

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH-

In the Matter of the Application of Questar)
Gas Company to file a General Rate Case) DOCKET NO. 07-057-13
)
) MODIFICATION AND CLARIFICATION
) OF PART 6 OF
) DECEMBER 27, 2007, SCHEDULING
) ORDER
)

ISSUED: February 13, 2008

By the Commission:

In the Scheduling Order issued December 27, 2007, the Commission attempted to highlight for participants the Commission’s process and rule provisions intending to have parties present and inform the Commission of their positions and present evidence through their own witnesses, rather than through other parties’ witnesses. The Commission discourages parties from relying on cross-examination of the witnesses of other parties in attempting to make their case without sponsoring their own witness or witnesses. See, Utah Administrative Rule R746-100-9K. In the December 27, 2007, Scheduling Order, the Commission included, in Part 6, at page 7 of the Scheduling Order, the following language: “Only parties who have been granted intervention and who have filed written testimony will be permitted to participate in examination of witnesses at a hearing.”

Questions have now arisen on whether the quoted language precludes a party from having any cross-examination of witnesses if the party has not presented or offered testimony through its own witness. Total preclusion of examination of a witness was not the intent of the Commission in using the quoted language. To avoid any ambiguity concerning the Commission’s intent, we have concluded that we will vacate the quoted language and remove it

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from the December 27, 2007, Scheduling Order. Witness examination may be conducted pursuant to the procedural and evidentiary rules that apply in our administrative proceedings. We continue to expect parties to present their positions and evidence in support of their positions through their own witnesses.

Wherefore, it is hereby ORDERED that the following language: “Only parties who have been granted intervention and who have filed written testimony will be permitted to participate in examination of witnesses at a hearing,” found in Part 6, page 7 of our December 27, 2007 Scheduling Order is vacated.

DATED at Salt Lake City, Utah, this 13th day of February, 2008.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#56310