

20 A. Oh, within Eureka it would, but if I buy
21 it -- if I sell a propane tank that I have in my front
22 yard that I owned, I'm not going to sell it to my
23 neighbor because he will go to natural gas too, so I'm
24 going to have to sell it out the area. I'm going to have
25 to sell it to some farmer in Delta or something.

1 Q. And -- all right. So let's go to page 4 of
2 your testimony, line 84. "Would natural gas be more
3 convenient than existing energy sources in Eureka?"

4 And you testified that as you mentioned
5 before, you burn wood to heat your home. You don't say
6 anything about using propane there, but you testified
7 that you do use propane.

8 Is your home set up for -- does it have duct
9 work for a furnace?

10 A. Yes, it does. It has a furnace, an operating
11 furnace.

12 Q. So you would anticipate that if you converted
13 to natural gas, you would -- you would need to either
14 upgrade or convert or get a furnace that uses natural
15 gas; is that right?

16 A. It will cost me \$17.95 for the kit to convert
17 my furnace over to natural gas.

18 Q. Do you anticipate doing that?

19 A. Absolutely.

20 Q. Have you spoken with the technician on
21 whether or not that conversion kit will work?

22 A. I know for sure it will. I've got the
23 conversion kit sitting here waiting for natural gas.
24 I've already got it.

25 Q. That wasn't an answer to my question.

1 A. My furnace --

2 Q. My question was: Have you spoken to a
3 technician who has confirmed that that conversion kit
4 will work in your furnace?

5 A. Yes, I have.

6 Q. Who was that technician?

7 A. It was a sales person at the -- at Home Depot
8 where I purchased the kit. I took in the information
9 from my furnace, showed it to them, and he showed me
10 which one would fit and the manufacturer says this is the
11 one that works. I looked at my furnace, and I have gone
12 in, I have the orifice sitting there, I know exactly what
13 I have to do to convert it.

14 Q. Have you had a technician to inspect your
15 furnace to determine whether or not it can be safely
16 converted?

17 A. Yes, I have.

18 Q. Who inspected your furnace?

19 A. Chris Swenson.

20 Q. And he has certified that this conversion kit
21 can safely convert your furnace --

22 A. Oh, yeah.

23 Q. -- from propane to natural gas?

24 A. Yeah. I did it as, kind of, an experiment to
25 make sure that everything was okay. And Chris Swenson is

1 our city inspector, so I had him look at my furnace and
2 look at the conversion kit.

3 And he said, "Yup, that is exactly what you
4 need. Other people will need something a little bit
5 different, possibly, but most of the time, that is
6 exactly what almost everybody is going to need to convert
7 it if they've got a propane furnace."

8 **Q. Do you know whether your city inspector has**
9 **the expertise and qualifications to inspect for**
10 **conversion from natural gas to -- I mean, from propane to**
11 **natural gas?**

12 A. Yes, he does.

13 **Q. How do you know that? What -- what**
14 **qualifications --**

15 A. We have his -- we have his certifications on
16 file at our city.

17 **Q. And what certifications would that be, with**
18 **respect to inspecting furnaces?**

19 A. I'm not sure what they are, but I just -- we
20 just have a whole thing on there. He is a certified to
21 inspect plumbing, electrical, natural gas, propane,
22 basically everything -- if you are going to build a
23 house, everything that you are going to put in there,
24 he's certified to inspect it.

25 **Q. Is he a building inspector?**

1 A. Yes, he's our building inspector.

2 **Q. Is he a certified furnace repair technician?**

3 A. He's the inspector, so he looks over
4 the -- what the repairer does and makes sure that he does
5 it right. We sat down with Dominion Energy and him, and
6 we went over what would need to be done.

7 And he -- he's the one that made -- and he
8 told Dominion Energy what they need to do to make sure
9 they are ready, and he would go in and inspect them ahead
10 of time and make sure the furnace was convertible. If it
11 wasn't convertible, that he would explain what they
12 needed to do, what the customer might need to do to make
13 it so that they could use natural gas in their home.

14 **Q. I haven't heard how you know that he is**
15 **qualified to inspect furnaces. What class has he taken?**
16 **What kind of technical training has he had to inspect --**

17 A. I --

18 **Q. -- to inspect conversions for furnaces?**

19 A. I'm sitting at home right now, so I don't
20 have all of his certifications in front of me. But I
21 have them at city hall if you want to come and look at
22 them, we will show you what he is certified to do. But
23 he is a certified building inspector in all aspects.

24 **Q. Okay. But he doesn't repair furnaces, does**
25 **he?**

1 A. Oh, no, he doesn't repair them. He
2 just -- he's the inspector. He just looks over the
3 repairer's shoulder and makes sure he does it right.

4 **Q. So in your direct testimony, you reference**
5 **the general plan, which is Exhibit 3.01. And I would**
6 **like you to turn your attention to page 16.**

7 A. I'm sorry, I don't have a page 6.

8 **Q. 16.**

9 A. I don't have a page 16.

10 MR. SABIN: Mayor Castleton, and this may
11 help you. I think he's referring to the page on -- the
12 PDF page numbering goes to page 12, but if you look at
13 page numbering on the general plan itself, if you look at
14 the bottom left-hand corner, there's a page number there.

15 Does that help you?

16 THE WITNESS: Oh, the general plan?

17 BY MR. FROERER:

18 **Q. Yes, the general plan.**

19 A. Oh, I'm sorry, I didn't even think to grab a
20 general plan and have it here, so I don't have a copy of
21 it with me.

22 **Q. Well, then let me -- let me just ask you some**
23 **questions and maybe you can recall it. In your**
24 **general plan --**

25 A. Okay.

1 Q. -- you have a -- you have a population
2 projected chart for Eureka. Do you recall that?

3 A. Yes, uh-huh. Yes, I do.

4 Q. And there's an observed population line that
5 shows sharp inquiries between the 1990 census and 2000
6 census and then a sharp drop in the 2000 and 2010 census.
7 Do you recall that?

8 A. Yes, I do.

9 Q. And then there was a redline showing
10 consistent population growth. Do you recall that line?

11 A. That sounds familiar, yeah.

12 Q. In the general plan, you project -- or the
13 city projects 1 percent -- I believe it was 1 percent
14 growth, roughly. Am I correct on that? What is the
15 growth rate that Eureka is projecting for its population
16 growth?

17 A. When we wrote the general plan, we changed it
18 from a 1 percent growth to 2 percent growth. And I'm
19 just -- you know, gut feeling. These are impossible, the
20 numbers, to come up with, but we have two different plans
21 right now -- or two different subdivisions that are in
22 the process of being brought up in Eureka and growth.

23 And they are talking about 50 new homes in
24 one of them and 30 new homes in the other one within the
25 next five years, which will exceed the 2 percent

1 considerably. But, you know, when we start talking, we
2 look at the growth numbers projected for Utah County, and
3 they're spilling them over into Eureka now because our
4 city limits and Utah County, Juab County line are one and
5 the same.

6 And so they are projecting that we will
7 probably see more than the 2 percent, but it's hard to
8 plan exactly how much they are going to have. So we just
9 put a 2 percent number in there. That was mostly when we
10 were doing our sewer and water project so that we could
11 make them big enough that we could -- you know, we would
12 be ready to grow some.

13 And so that's where we stand right now, and,
14 obviously, we are going to have to -- that has to be
15 updated almost day-to-day.

16 **Q. Okay. But those are just projections. Like,**
17 **you mentioned, this is kind of going off of your gut; is**
18 **that correct?**

19 A. Well, it's going off projections from the
20 Utah State, when they look into Utah County and then as
21 Utah County's growing out more and more, it's going to
22 affect the neighboring communities. So they are
23 projecting that Juab County, Nephi area and Eureka are
24 going to grow at 2 percent, at least, over the next ten
25 years.

1 Q. Turning back to your direct testimony, just
2 one last line of questioning, at line 96 and 97, you are
3 talking about the air quality.

4 And you state, "However, since many of our
5 residents are burning wood and coal to heat their homes,
6 they are directly contributing to the air problems in
7 Utah County."

8 Do you plan on, once -- if you convert to
9 natural gas, do you plan on no longer burning wood?

10 A. On a personal basis, yes. I'm 75 years old
11 and I don't plan on being able to -- being healthy enough
12 to cut wood for very many more years. I can't guarantee
13 that everybody would quit burning wood, but the incentive
14 for burning wood would greatly diminish if we had natural
15 gas at a cheaper price than what we are able to get
16 propane.

17 Q. Okay. And that's based upon -- that's based
18 upon your personal experience. Right?

19 A. Right. And my personal experience isn't very
20 different from a lot of personal experiences in town.
21 I'm pretty average.

22 Q. I have no further questions.

23 COMMISSIONER LEVAR: This is Thad LeVar.
24 Thank you Mr. Froerer.

25 Mr. Sabin, any redirect for Mr. Castleton?

1 MR. SABIN: Very, very briefly.

2 REDIRECT EXAMINATION

3 BY MR. SABIN:

4 Q. Mayor Castleton, how does the city -- the
5 high school and the city facilities, what do they use for
6 heating purposes?

7 A. They use propane right now. Would you like
8 some numbers on those?

9 Q. Go ahead. Sure.

10 A. Eureka City used 5,395 gallons of propane
11 last year. The school district used just over 25,000
12 gallons of propane last year. And so we are the two
13 biggest people that want to -- we are the two largest
14 customers of propane in the city and would benefit the
15 most by switching to natural gas.

16 Q. And if you switched to natural gas, have you
17 considered what would -- what you would do with the
18 savings from the cost reduction?

19 A. We are on such a tight budget, we have a
20 whole list of needs that we can start putting the money
21 towards. The same with the school, I talked with the
22 school district yesterday, and he said, "Well, we'd have
23 two options. We can either reduce our tax rate or we can
24 do some of the things that we need to get in" -- the
25 school district are in the same boat as we are. They are

1 the smallest school district in the state as far as
2 school population goes. And they have several needs that
3 they could meet if they could start saving, you know, 5-,
4 \$6,000 a year on their energy.

5 **Q. So is the school district supportive of the**
6 **conversion to natural gas?**

7 A. Absolutely. Well, they are more than
8 supportive. They are very, very active in this. They
9 have two things. No. 1 is how much it would save the
10 school. No. 2 is how much more attractive would
11 other -- would building houses and bringing in economic
12 development.

13 Both of which would -- are absolutely
14 necessary for the school to continue to exist as it does
15 because their student population has gone down over the
16 last several years. We are actually bringing in students
17 from Utah County and out of Nebo School District and
18 Tooele School District, to bring them into town here to
19 make it so we can keep the school open.

20 But if we had a population increase of 5 or 6
21 percent even and started showing some growth, then the
22 state school board is going to be less likely to shut
23 down the schools and start bussing our kids to somewhere
24 else.

25 So they have a double need, a two-pronged

1 approach as to why they want to have natural gas, because
2 it would keep their schools a lot more effective than
3 what they are, and it would start bringing some students
4 in to the schools.

5 **Q. Okay. Mayor, you mentioned there are two**
6 **subdivisions that have been -- that are in the planning**
7 **and permitting process.**

8 **Have you spoken to the developers of those**
9 **communities? Are they in support of the proposal to**
10 **bring natural gas to Eureka?**

11 A. Oh, absolutely. In fact, they've -- they
12 were planning on trying to have everything ready to start
13 moving dirt this spring, this past spring, and because of
14 the natural gas is looking at a real good possibility of
15 having it in by next year, they just kind of -- they
16 didn't stop but they just -- "Okay. Let's just slow down
17 and we will -- over this winter, we will get all of these
18 applications in, let's get them all taken care of, so
19 that next spring, as natural gas is starting to come into
20 the area, we will be ready to hook up directly. So we
21 don't have to put another heating source in a new home,
22 and then convert it in six months or a year."

23 So they have just kind of slowed down their
24 whole process in hopes that this will happen first, so
25 that they can take advantage of it off the bat.

1 Q. If I understood you right, you said that's an
2 additional 80 residents?

3 A. 80 homes, not 80 residents.

4 Q. Sorry, fair -- yes, fair point. An
5 additional 80 residences?

6 A. Right. An additional 80 residences, average
7 four people to a residence, probably.

8 Q. Okay. Last question, you referenced that
9 some of these individuals you were asked about selling
10 their tank or, you know, taking other actions.

11 In considering the conversion cost and as you
12 have had discussion with residents and the community, do
13 you believe that the time frame given and the options for
14 selling tanks and the conversion cost, that
15 those -- those hurdles, to the extent they are hurdles,
16 can be overcome, given the time and given the options
17 available to your city residents to be able to convert or
18 front those conversion costs? Do you think that is a
19 realistic opportunity for them?

20 A. Absolutely, I have people talking all the
21 time.

22 MR. FROERER: (Inaudible.)

23 COMMISSIONER LEVAR: We have -- this is Thad
24 LeVar. We have an objection from Mr. Froerer.

25 Mr. Froerer, why don't you go ahead and state

1 your objection to the question.

2 MR. FROERER: Yes, sorry. This the Mr.
3 Froerer. Objection to the extent this expert -- this
4 witness lacks the expertise to -- that would allow him to
5 answer that question. I think he can answer similar
6 questions as a lay witness, but this -- this question is,
7 I think, couched to design -- or it seeks to elicit
8 expert testimony in my opinion. Thank you.

9 COMMISSIONER LEVAR: Mr. Sabin, do you want
10 to respond to the objection?

11 MR. SABIN: Mr. Chairman, I could -- and
12 maybe I'll just break it down into multiple questions. I
13 was trying to get it all in one question. If it would be
14 okay, I will just break it down in multiple questions
15 and, hopefully, solve the objection.

16 COMMISSIONER LEVAR: Okay. We will move
17 forward that way. Mr. Froerer, if you have an objection
18 to any specific question, please jump in and state it as
19 we move forward.

20 MR. FROERER: Thank you. That's fine.

21 By MR. SABIN:

22 Q. Mayor Castleton, have you had discussion with
23 your city residents about the idea of needing to convert
24 to natural gas?

25 A. Yes, I have.

1 Q. In those discussions with the residents of
2 your community, have you been provided with information
3 from the residents? And, of course, you can include your
4 own experience in this to answer the question. But based
5 on those discussions, do you -- do you understand that
6 the residents believe it is doable for them to take care
7 of these conversion costs, particularly factoring in the
8 possibility of selling their tanks?

9 A. Yes, I have talked to several of them about
10 that.

11 Q. And has anybody expressed that -- I mean, do
12 you have a lot of residents that are concerned that they
13 won't be able to pay the conversion cost?

14 A. No -- well, let me break that down a little
15 bit. I have two different kinds of people. Those that
16 are ready to convert that have either working, making
17 money and they are looking to see how much they can save
18 and say, "I will put up the front cost and move ahead
19 with that."

20 Then we have -- we have a very large elderly
21 population in town. Eureka is an old mining town, and
22 the old miners died young and left a lot of widows in
23 town, so we have a higher rate of single widows in town
24 than most communities.

25 So that is why I had six counties come in,

1 and the people that came up that went to our open houses,
2 the six counties came up with 35 different people that
3 they talked to, that they took their information from and
4 said, "These people qualify for assistance from six
5 counties' aging services."

6 And they will come in and not only put in the
7 new furnace and convert their home to natural gas, but
8 then while they are at it, they will weatherize their
9 house, put in new windows, seal the door, insulation in
10 the attic, whatever it needs to make the home as energy
11 efficient as it can possibly be.

12 So these residents would benefit not only
13 from the natural gas from but from the conversion.

14 **Q. Okay. Mayor, that's all I have. Thank you**
15 **very much.**

16 **A.** Thank you.

17 COMMISSIONER THAD LEVAR: Thank you,
18 Mr. Sabin.

19 This is Thad LeVar, Mr. Froerer, any recross?

20 MR. FROERER: No.

21 COMMISSIONER LEVAR: None? Okay. Thank you.

22 Commissioner Clark, do you have any questions
23 for Mayor Castleton?

24 COMMISSIONER CLARK: Thank you, Commissioner
25 LeVar. I have no questions.

1 COMMISSIONER LEVAR: Okay. Thank you.

2 Commissioner Allen, do you have any questions
3 for this witness?

4 COMMISSIONER ALLEN: I have no questions.

5 COMMISSIONER LEVAR: Thank you. And I don't
6 have any either, so Mayor Castleton, thank you for your
7 testimony today.

8 THE WITNESS: Okay. Thank you, Mr. Chairman.

9 COMMISSIONER LEVAR: Thank you. And we will
10 go back to Dominion Energy Utah for your next witness.

11 MR. SABIN: Mr. Chairman, Dominion Energy
12 calls Michael Gill.

13 COMMISSIONER LEVAR: Okay. Mr. Gill, are you
14 on the line?

15 MR. GILL: I am.

16 COMMISSIONER LEVAR: Do you swear to tell the
17 truth?

18 MR. GILL: I do.

19 COMMISSIONER LEVAR: Okay. If there is any
20 way to increase your volume on the device you are using,
21 that would probably be a little bit helpful.

22 With that, I will turn it back to you,
23 Mr. Sabin.

24 DIRECT EXAMINATION

25 BY MR. SABIN:

1 **Q. Mr. Gill, can you state your full name?**

2 A. Yes, just one second, Cameron. I'm going to
3 try and switch my phone here, see if that's better for
4 everybody. Hold on.

5 **Q. Yes, you are still a little soft, so yes, if**
6 **you can.**

7 A. Is that any better?

8 **Q. Let's try that. State your full name.**

9 A. What's that?

10 **Q. Let's try that. State your full name so we**
11 **can hear you.**

12 A. Okay. Sorry, sorry, Michael Wool Gill. I
13 will try to speak up.

14 **Q. Yes, that's better. Mr. Gill, can you please**
15 **state your title with the Company and your**
16 **responsibilities in that position?**

17 A. Sure. I'm the director of engineering for
18 Dominion Energy Utah, Wyoming and Idaho. My main
19 responsibilities is oversight of our project engineering
20 groups, both high-pressure and intermediate high-pressure
21 groups, our feeder line replacement group, our design
22 drafting and surveying departments, as well as our IHP
23 inspection and pre-construction departments.

24 **Q. Mr. Gill, I have that you have submitted**
25 **direct testimony in this matter, identified as DEU 2.0,**

1 with exhibits DEU 2.01 to 2.10; is that correct?

2 A. That is correct.

3 Q. And then I have that you submitted
4 supplemental direct testimony, Exhibit -- DEU Exhibit
5 2.0S, with associated -- with the following additional
6 exhibits, DEU 2.11S to 2.14S; is that correct?

7 A. That is correct.

8 Q. Did you prepare that testimony and those
9 exhibits for submission in this matter?

10 A. Yes, I did.

11 Q. Do you have any corrections to any of that
12 testimony?

13 A. No.

14 MR. SABIN: Mr. Chairman, we move to have
15 admitted Mr. Gill's direct and supplemental direct
16 testimony, with the associated exhibits marked as
17 Exhibits DEU 2.0, 2.01 to 2.10, and 2.0S with 2.11S to
18 2.14S.

19 COMMISSIONER LEVAR: Thank you. If anyone
20 objects to this motion, please unmute your phone and
21 state your objection.

22 I'm not hearing any objection, so the motion
23 is granted. Thank you.

24 BY MR. SABIN:

25 Q. Mr. Gill, have you prepared a summary for the

1 **Commission of your testimony?**

2 A. Yes, I have.

3 **Q. Would you please go ahead and share that now?**

4 A. You bet. For the past few years, in my role
5 as director of engineering for DEUWI, I have overseen the
6 departments responsible for assessing and developing the
7 engineering scope associated with a proposal to extend
8 natural gas service to Eureka, Utah.

9 DEUWI engineers and construction specialists
10 have conducted studies and developed estimates for
11 concept plans to construct the high-pressure and
12 intermediate high-pressure facilities that would be
13 required to serve natural gas to this currently unserved
14 community.

15 Through analysis, we determined that the most
16 viable way to provide gas service to Eureka would be to
17 construct an interconnect facility, extend a
18 high-pressure pipeline to Eureka, and build an
19 intermediate high-pressure distribution system within the
20 city.

21 In order to serve the town of Eureka, the
22 Company would need to construct an interconnect with an
23 interstate pipeline company, either Dominion Energy
24 Questar pipeline, also known as DEQP or with the Kern
25 River Gas Transmission Company, known as KRGT.

1 DEU Exhibit 2.03 shows the routing options
2 for each possible interconnect. Though the cost
3 associated with each interconnect and the associated
4 high-pressure pipeline to Eureka as confidential, you can
5 find the summary of the costs starting on line 85 of my
6 supplemental direct testimony.

7 In addition to the high-pressure facilities,
8 extending service to Eureka would also require insulation
9 of intermediate high pressure or IHP facilities. DEU
10 Exhibit 2.09 shows the IHP system that would be required
11 if the Commission approves the Company's application.
12 Although, the cost estimate for the IHP facilities is
13 confidential, the Commission can find them at DEU
14 Confidential Exhibit 2.10.

15 If the Commission approves the Company's
16 application in the next several weeks, we would begin
17 design and material acquisition activities for
18 construction of the gas facilities Q3 of this year, and
19 begin construction of those facilities in Q1 of 2021.
20 The anticipated service state would be October 2021.
21 This would allow us to begin service line extensions to
22 individual homes in the summer and fall of 2021, and
23 allow residents of Eureka to have natural gas service by
24 the winter of 2021.

25 In my supplemental direct testimony, I

1 provide an overview of the plant installation method to
2 install service lines to serve the residents of Eureka.
3 Again, the cost associated with these service lines is
4 confidential, but you can find them at page 2 of my
5 supplemental direct testimony, as well as DEU
6 Confidential Exhibit 2.11S. We do recognize that the
7 COVID-19 pandemic has impacted many businesses across the
8 state and could impact this schedule.

9 To date, however, DEUWI has not experienced a
10 substantial impact to its construction activities as a
11 rebuttal of the pandemic.

12 Lastly, Mr. Froerer asked Mr. Summers about
13 how he concluded there were up to 360 customers in the
14 town of Eureka. I would like to briefly explain the
15 process used to determine this number.

16 DEUWI engineers utilized Google Earth to
17 count residence and structures within Eureka and compared
18 that number with the number of water service lines drawn
19 on the city GIS utility maps. This total number of
20 services was used to estimate the natural gas usage in
21 Eureka.

22 This ends my summary.

23 **Q. Thank you, Mr. Gill.**

24 MR. SABIN: Mr. Gill is now available for
25 cross-examination.

1 COMMISSIONER LEVAR: This is Thad LeVar.
2 Thank you, Mr. Sabin.

3 Ms. Schmid, do you have any question for
4 Mr. Gill?

5 MS. SCHMID: I do not. Thank you.

6 COMMISSIONER LEVAR: Thank you.

7 Mr. Moore?

8 MR. MOORE: No questions, thank you.

9 COMMISSIONER LEVAR: Okay. Thank you.

10 Mr. Froerer?

11 MR. FROERER: Yes, I do.

12 COMMISSIONER LEVAR: Okay. Go ahead.

13 MR. FROERER: Thank you.

14 CROSS-EXAMINATION

15 BY MR. FROERER:

16 Q. Mr. Gill, I want to direct you to your
17 Dominion Energy's Exhibit 2. It's your direct testimony.

18 A. Okay.

19 Q. Page 4, line 100.

20 A. Okay.

21 Q. You talk about the alignment, and just a few
22 lines above that, you talk about representatives from
23 Goshen and Elberta. And my understanding is that this
24 line will be serving Elberta; is that -- is that correct?

25 A. Not currently, no. Elberta does not have gas

1 service, but what I was trying to capture there is why we
2 chose the alignment we did.

3 Q. Okay.

4 A. It gives us the possibility to serve Elberta
5 from this line.

6 Q. So were you present when I was asking
7 questions of Mr. Summers?

8 A. Yes, I was.

9 Q. And did you hear our exchange regarding the
10 Elberta Mega Site?

11 A. Yes, I did.

12 Q. Was this line, this proposed line to Eureka,
13 be servicing or be capable of servicing any development
14 in the Elberta Mega Site?

15 A. Yes, and I say that with some qualifications.
16 So not knowing what a potential customer would need, they
17 might need to -- they might be responsible for having to
18 upsize or reenforce facilities, but it does provide gas
19 service to that area or adjacent to that area.

20 And, obviously, whatever customer would join
21 would have to extend from that pipeline to their
22 facilities.

23 Q. In the application, there -- the application
24 is for extending service to Eureka. However --

25 A. That's correct.

1 **Q. -- based -- thank you. However, based on**
2 **your testimony, it actually looks like you're also**
3 **extending services to Elberta and Goshen; is that right?**

4 A. No, that is not correct.

5 **Q. Okay. So when you say it would potentially**
6 **serve Goshen and Elberta, what do you mean by that?**

7 A. Well, I think it's probably best if I refer
8 back to the exhibit, and I'm just trying to find the
9 exhibit number that would be the best to look at here. I
10 apologize, if you will bear with me for two seconds here.

11 **Q. You're fine. You're fine.**

12 A. So I believe it is Exhibit -- DEU Exhibit
13 2.03.

14 **Q. Okay.**

15 A. So that -- that's basically -- if that's the
16 correct one, it's a Google Earth image, kind of showing
17 three different route options into Eureka --

18 **Q. Yes.**

19 A. -- or three different route options that we
20 basically considered. So the blue line is -- would be
21 constructing an interconnect with Kern River Gas
22 Transmission, and essentially, from that point, running
23 west along Highway 6 into Eureka.

24 The yellow line is -- would be capping or
25 constructing an interconnect with DEQP at their existing

1 Goshen interconnect site, running south from that
2 direction -- from that point, I should say, basically
3 paralleling the Kern River Pipeline until it reaches
4 Highway 6, and then heading west on Highway 6 out to
5 Eureka.

6 Then lastly, the Option 3 was following a
7 dirt road, which extended north from that Goshen
8 interconnect -- northwest from that Goshen interconnect
9 site, around the mountain, and eventually makes its way
10 over into Eureka.

11 So the reason we chose -- when I'm talking
12 about potentially serving the towns of Elberta and
13 Goshen, what I'm talking about is that option provides
14 gas service down to Highway 6, which positions us to
15 extend not only west towards Eureka but east towards the
16 towns of Elberta and Goshen.

17 So it positions us to take advantage of the
18 line that would be constructed from the interconnect,
19 south to Highway 6, and then extend east into those
20 towns.

21 **Q. So is my understanding correct that the**
22 **yellow line -- and that's the proposed line, that's the**
23 **preferred and proposed line; is that correct?**

24 A. That is correct, yes.

25 **Q. And that yellow line will be actually running**

1 **through the Elberta Mega Site?**

2 A. I believe it's adjacent to the Elberta Mega
3 Site. I don't think it runs necessarily right through
4 it. I think both Kern River and that line are somewhat
5 adjacent to it, but I'm not -- I'm not entirely familiar
6 of the complete boundary of that -- of that mega site.

7 **Q. And Kern River is a competitor to Dominion**
8 **Energy; is that --**

9 A. Not necessarily. Kern River is more of an
10 interstate gas transmission line company, so they -- they
11 do not serve customers directly. Although, they do have
12 some industrial customers that they serve, but, by and
13 large, they do not serve customers directly like the LBC
14 or distribution company that is DEUWI.

15 So they're -- we're more of a customer of
16 Kern River than a competitor, if you will.

17 **Q. The Elberta Mega Site would be for industrial**
18 **customers; is that right?**

19 A. Industrial, large commercial, I would assume.
20 Yeah, that's typically what those types are for.

21 **Q. So this sounds like those would -- those**
22 **kinds of development -- that kind of customer base would**
23 **fit within what Kern River services; is that -- is that**
24 **your understanding as well?**

25 A. Potentially, but there's issues with that.

1 So Kern River, as an interstate transmission pipeline,
2 they do not odorize their gas. They are not required by
3 code to odorize their gas.

4 So in instances where they have a customer
5 that is not concerned about that -- and an example would
6 be, maybe, an oil refinery, for example, where they have
7 a lot of un-odorized gases within their facilities, they
8 have a lot of safety protocols, those are the types of
9 customers that would typically sign on directly to Kern
10 River.

11 As a distribution company, we are required to
12 odorize our gas, which would be -- the vast majority of
13 these customers would prefer, just from a safety aspect.

14 **Q. And isn't it true that if the blue line was**
15 **used, if the connection to the Kern River -- it would be**
16 **an odorized line from that point forward. Right?**

17 A. We -- we would odorize that line, yes. Yup,
18 that is correct.

19 **Q. And then that blue line would be able to not**
20 **only serve Eureka with gas purchased from Kern River, but**
21 **that line would also be able to serve the Elberta Mega**
22 **Site; is that correct?**

23 A. Yeah, depending on what -- yes, that line
24 would be able to serve that, that Mega Site. I'll point
25 out the reason as to why our -- the yellow line is the

1 preferred option versus the blue line, because I think --

2 Q. Mr. Gill -- Mr. Gill, I'm going to let -- I'm
3 going to let you and Mr. Sabin redirect you on that, so
4 if you want to explain that --

5 A. That's fine, that's fine.

6 Q. -- that would be great. Let me ask this
7 instead.

8 So by installing this yellow line, you're
9 actually bypassing Kern River and making it more
10 difficult for them to supply or compete with Dominion
11 Energy as the Elberta Mega Site; is that correct?

12 A. I don't think that is accurate, no. We
13 are -- we received a bid from Kern River to construct an
14 interconnect. Their interconnect price was significantly
15 higher than the price that we received from DEQP, so much
16 so that even with constructing the extra length of yellow
17 line that you can see running north and south there, that
18 DEQP option was still cheaper and preferred.

19 So to say that we are constructing that line
20 to keep Kern River from being able to serve that site,
21 that's not true. A customer could still go to Kern River
22 and, likely, pay much higher fees to tap their facilities
23 and construct a line. Really, all these customers who
24 would come into that Mega Site are going to do their own
25 analysis so they can serve their facilities.

1 So to say that they are precluded from
2 serving that, I don't agree with that.

3 **Q. All right. Well, maybe let me -- let me**
4 **clarify that. By constructing the yellow line instead of**
5 **the blue line, you are not -- Dominion Energy would not**
6 **be using Kern River gas supply; is that correct?**

7 A. That is correct, yes.

8 **Q. And it would not be using infrastructure**
9 **carrying Kern River gas; is that right?**

10 A. That is correct. Yes, we would not be tying
11 on to their transmission lines.

12 **Q. So if Kern River did want to service the**
13 **Elberta Mega Site, they would have to install additional**
14 **infrastructure; is that right?**

15 A. They would have to install -- well, it
16 depends. It depends on what a customer needs. If a
17 customer could utilize their full MAOP pressure of the
18 Kern River line, then they would just be constructing a
19 meter and a line over to that facility.

20 If they need something more than that, if
21 they need pressure reduction or what have you, they might
22 need to construct some regulation facilities, some of
23 those types of things. But, essentially, yeah, a
24 customer to tap -- to get service from Kern River would
25 have to contract with Kern River to construct an

1 interconnect or a tap off of their line and extend it to
2 their facility.

3 Q. Is it your understanding that Dominion Energy
4 is requesting the tracker or the defraying of costs for
5 the entire yellow line to -- or the cost of the entire
6 yellow line to be defrayed to all of Dominion Energy's
7 customers?

8 A. Yes, it's our intent that the entire cost of
9 the project, the interconnect, the high pressure or the
10 yellow line that you are seeing there, a regulator
11 station and all the IHP mains and services within Eureka,
12 are part of that overall cost that we've included in the
13 docket.

14 Q. Now, I believe I read in some of the other
15 testimony that Dominion Energy's costs at this time are
16 preliminary, they are estimates; is that true?

17 A. That's correct.

18 Q. And there is a possibility that those costs
19 will go up; is that true?

20 A. There's always a possibility, but we are
21 confident that we could construct the facilities for the
22 price we put into the -- into the docket.

23 Q. And Dominion Energy's determination to not
24 use the Kern River -- to not do a transfer station in
25 Kern River is dependent upon these estimates that

1 **Dominion Energy has made; is that right?**

2 A. It's -- yes.

3 **Q. Okay. So in your summary, you provided**
4 **testimony about how Dominion Energy determined the number**
5 **of potential customers?**

6 A. Yes.

7 **Q. And it sounds like based on that summary,**
8 **that it is an estimate that comes from Google Maps in**
9 **looking at the buildings?**

10 A. Yeah, it was a combination. Our -- my
11 engineer, basically, utilized the GIS information for the
12 utility services within Eureka, that was provided by the
13 City of Eureka, as well as did an individual analysis to
14 count homes just based on a Google Earth image, to
15 basically confirm that those numbers made sense.

16 And so it's an estimate based on looking at
17 the -- at Google Earth and just counting structures, and
18 then comparing it to that GIS database.

19 **Q. Now Mr. Summers testified that there was**
20 **something about a water replacement program or endeavor**
21 **done by Eureka.**

22 **Did you receive any documentation regarding a**
23 **water replacement project from Eureka?**

24 A. Not to my knowledge. I believe the only
25 thing our engineers used was, as I mentioned, Google

1 Earth, and then their -- we did receive the GIS database
2 information and mapping from Eureka that did show water
3 service lines.

4 So to the extent that that replacement
5 program was shown on their GIS program, that would be the
6 extent, I guess.

7 **Q. Okay. Thank you. I have no further**
8 **questions.**

9 COMMISSIONER LEVAR: This is Thad LeVar.
10 Thank you, Mr. Froerer.

11 Mr. Saber, any redirect?

12 MR. SABIN: I do not have any questions.
13 Thank you.

14 COMMISSIONER LEVAR: Okay. Thank you.
15 Commissioner Allen, do you have any questions
16 for Mr. Gill?

17 COMMISSIONER ALLEN: Thank you, no questions.

18 COMMISSIONER LEVAR: Commissioner Clark?

19 COMMISSIONER CLARK: Thank you.

20 EXAMINATION

21 BY COMMISSIONER CLARK:

22 **Q. Mr. Gill, did you hear my question about how**
23 **long it takes to install service lines and, sort of, what**
24 **the time frame might be to do several hundred of these,**
25 **assuming that there was the kind of demand that the Mayor**

1 was describing or --

2 A. Yes. Yes, I did. I did. So a typical
3 service line crew -- and it varies a little bit,
4 depending on the complexity of the service line where the
5 meter is. But a typical service line crew from our line
6 contractors, can install between probably five and eight
7 or so services a day.

8 I think we would anticipate here, depending
9 on the number of services to install, would be that we
10 would have multiple crews available to install service
11 lines. So if you take the 360, and assume that you are
12 doing five a day, if my math is right, it's about 45 days
13 or so. I don't know, that's 72 days for one crew. So if
14 you break that into three crews, it would be on the order
15 of 25 or so, 25 days to get all of those installed.

16 But I should point out that they -- the
17 service lines can start being installed concurrently with
18 the IHP main. So as soon as the IHP main is installed in
19 the street in front of the residence, then a separate
20 service line crew could follow up and install those
21 services, if that makes sense.

22 COMMISSIONER CLARK: Yes. And just to make
23 sure we're talking about the same scope of work, the
24 service line then would run from the IHP in the street to
25 the residence or business and to the meter, which would

1 then -- I assume the crew would be setting the meter as
2 well, or is that a different process?

3 A. Typically, we have a crew, which, basically,
4 constructs the service line and installs a riser, and
5 then we would have a separate crew that would come in and
6 set a meter.

7 But setting the meter is probably on the same
8 order of magnitude as far as number of residences that
9 they could install a day. So I don't -- I don't see one
10 lagging or leading the other, in any sense.

11 Q. Thank you for your answer. That concludes my
12 questions.

13 COMMISSIONER LEVAR: Thank you, Commissioner
14 Clark.

15 This is Thad LeVar. I do not have any
16 questions for Mr. Gill, so thank you for your testimony
17 today.

18 THE WITNESS: All right. Thank you.

19 COMMISSIONER LEVAR: And let me just ask if
20 any parties object to taking a recess at this point and
21 reconvening at 1 P.M.

22 Any objection to that?

23 MS. CLARK: No.

24 MR. SABIN: No, we don't have any objection.

25 COMMISSIONER LEVAR: Okay. Why don't we go

1 into recess, and we will reconvene at 1 o'clock. Thank
2 you.

3 (Whereupon, a break was taken.)

4 COMMISSIONER LEVAR: We had just concluded
5 the testimony of Mr. Michael Gill, so I will go back to
6 Ms. Clark and Mr. Sabin, if you have any final matters
7 before we move on to the Division of Public Utilities.

8 MR. SABIN: So we don't have any other
9 witnesses to present at this time, but we -- as you just
10 heard, Mayor Castleton wants to make one correction.

11 So, Mr. Chairman, I'm happy to handle that
12 however you want. If we want to just have him go back on
13 an make a comment, or if you want me to prompt it with a
14 question, I'm happy to do whichever you would like to do.

15 COMMISSIONER LEVAR: Sure. Let me just first
16 go to other parties.

17 Is there any objection to recalling Mr. Mayor
18 Castleton as a witness to address briefly that issue that
19 he was discussing before we went back on the record on
20 the conference call? If there is any objection, please
21 take your phone off mute and speak up at this point.

22 Okay. I'm not hearing any objection. So,
23 Mayor Castleton, you are still under oath.

24 And Mr. Sabin, I think it would be best if
25 you wanted to prompt the issue with a question or two,

1 and then I will see if there is any cross from any other
2 parties. So why don't you go ahead.

3 MR. SABIN: That would be great.

4 FURTHER REDIRECT EXAMINATION

5 BY MR. SABIN:

6 Q. Mayor Castleton, you've made us aware that
7 there is one statement you would like to correct in your
8 testimony that you provided earlier, and if you would
9 like to clarify that, would you -- and based on your
10 comment, it sounds like it's the -- relates to the use
11 the amount of gas used by the school itself; is that
12 correct.

13 A. That's correct.

14 Q. Okay. And it sounds like -- from your
15 statement, it sounded like that you were looking at the
16 wrong column when you were referring to the number. You
17 were looking at multiple schools rather than just one
18 school; is that right?

19 A. No, just the opposite. I was looking at the
20 school district office, and I wasn't looking at the
21 Tintic High School and the Eureka Elementary school, in
22 connection -- in combination with those. So I made it
23 sound like it was total amount of fuel used, the propane
24 used during the previous year, and it's much different
25 than what I stated originally.

1 **Q. So why don't you state the correct number,**
2 **the correct figure, or what you need to correct to**
3 **correct that figure?**

4 A. Okay. The total amount of propane used in
5 this previous winter 2019-2020 was 46,741 gallons, and
6 the total amount of propane used the year before that was
7 47,337 gallons.

8 I had said, I think, 6,000, and that was just
9 the district office, but this includes Tintic High
10 School, Eureka Elementary school and the Tintic School
11 District Office, all in one, all combined.

12 **Q. Okay. Thank you. Thank you very much.**
13 **Is there anything else you need to correct?**

14 A. Nope, that was it.

15 MR. SABIN: Mr. Chairman, thank you. That is
16 all we need do then. If anybody has any follow-up
17 questions, let us know.

18 COMMISSIONER LEVAR: Okay. Thank you. This
19 is Thad LeVar. If anyone has any follow-up or cross
20 questions related to that issue, please take your phone
21 off mute and indicate that you do.

22 Okay. I'm not hearing from anyone, any
23 follow-up questions, so thank you, Mayor Castleton, for
24 making that clarification.

25 THE WITNESS: Thank you, Mr. Chairman.

1 COMMISSIONER LEVAR: Anything further from
2 Dominion Energy Utah?

3 MR. SABIN: No. Thank you.

4 COMMISSIONER LEVAR: Okay. Thank you.

5 Ms. Schmid, we will go to you now.

6 MS. SCHMID: Thank you. Good afternoon.

7 This is Patricia Schmid, representing the Division. The
8 Division would like to call Mr. Eric Orton as its
9 witness.

10 COMMISSIONER LEVAR: Thank you, Ms. Schmid.

11 Mr. Orton, are you on the line?

12 MR. ORTON: I am.

13 COMMISSIONER LEVAR: Do you swear to tell the
14 truth?

15 MR. ORTON: I do.

16 COMMISSIONER LEVAR: Okay, thank you.

17 Ms. Schmid, go ahead.

18 MS. SCHMID: Thank you.

19 DIRECT EXAMINATION

20 BY MS. SCHMID:

21 **Q. Mr. Orton, could you please state your full**
22 **name, employer, title and business address for the**
23 **record?**

24 A. My name is Erik Orton. I'm employed by the
25 Division of Public Utilities, 160 East 300 South, Salt

1 Lake.

2 Q. And what is the title you have with the
3 Division?

4 A. I'm a utility technical consultant.

5 Q. Thank you. In conjunction with your
6 employment by the Division, have you participated in this
7 docket on behalf of the Division?

8 A. I have.

9 Q. Did you prepare or help prepare and cause to
10 be filed your direct testimony, dated March 18, 2020,
11 premarked for identification as DPU Exhibit No. 1.0DIR,
12 which was accompanied by Exhibits 1.0 through 1.19, and
13 the testimony was presented in redacted and confidential
14 version; is that right?

15 A. That's correct.

16 Q. And some of those exhibits were confidential
17 as well; is that right?

18 A. That's true.

19 Q. Did you also prepare and cause to be filed on
20 May 27, 2020, your supplemental direct testimony, which
21 is also marked DPU Exhibit No. 1.0, but is delineated in
22 the description as supplemental testimony?

23 A. That's correct. Yes.

24 Q. Do you have any changes or corrections to
25 your pre-filed testimony or exhibits?

1 A. No, they are accurate as far as I know.

2 Q. If I were to ask you the same questions today
3 as are in your pre-filed testimony, would your answers be
4 the same?

5 A. They would.

6 Q. Do you adopt your pre-filed testimony and the
7 accompanying exhibits as your testimony here today?

8 A. I do.

9 MS. SCHMID: The Division would like to move
10 for the admission of DPU Exhibit 1.0 direct, with
11 accompanying Exhibits 1.01 through 1.19, in confidential
12 and redacted form, and also the supplemental direct
13 testimony filed on May 27, 2020.

14 COMMISSIONER LEVAR: This is Thad LeVar.
15 Thank you, Ms. Schmid.

16 If any party objects to that motion, please
17 unmute your phone and state your objection.

18 I'm not hearing any objection, so the motion
19 is granted.

20 Thank you, Ms. Schmid, you can go ahead.

21 MS. SCHMID: Thank you.

22 BY MS. SCHMID:

23 Q. Mr. Orton, do you have a summary of your
24 testimony to present today?

25 A. I do.

1 **Q. Please proceed.**

2 A. Thank you. This is Erik Orton, and this
3 docket DEU is seeking Commission approval to construct
4 facilities to serve the Eureka area and approval of the
5 tracker mechanism for cost recovery of that investment.

6 It is proposing to expand its service
7 territory to the Eureka area, to an interconnection with
8 Dominion Energy Questar Pipeline and construction of the
9 high-pressure feeder line, main lines to and in Eureka,
10 as well as following the supplemental filing on April 15,
11 2020 services.

12 Approximately one month after filing my
13 direct testimony, DEU filed supplemental direct testimony
14 to propose an update to its filing, based on the changes
15 made and the recent legislative session, and it withdraw
16 Docket No. 19-057-32.

17 The revised application included service
18 lines, as well as a proposed road expansion facility
19 tracker -- I'm sorry, as part of the proposed rural
20 expansion facility tracker. Also the revised application
21 proposed treatment for the service lines costs in the
22 same way as the other costs which were originally
23 included in the 19-057-31 docket.

24 In my original direct testimony, I was
25 critical of the Company in five areas, which I labeled

1 "Shortcomings of the Eureka project." In his
2 supplemental direct testimony, Mr. Summers spoke to each
3 one of these to the satisfaction of the Division, such
4 that all shortcomings are adequately addressed, rectified
5 and boundaries are set for cost containment before the
6 project proceeds.

7 In my supplemental direct testimony, I stated
8 that the Division stands, that it supports the extension
9 of natural gas service to rural communities in principal,
10 if there's sufficient evidence to support the extension
11 and costs are justified and reasonable.

12 I pointed out that the Company still has the
13 burden of proof of just and reasonable rates based on the
14 evidence. And since this is the first time the statute
15 has been used, it should be reviewed by full information
16 and all supported documentation and substantially
17 testified assumptions.

18 The Division continues to hold that position
19 and will look closely into any rural expansion dockets
20 for such evidence.

21 In this supplemental filing, the Company has
22 provided the additional safeguards and commitments, to
23 the extent that the Division can now recommend that the
24 Company be granted permission to extend service to the
25 Eureka area.

1 The application should be approved based on
2 the Company's commitments, which, if followed, will
3 adequately address the Division's initial list of
4 inadequacies. The Division can now say the proposal and
5 this supplemental filing is in the public interest. The
6 Division supports extending service to Eureka as a
7 prudent decision, just, reasonable and adequate.

8 Thank you.

9 **Q. Thank you.**

10 MS. SCHMID: Mr. Orton is now available for
11 cross-examination questions and questions from the
12 Commission.

13 COMMISSIONER LEVAR: This is Thad LeVar.
14 Thank you, Ms. Schmid.

15 I think I will go to Mr. Moore next.
16 Mr. Moore, do you have any questions for Mr. Orton?

17 MR. MOORE: We have no questions. Thank you
18 very much.

19 COMMISSIONER LEVAR: Okay, thank you.

20 Ms. Clark or Mr. Sabin, do you have any
21 questions for Mr. Orton?

22 MS. CLARK: We do not have any questions for
23 Mr. Orton. Thank you.

24 COMMISSIONER LEVAR: Thank you.

25 Mr. Froerer?

1 MR. FROERER: I have no questions.

2 COMMISSIONER LEVAR: Okay. Thank you.

3 Commissioner Allen, do you have any questions
4 for Mr. Orton?

5 COMMISSIONER ALLEN: No questions from me.

6 COMMISSIONER LEVAR: Thank you.

7 Commissioner Clark?

8 COMMISSIONER CLARK: I have none, thank you.

9 COMMISSIONER LEVAR: Okay. Thank you.

10 EXAMINATION

11 BY COMMISSIONER LEVAR:

12 Q. I have a couple of questions, Mr. Orton, and
13 they don't really relate to your testimony so feel free
14 to decline to answer, but if you have thoughts on this
15 issue, I would like to hear it.

16 Were you listening in this morning when Mr.
17 Froerer and Mr. Gill were discussing Dominion's Exhibit
18 2.03, which show the three different alternate routes for
19 the main into Eureka?

20 A. Yes, I was here for that. I'm familiar with
21 it.

22 Q. And are you familiar with that exhibit?

23 A. I am.

24 Q. Do you have any thoughts on the
25 reasonableness of DEU's selection of their preferred

1 route and the reasons they have asserted for their
2 selection of the preferred route?

3 A. Yes, I would be happy to draw out some
4 thoughts.

5 At first, we were concerned that it would not
6 be -- it was not the lowest cost route, but then as you
7 think about the future, and, hopefully, there will be
8 development in other areas such as Goshen and Elberta.

9 But even the long term, this might be the cheaper route
10 because it would allow an interconnection some miles down
11 the line for those cities, rather than installing a new
12 interconnection with a supplied pipeline and running new
13 lines.

14 So I think in the long run, it may not -- it
15 may be a better option and the cheapest option of running
16 down the dirt road.

17 Q. Thank you, Mr. Orton. That concludes my
18 questions. And I think with that, thank you for your
19 testimony today.

20 A. Thank you very much.

21 COMMISSIONER LEVAR: Ms. Schmid, anything
22 further from the Division of Public Utilities?

23 MS. SCHMID: Nothing further from the
24 Division. Thank you.

25 COMMISSIONER LEVAR: Okay. Thank you.

1 Mr. Moore.

2 MR. MOORE: Yes. The Office would like to
3 call Alex Ware to the stand.

4 COMMISSIONER LEVAR: Thank you.

5 Mr. Ware, are you on the line?

6 MR. WARE: I am.

7 COMMISSIONER LEVAR: Do you swear to tell the
8 truth?

9 MR. WARE: Yes.

10 COMMISSIONER LEVAR: Okay. Thank you.

11 Mr. Moore, go ahead.

12 DIRECT EXAMINATION

13 BY MR. MOORE:

14 **Q. For the record, can you state your name,**
15 **business address and state how you are employed?**

16 A. My name is Alex Ware. My business address is
17 160 East 300 South, in Salt Lake Utah. I'm the utility
18 analyst for the Office of Consumer Services.

19 **Q. In your capacity as utility analyst, did you**
20 **prepare and cause to be filed direct testimony on March**
21 **18, 2020, supplemental direct testimony on May 27, 2020,**
22 **and surrebuttal testimony on July 8, 2020 in this docket?**

23 A. Yes, I did.

24 **Q. Do you have any changes you would like to**
25 **make to this testimony at this time?**

1 A. No.

2 Q. If I ask you the same questions, would your
3 answers be the same today?

4 A. Yes, they would.

5 MR. MOORE: The Office would move to admit
6 the testimony of Mr. Ware.

7 COMMISSIONER LEVAR: This is Thad LeVar.
8 Thank you, Mr. Moore.

9 If anyone objects to that motion, please
10 unmute your phone and state your objection.

11 I am not hearing any objection, so the motion
12 is granted.

13 Go ahead, Mr. Moore.

14 BY MR. MOORE:

15 Q. Have you prepared a summary of your testimony
16 you would like to provide at this time?

17 A. Yes, I have.

18 Q. Please proceed.

19 A. Utah law authorizes Dominion Energy Utah to
20 extend service to rural communities that are currently
21 unserved by natural gas. DEU's petition to extend
22 service to Eureka is the first such proposal. OCS also
23 acknowledges that the statute allows the cost of rural
24 extension, as well as the cost of the service lines to
25 home and businesses to be shared across all of DEU's

1 ratepayers.

2 Since this proposal aligns with the statutory
3 requirement, OCS does not oppose the rural extension to
4 Eureka. However, my testimony raises concerns that DEU
5 did not sufficiently docket the program and the timeline
6 and the method by which potential new natural gas
7 customers in Eureka be elected to take service.

8 In surrebuttal, DEU witness Austin Summers
9 provided an updated proposed tariff that generally
10 addresses my concerns.

11 Finally, I recommended that the program
12 needed a more specific deadline for new customers to
13 start taking service, to help ensure that no Eureka
14 residents or business sign up for a no-charge service
15 line unless they fully intend to become a DEU -- my
16 original recommendation was for recipients of a no-charge
17 service line to have one year to begin taking natural gas
18 or be required to repay DEU for the cost of the service
19 line.

20 Mr. Summers responded in surrebuttal with a
21 more detailed descriptions of the sign-up period and the
22 two-year grace period. I have remaining concerns that
23 under certain circumstances, the combination of these two
24 periods that give a customer almost four years from the
25 natural gas flowing to Eureka when they must be a

1 customer actually taking natural gas service, repay the
2 cost of the service line.

3 The longer this time period is, the more
4 potential for unexpected issues to present themselves.
5 Otherwise, Mr. Summers' additional description of the two
6 time periods and proposed program operations addresses my
7 concerns.

8 And this concludes my statement.

9 **Q. Thank you.**

10 MR. MOORE: Mr. Ware is now available for
11 cross questions from the Commission.

12 COMMISSIONER LEVAR: This is Thad LeVar.
13 Thank you, Mr. Moore.

14 Ms. Schmid, do you have any questions for
15 Mr. Ware?

16 MS. SCHMID: I do not, thank you.

17 COMMISSIONER LEVAR: Thank you.

18 Ms. Clark or Mr. Sabin?

19 MS. CLARK: We don't have any questions for
20 Mr. Ware. Thank you.

21 COMMISSIONER LEVAR: Okay. Thank you.

22 Mr. Froerer?

23 MR. FROERER: I have no questions.

24 COMMISSIONER LEVAR: Okay. Commissioner
25 Clark?

EXAMINATION

BY COMMISSIONER CLARK:

Q. I have a question, Mr. Ware. In light of your ongoing concern regarding the length of time as you have calculated it, that would be open for a customer to sign up and remain uncommitted to actually taking gas service, what -- would you -- what would you recommend in lieu of that?

Would you fall back to your initial recommendations to us, or is there something different that you would suggest in light of the clarifications that have come in the rebuttal testimony of the Company?

A. I would be happy to answer that question. I think I would probably fall back to my original proposal for one year. We just think that it would safeguard and maybe promote people to make strong commitments and to move quickly toward the conversion so that we just ensure that there is no stranded -- stranded new infrastructure that ends up not being used, that ends up being paid for by all ratepayers.

And so this is -- you know, these are just, kind of, unknowns as this point. This is the first time this has been done. And so, you know, we try to look at, kind of, the worst-case scenario and prepare for that. And we -- in testimony, I presented, kind of, an example

1 where the more time goes on, it would be a potential for
2 someone to request a no-charge service line, have it
3 installed, but then they end up moving, selling their
4 home, and we just -- there are no protections in that
5 case for the new owner, at least that I'm aware of, to
6 either make sure that they take on that natural gas or
7 pay back what exceeds the cost of the service line.

8 So those are just some, kind of, unknowns,
9 but, you know, we are relatively comfortable with where
10 we are at. I don't have a ton of heartburn for the two
11 years, but, you know, I think one year seemed adequate
12 and fair.

13 **Q. And one year is the interval between gas**
14 **being available and requesting the extension, and then is**
15 **it also appropriate -- go ahead, just clarify that for**
16 **me.**

17 A. I apologize, I'm not supposed to talk over
18 you.

19 Yes, a year, I guess it -- I will speak in
20 terms that Mr. Summers kind of put them in. He's
21 suggesting a two-year grace period, and I would be
22 suggesting a one-year grace period.

23 So we are not talking about the sign-up
24 period. The sign-up period applies to everybody. That
25 would be the sign-up period end two years after gas is

1 efficiently flowing to Eureka. We are talking about that
2 one-year grace period, just if someone signs up and asks
3 for a no-charge service line that is paid for by
4 everyone, we hope that they would quickly in a year,
5 because my proposal is to become an official customer of
6 the natural gas.

7 **Q. Thanks for clarifying that for me. I have no**
8 **further questions.**

9 COMMISSIONER LEVAR: Thank you, Commissioner
10 Clark.

11 Commissioner Allen?

12 COMMISSIONER ALLEN: I have no questions.

13 COMMISSIONER LEVAR: Thank you, Commissioner
14 Allen.

15 EXAMINATION

16 BY COMMISSIONER LEVAR:

17 **Q. I have a few for you, Mr. Ware. I want to**
18 **follow-up on what Commissioner Clark was asking you**
19 **about.**

20 Do we have any data from past natural gas
21 expansions into cities of customers who obtained lines
22 but then didn't receive service, or that is not a fair
23 comparison because of the way the new statute is
24 structuring the service lines to the home? Does that
25 make any comparisons to previous expansions less

1 **relevant?**

2 A. I haven't given that a ton of thought. I
3 wonder if that would be a good question for the Company.
4 But my -- I mean, I haven't received or asked for any
5 data from the Company regarding that.

6 But under the assumption that other gas
7 expansions required the actual homeowner to pay for their
8 service line, you know, then --

9 **Q. Right.**

10 A. -- they have a little bit of skin in the game
11 there, where in this case, then it would be covered by
12 all ratepayers. I don't know if that comparison
13 effects --

14 **Q. Thank you. I appreciate that answer.**

15 **Is your concern primarily with customers who**
16 **would not be able to convert their appliances, but**
17 **who -- you know, if someone buys a home that has the**
18 **service line installed, and the -- and they had, for**
19 **example, older -- an older furnace that couldn't be**
20 **converted but had to be replaced, is that the situation**
21 **that you think could cause problems?**

22 A. You know, it's a difficult one to answer. I
23 think that's definitely a possibility of potential.
24 Obviously, everybody's home, as the Company has testified
25 today in this process, it is difficult to be able to know

1 exactly what every home's setup is like, and some will
2 probably require a little bit more costly conversions
3 than others.

4 Yes, it is just -- we are just trying to
5 protect the investments, you know, that go for the system
6 that ratepayers are paying for.

7 **Q. Sure. Considering that this is the first**
8 **expansion under this relatively new statute, do you think**
9 **there would be any risk if there was a shorter grace**
10 **period that you're suggesting might disincentivize**
11 **utilization and might cause ultimate adoption of natural**
12 **gas service to be lower than it would have under a more**
13 **generous grace period?**

14 A. Well, if you would -- if you kind of think
15 about it in terms of how the tariff is structured right
16 now, which we support. We don't have problem with the
17 new tariff language. The new tariff language states that
18 it would be the -- of the two periods.

19 So, in essence, let's say somebody signed up
20 on, you know, day one of when gas was flowing to Eureka.
21 In my proposal, they would have a year to become -- you
22 know, to have their conversions and to start taking gas,
23 where under the tariff language as evidenced now, it
24 would still be -- it would be two years because the grace
25 period would end first, but then the tariff states the

1 leader of the two dates, which would then be the sign-up
2 period.

3 COMMISSIONER LEVAR: Okay. Thank you. I
4 find those answers helpful.

5 And then I want to ask you the same question
6 I asked Mr. Orton a minute ago. Did you hear that or
7 would you like me to repeat that?

8 And I understand that it doesn't necessarily
9 relate to your testimony, so if you want to decline to
10 opine on that issue today, I understand. But I wanted to
11 give you the opportunity, if you would like to.

12 A. Well, considering my newness to the field and
13 this is kind of new issues for me, I think I'll probably
14 decline since I'm not an engineer.

15 Q. Okay. Thank you. I don't have any other
16 questions for you, so we appreciate your testimony this
17 afternoon.

18 A. Thank you.

19 COMMISSIONER LEVAR: Mr. Moore, do you have
20 anything from the Office of Consumer Services?

21 MR. MOORE: The -- excuse me, the Office has
22 nothing further, thank you.

23 COMMISSIONER LEVAR: Okay. Thank you.

24 Mr. Froerer, do you have anything further?

25 MR. FROERER: No.

1 COMMISSIONER LEVAR: Okay. Does anyone else
2 have anything further before we adjourn?

3 MS. CLARK: Chairman, the Company does have
4 one concern that I would characterize as a housekeeping
5 issue, and I don't know if now is a good time to address
6 that or if we should address it some other time.

7 But this is the issue. We note that there
8 was some discussion about -- and there was some motion
9 work pertaining to the cost benefit analysis and
10 expanding natural gas pipeline capacity to Eureka that
11 was submitted by the Rocky Mountain Propane Association,
12 and we noted that some of the information contained in
13 that is confidential. And our concern that it may be on
14 the Commission's website and may be available in that
15 fashion.

16 So we would propose that either it be removed
17 from the website or resubmitted and marked confidential
18 pursuant to the Commission rules.

19 COMMISSIONER LEVAR: Okay. Thank you. Let
20 me go to Mr. Froerer, whose client submitted that.

21 Do you have any objection if the Public
22 Service Commission immediately treated that filing as a
23 confidential filing and then awaited your resubmission of
24 it in that -- in that format?

25 MR. FROERER: Yes, I would. We never

1 requested any exception from the confidentiality
2 disclosure. If there is material in that analysis, it
3 was material that was gleaned from nonconfidential
4 sources provided by the other witnesses and by the
5 Company and by the state.

6 And so none of the material was gathered from
7 a confidential source. It was gathered from material
8 that is already public.

9 COMMISSIONER LEVAR: Well, considering that
10 we have --

11 MS. CLARK: Chairman --

12 COMMISSIONER LEVAR: Go ahead, Ms. Clark.

13 MS. CLARK: If I may make a suggestion.

14 And if -- Mr. Froerer, if this meets with
15 your -- with your approval as well.

16 I would suggest that the Commission remove it
17 from the website temporarily, and that Mr. Froerer and I
18 have a conversation offline to resolve the issue. And we
19 can notify the Commission either by submitting a properly
20 marked document or by simply a letter indicating that we
21 have come to an agreement that it can go as it stands.

22 I don't -- I don't see benefit of making all
23 the participants in this hearing, kind of, dig through
24 it. I think Mr. Froerer and I can do that together and
25 short circuit it. But I would request that it come off

1 the Commission's website while we do that.

2 COMMISSIONER LEVAR: Mr. Froerer, do you have
3 an objection to that path forward?

4 MR. FROERER: I would just repeat my
5 statement. What I can do is -- I don't have a problem
6 speaking -- speaking through it, but if -- if there's
7 numbers or if there's information in that analysis, it
8 was derived from information that's publicly available,
9 and that would be -- if it's publicly available now, then
10 the confidentiality would waive by making it publicly
11 available before that.

12 I don't -- I guess I don't have an objection
13 to, at least, exploring it, and that way -- that way, you
14 know, I will give them an opportunity to point out
15 specific things that they believe may still be
16 confidential, and then they can corroborate where the
17 information came with Mr. Gavin.

18 So long story short, I do not object.

19 COMMISSIONER LEVAR: Okay. And with that and
20 just with the clarification that our website postings are
21 courtesy only, they are not, you know, parties -- the
22 legal requirement is to serve parties, and that has been
23 done. Parties have been served with this. We do try to
24 provide a courtesy to the public by posting things on the
25 website, but when there is a legitimate dispute over

1 whether something is confidential or isn't, our typical
2 practice is to remove it from the website until that
3 dispute is resolved.

4 So I think we will do that immediately after
5 this hearing is over, and then await either resolution or
6 informing us that the issue has been resolved.

7 MS. CLARK: Thank you.

8 COMMISSIONER LEVAR: And with that, we will
9 be adjourned. Thank you all for your participation
10 today.

11 (The hearing was concluded at 1:32 P.M.)

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REPORTER'S CERTIFICATE

State of Utah)
)
County of Salt Lake)

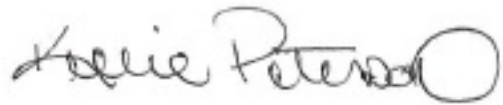
I hereby certify that the witnesses in the foregoing hearing were duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said hearing was taken at the time and place herein named;

That the testimony of said witnesses were reported by me in stenotype and thereafter transcribed into typewritten form.

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

IN WITNESS WHEREOF, I set my hand this 24th day of July, 2020.



Kellie Peterson, RPR

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