

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of )  
STANLEY A. SCHAAR for the WILLY )  
WASH CAR WASH LLC )  
Complainant )  
vs. )  
QUESTAR GAS COMPANY, )  
Respondent )

DOCKET NO. 02-057-05  
ORDER ON MOTION TO DISMISS

ISSUED: February 12, 2003

By The Commission:

Stanley A. Schaar, on behalf of Willy Wash Car Wash LLC, filed a Complaint in this matter claiming that its bills from Questar during months of November 2000 through February 2001 were improperly high. Complainant provided its historical gas usage for the two years preceding the time in question, and also for the year after. Complainant asserts that after Questar replaced its meter in February 2001, usage returned to normal levels. Complainant further provided the amount of usage billed for water and electricity at the car wash during the same time periods.

Respondent Questar Gas Company ("Questar") filed an Answer and Motion to Dismiss claiming that the bills were accurate and the matter should be dismissed. Questar alleges that after Complainant's meter was removed, it was tested and read accurately.

Having reviewed the allegations contained in the Complaint, and in the Answer and Motion to Dismiss, we find that issues of fact exist that preclude granting the Motion to Dismiss. The billed usage for the months in question far exceeds the usage of previous years. While Complainant's billings for water and electricity do not historically exactly correlate with gas usage, the usage amounts provided show a very large increase in gas usage, and no corresponding increase in usage of the other utilities. The proffered evidence also shows that after the gas meter was replaced at Complainant's premises, billed usage returned near the levels of the previous years including through the next winter. Questions of fact exist as to the cause of the unusually high billings at issue. The Motion to Dismiss will therefore be denied, and a hearing will be set in this matter.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

The Motion to Dismiss of Questar Gas Company is denied. Further proceedings will be set in this matter.

Dated at Salt Lake City, Utah, this 12<sup>th</sup> day of February, 2003.

/s/ Douglas C. Tingey  
Administrative Law Judge

Approved and confirmed this 12<sup>th</sup> day of February, 2003, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard,  
Commission Secretary

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