

Roger J Ball
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26 April 2006

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Joint Application of
Questar Gas Company, the Division of
Public Utilities, and Utah Clean Energy
for Approval of the Conservation
Enabling Tariff Adjustment Option and
Accounting Orders

Docket No 05-057-T01

REPLY OF ROGER BALL TO THE
20 APRIL 2006 MEMORANDUM OF THE
COMMITTEE OF CONSUMER SERVICES

On 20 April 2006, the Utah Committee of Consumer Services, through its attorney, submitted a Memorandum to the Commission's Administrator (sic).

Inter alia, it represented that: "The parties' negotiations have reached a point where there is agreement in principal (sic) that will resolve the issues now scheduled for hearing on May 17", and "The parties also agree that under these circumstances, the parties need not file legal memorandum (sic) for the May 17 hearing as called for by the scheduling order".

With regret, I must inform the Commission that I disagree with these representations.

On 18 April 2006, the Committee convened a meeting of those who had requested, or who had said they might request, intervention in this Docket. It was represented to those of us in attendance that there had been a previous meeting between Questar and the Committee at which certain understandings had been reached between them, one

of which was that the Committee would invite the Intervenors to meet to explore the possibilities of a settlement based upon its meeting with Questar.

The Committee and Intervenors conducted that exploration, as a result of which it appeared *possible* that a settlement might be achieved. The Committee's Memorandum went too far, however, in representing that there was an "agreement ... that *will* resolve" the interim rate decrease issue scheduled for hearing on 17 May.

In fact, there were settlement discussions between some of the Joint Applicants and some of the Intervenors on 24 April, and some progress was made, but the only certain agreement that was reached was to meet again today, 26 April.

Unfortunately, I must also record that I have no recollection of any mention, much less agreement, on 18 April, or at any point prior to the Committee submitting its Memorandum on 20 April, that anything scheduled to be filed on 21 April need no longer be filed by that date.

I therefore disagree with the Committee's representations as to the certainty of settlement and to the necessity for the joint applicants, or anyone else, to adhere to the Commission's 2nd Amended Scheduling Order in this Docket, dated 2 March 2006.

I respectfully request that the Commission understand that I have *not* consented to any change in the schedule established in that Order.

Respectfully submitted on 26 April 2006,

Roger J Ball

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Reply of Roger Ball to the 20 April Memorandum of the Committee of Consumer Services in Docket 05-057-T01 has been or will be mailed electronically on 26 April 2006, to the following:

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