

Roger J Ball
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Salt Lake City, Utah 84121
(801) 277-1375
2 February 2005

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application for Approval of a
Conservation Enabling Tariff Adjustment Option
and Accounting Orders

| Docket No 05-057-T01
|
| REQUEST TO INTERVENE

Pursuant to the customs and practices of the Public Service Commission of Utah, including Utah Code Annotated (UCA) Section 63-46b-9 and Utah Administrative Code (UAC) R746-100-7, Roger J Ball respectfully requests that the Commission permits him to intervene in this matter.

In support of which he states that:

1 on 16 December 2005, Questar Gas Company, the Utah Division of Public Utilities and Utah Clean Energy jointly requested Commission approval of tariff changes that would result in changes to the Company's Schedule GS-1 rates;

2 he uses natural gas for space and water heating in his home, for which he has no choice of alternative suppliers, and is therefore a captive customer who must necessarily pay whatever rates are approved by the Commission in Questar Gas Company's Tariff;

3 his legal rights and interests may therefore be substantially affected by the Commission's adjudication of this matter;

4 while the Utah Division of Public Utilities is statutorily mandated to "act in the public interest in order to provide the Public Service Commission with objective and comprehensive information, evidence, and recommendations", etc,¹ Mr Ball's legal rights and interests may or may not coincide with "the public interest", etc;

5 moreover, in this matter, and perhaps for the first time, the Division is a joint applicant with the utility;

6 while the Utah Committee of Consumer Services is statutorily mandated to "assess the impact of utility rate changes ... on residential consumers"² and "advocate ... positions most advantageous to a majority of residential consumers", it does so "on its own behalf and in its own name ... as determined by the committee";³

7 as an individual customer, Mr Ball's legal rights and interests may or may not coincide with those of "a majority of residential consumers as determined by the committee";

¹ Utah Code Annotated §54-4a-6.

² Utah Code Annotated §54-10-4(1).

³ Utah Code Annotated §54-10-4(3).

8 while the Committee is also statutorily mandated to “assist residential consumers ... in appearing before” the Commission,⁴ in the past it has consistently declined to represent individual consumers, as opposed to advising them on procedures and presenting them in hearings, on the grounds that their interests might conflict with those of the majority;

9 Mr Ball has not fully determined the specific positions he will take, or the relief he will seek;

10 the interests of justice and the orderly and prompt conduct of this proceeding will not be materially impaired by allowing him to intervene;

11 indeed, the interests of justice might be materially impaired by denying him intervention; and

12 no deadline for intervention has been set, and he was assured by Questar’s witness, Mr McKay, during the 3 January 2006 Scheduling Conference – none of the others present dissenting – that intervention deadlines were not usually set in this type of proceeding and that anyone, including Mr Ball, presenting themselves at the hearing first projected to be scheduled for 20 January, but subsequently modified and now noticed for 3 February, would have an opportunity to be heard;

11 so Roger J Ball requests leave to intervene in this proceeding to protect his interests, and perhaps those of other Questar Gas Company Tariff Schedule GS-1 customers, as they may appear; and

⁴ Utah Code Annotated §54-10-4(2).

12 requests that that he be added to the service list, and that copies of all notices, pleadings, correspondence, discovery, and other documents – past and future – in this proceeding should be sent to him:

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Respectfully submitted on 2 February 2006,

Roger J Ball

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Request to Intervene in Docket 05-057-T01 of Roger J Ball was hand delivered, sent by United States mail, postage prepaid, or mailed electronically on 2 February 2006, to the following:

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