



State of Utah  
Department of Commerce  
Division of Public Utilities

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## Action Request Response

**To:** Public Service Commission of Utah

**From:** Utah Division of Public Utilities

Artie Powell, Director

Doug Wheelwright, Utility Technical Consultant Supervisor

Eric Orton, Utility Technical Consultant

**Date:** June 14, 2021

**Re:** **Docket No. 20-057-T03**, In the Matter of the Motion of Dominion Energy Utah for Approval to Deviate from Applicable Tariff Provisions and Commission Rules in Response to COVID-19.

### Recommendation (Approve)

The Division of Public Utilities (Division) recommends that the Public Service Commission of Utah (Commission) approve Dominion Energy Utah's (Dominion) request to resume its normal business practices as they were before the COVID 19 pandemic occurred last year.

### Issue

On June 4, 2021, Dominion submitted a request to resume its regular business practice regarding "performing in-home Home Energy Assessments and full reconnections which sometimes results in an operations technician entering a customer's home." Dominion will resume these business practices effective July 1, 2021. These two business practices were the only remaining business practices that were still subject to the Commission's waiver that was granted on March 16, 2020. All other regular business practices that were waived by the Commission on that date have

already been reinstated. Dominion will continue to provide customers with the option of a virtual Energy Assessment initially offered during the pandemic.

The basis for this request is the change in the state of emergency prompted by the COVID-19 pandemic. The State is returning to regular business operations as vaccinations have increased and the infection rate has declined. As a result of these two changes, and many others, Dominion is proposing to resume its regular practice of performing the in-home Home Energy Plan Assessments. Reinstating these final practices will conclude its recognition of the “exigent circumstances regarding the COVID-19 pandemic including the current state of emergency.” This will also complete Dominion’s requirement to fulfill Paragraph 10 of the Settlement Stipulation the Commission approved on December 10, 2019 in Docket No. 19-057-25 regarding Dominion’s requirement to notify the Commission if/when it plans on violating Commission rule or tariff.

## **Background**

On March 6, 2020, the Utah Governor declared a state of emergency in Utah based on the spread of COVID-19.

On March 16, 2020, Dominion filed a Motion and Request for Expedited Treatment (Motion) with the Commission. In its Motion, Dominion requested approval to temporarily deviate from certain provisions of its Utah Natural Gas Tariff No. 500 (“Tariff”) and Utah Administrative Code R746 in response to the unforeseen circumstances resulting from the COVID-19 pandemic.

The basic purpose of that filing was to allow Dominion to temporarily deviate from some of its practices as stated in its tariff and allow it to “continue to provide service in circumstances that would otherwise require termination and to minimize exposure risk to its customers and employees.” Specifically it proposed to:

- not require the imposition of connection fees and security deposits,
- not charge late fees,
- not subject customers to discontinuance of service for nonpayment; and

- not offer in-house Home Energy Assessments.

The Company also requested “leave to deviate from these provisions, or any other applicable Tariff provisions or PSC rules consistent with the Motion, during the pendency of the COVID-19 state of emergency,” to insure the safety of its customers and employees. It indicated that this condition would remain until further notice.

That same day the Commission granted Dominion’s motion based on the stated support of regulators and “the exigent circumstances regarding the COVID-19 pandemic including the current state of emergency”, finding that the Motion was in the public interest.

On June 18, 2020, Dominion filed a continuation of its Notice of Resumption of Business Practices regarding disconnection and connection fees. Dominion resumed its regular business practice of disconnection for non-pay, effective July 18, 2020.”

On March 8, 2021, Dominion filed its next Notice of Resumption of Business Practices regarding late payment fees. Dominion resumed its regular practice of charging late payment fees effective April 7, 2021. On June 4, 2021, Dominion filed this Notice of Resumption of Business Practices – In-Home Energy Audits and Full Connection Services. On that same day the Commission issued its Action Request to the Division directing it to review the notice and make a recommendation. This memo is the result of the Division’s review and its recommendation.

## **Discussion**

In this filing, Dominion proposes to conclude its gradual return to normal procedures beginning July 1, 2021. Business operations in general are continuing to resume their regular operations and, along with this general return to a regularly functioning economy, utilities and their customers should return to normal operations as well. This final step by Dominion is arguably in-step with a general phased-in approach to returning to a business-as-usual environment.

In conformity with the Commission's order issued March 16, 2020, Dominion is submitting its Notice that on July 1, 2021, it intends to resume its full business practices that were waived by Commission's Order.

On May 4, 2021, the Utah's Health Orders related to COVID-19 were terminated based on the state meeting the "Endgame" thresholds as outlined in the application and in House Bill 294 also known as the "Endgame" bill. In view of these developments, Dominion "plans to resume the remaining business practices of performing in-home Home Energy Assessments and full reconnections which sometimes results in an operations technician entering a customer's home." These two business practices were the only remaining business practices that were still subject to the Commission's waiver. Accordingly, on July 1, 2021, the Company will have fully resumed all of the activities addressed in this docket, and there will be no outstanding waivers.

## **Conclusion**

The Division has reviewed Dominion's request to make this next and final step in returning to business as usual practices. Although the stated reasons for beginning the waiving of these fees requested in its original filing (the COVID-19 pandemic) have not entirely disappeared, the proposed gradual phasing-in approach is reasonable and returning to full and regular business practices are appropriate. The Commission should approve Dominion's request.

Cc: Kelly Mendenhall, Dominion Energy Utah  
Michele Beck, Office of Consumer Services