

DEU Appendix A

Statute	Requirement	Evidence Provided
54-4-13.1(3)	The commission may authorize a gas corporation to establish a natural gas clean air program that promotes sustainability through increasing the use of natural gas or renewable natural gas that the commission determines are in the public interest, subject to the funding limits set forth in subsection 54-20-10593)(d) (emphasis added).	<p>Natural Gas Clean Air Program: See below.</p> <p>Promotes sustainability through the use of natural gas: Direct Testimony of Michael A. Orton, DEU Exhibit 1.0.</p> <p>Subject to the funding limits: See below.</p>
54-4-13.1(4)	<p>“natural gas clean air program” means:</p> <p>(a) an incentive or program to support the use of natural gas, including renewable natural gas;</p> <p>(b) a program to improve air quality through use of natural gas or renewable natural gas; and</p> <p>(c) does not include any program under Section 54-4-13.4</p>	Direct Testimonies of Michael A. Orton, DEU Exhibit 1.0; Kody M. Powell, DEU Exhibit 2.0.
54-4-13.1(5)	<p>A gas corporation proposing a natural gas clean air program for approval by the commission under Subsection (3) shall seek input from:</p> <p>a) The Division of Public Utilities;</p> <p>b) The Officer of Consumer Services;</p> <p>c) Any person that files a request for notice with the Commission.</p>	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0 and accompanying exhibits.

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54-20-105(3)(a)	<p>The Commission may authorize a large-scale natural gas utility to implement and fund programs that the commission determines are in the public interest of a large-scale natural gas utility customer to provide for the investigation, analysis and implementation of:</p> <p>...</p> <p>(ii) research and development of other efficiency technologies;</p> <p>...</p> <p>(vii) any other technology program.</p>	<p>Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0; Direct Testimony of Dr. Kerry E. Kelly, DEU Exhibit 3.0.</p>
54-20-105(3)(b)	<p>A large scale natural gas utility proposing a program under this Subsection (3) shall, before submitting the program to the commission for approval, seek input from:</p> <ul style="list-style-type: none"> i) The Division of Public Utilities; ii) The Office of Consumer Services; and iii) A person that files a request for notice with the commission. 	<p>Direct Testimony of Michael A. Orton, DEU Exhibit 1.0 and accompanying exhibits.</p>
54-20-105(3)(c)	<p>In determining whether a project is in the public interest, the commission shall consider the following factors:</p>	
54-20-105(3)(c)(i)	<p>To what extent the use of renewable natural gas is facilitated or expanded by the proposed project;</p>	<p>Direct Testimony of Michael A. Orton, DEU Exhibit 1.0.</p>
54-20-105(3)(c)(ii)	<p>The potential air quality improvements associated with the proposed project;</p>	<p>Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0; Direct Testimony of Dr. Kerry E. Kelly, DEU Exhibit 3.0.</p>
54-20-105(3)(c)(iii)	<p>Whether the proposed project could be provided by the private sector or would be viable without the proposed incentives;</p>	<p>Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0.</p>

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54-20-105(3)(c)(iv)	Whether any proposed incentives were offered to all similarly situated potential partners and recipients; and	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0.
54-20-105(3)(c)(v)	Potential benefits to ratepayers.	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0; Direct Testimony of Dr. Kerry E. Kelly, DEU Exhibit 3.0.
54-20-105(3)(d)	Upon commission approval, the Commission may authorize the large-scale natural gas utility to allocate on an annual basis up to \$10,000,000 to . . . a specific natural gas clean air program as provided in Section 54-4-13.1.	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kelly B Mendenhall, DEU Exhibit 4.0 and accompanying exhibits.
54-20-105(e)	<p>A large-scale natural gas utility shall establish a balancing account that includes:</p> <ul style="list-style-type: none"> (i) Funds allocated for projects that have been approved by the commission under subsection (3)(a); and (ii) A carrying charge in an amount determined by the commission. 	Direct Testimony of Kelly B Mendenhall, DEU Exhibit 4.0 and accompanying exhibits.