

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of Dominion Energy Utah for Approval of a Natural Gas Clean Air Project and Funding for the Intermountain Industrial Assessment Center

DOCKET NO. 19-057-33

ORDER GRANTING MOTION TO VACATE SCHEDULING ORDER AND STAY DISCOVERY

ISSUED: March 19, 2020

On March 16, 2020, Dominion Energy Utah (DEU) filed in this docket a Motion to Vacate Scheduling Order, Stay Discovery, and for a Scheduling Conference (“Motion”). In the Motion, DEU requests the Public Service Commission of Utah (PSC): 1) vacate the remaining dates set forth in the Scheduling Order; 2) temporarily stay discovery in this matter; and 3) if appropriate, issue a Notice of Scheduling Conference after issuance of the PSC’s Order addressing the Motion for Summary Judgment filed by the Office of Consumer Services (OCS).

In support of its Motion, DEU asserts Rocky Mountain Power’s (RMP) participation in this docket has raised certain issues related to confidential information. As a result, DEU desires to ensure the current schedule affords adequate time to both: 1) resolve confidentiality issues; and 2) ensure RMP receives appropriate information in a time frame that would allow it to review and, if it so chooses, file Direct Testimony. In addition, DEU recognizes the PSC’s ruling on the OCS’s pending Motion for Summary Judgment may impact the scope of discovery and the need to provide certain information deemed highly confidential.

DEU states it has consulted with the Utah Division of Public Utilities (DPU), the OCS, RMP, and the Utah Association of Energy Users (UAE) (representing all current parties to this docket) and that these parties either support or do not oppose the Motion.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

We find resolution of confidentiality issues and adequate time for discovery are appropriate issues for us to allow parties additional time to resolve. Further, we recognize our pending decision on the OCS's Motion for Summary Judgment might impact the resolution of those issues. Based on these findings and DEU's statement that DPU, OCS, RMP, and UAE either support or do not oppose the Motion, we find and conclude that allowing parties an opportunity to respond to the Motion is unnecessary and that the Motion is reasonable; therefore we waive the time frames for responses to the Motion and we approve the Motion. We will address the schedule going forward following the issuance of our decision on the OCS's Motion for Summary Judgment.

ORDER

Based on our findings and conclusions we:

- 1) Grant the Motion;
- 2) Vacate the remaining dates set forth in the Scheduling Order; and
- 3) Stay discovery in this matter.

DATED at Salt Lake City, Utah, March 19, 2020.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg

PSC Secretary

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Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this written order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on March 19, 2020, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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