

PATRICIA E. SCHMID (#4908)
Assistant Attorney General
Counsel for the DIVISION OF PUBLIC UTILITIES
MARK L. SHURTLEFF (#4666)
Attorney General of Utah
160 E 300 S, 5th Floor
P.O. Box 140857
Salt Lake City, UT 84114-0857
Telephone (801) 366-0380

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

| | |
|---|---|
| In the Matter of the Request of the Division of Public Utilities for Enforcement Action under the Natural Gas Pipeline Safety Act Against Questar Gas Company | Motion of the Division of Public Utilities to Approve Settlement Stipulation Docket No. 11-057- |
|---|---|

Pursuant to Utah Code Ann. § 54-7-1 and Utah Administrative Code R746-100-10(F)(5), the Division of Public Utilities (Division) requests that the Public Service Commission approve the Settlement Stipulation filed herewith pertaining to a March 24, 2009 incident involving Questar Gas Company's (Questar Gas) failure to properly mark its intrastate gas line near 1580 East 400 South, Salt Lake City, Utah, resulting in the line being hit by an excavator, leading to gas loss, road closures, and evacuations. The relevant facts and other essential information are contained in the draft complaint attached to the Settlement Stipulation.

The Commission's jurisdiction over this matter is pursuant to Utah Code Ann. § 54-4-1 et seq., pertaining to natural gas utilities, and § 54-8a-2, pertaining to damage to underground utilities by operators and excavators.

The Division prepared the Draft Complaint, and Questar Gas and the Division engaged in lengthy discussions concerning this matter, resulting in the attached

Settlement Stipulation. During this process, extensive analysis, fact review, policy review and arm's length negotiations were conducted. The parties believe that the Settlement Stipulation provides an appropriate resolution of this matter, and request Commission's approval. The Settlement Stipulation contains provisions requiring implementation of changes to Questar Gas' locating practices, as well as implementation of additional Questar Gas practices including but not limited to Questar Gas expanding its spot check program, conducting additional seasonal training for locators and certain Questar Gas employees, and increasing the frequency and coverage of third party damage reports that Questar Gas is currently providing the Division. Of note, in March 2011, Questar Gas voluntarily performed the additional seasonal training for locators and certain Questar Gas employees. Additionally, the Settlement Stipulation mandates that Questar Gas pay a fine pursuant to Utah Code Ann. §§54-7-23 and 54-7-25; due to changes in provision applicable to operators and excavators, the sections above provide the basis for the applicable fine of \$4,500. The Division and Questar Gas believe that the compromise and settlement set forth in the Settlement Stipulation is in the public interest.

For the reasons set forth above, the Division of Public Utilities requests that the Commission approve the attached Settlement Stipulation.

Respectfully submitted this _____ day of April 2011.

Patricia E. Schmid
Attorney for the Division of Public Utilities

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the Motion of the Division of Public Utilities to Approve Settlement Stipulation was sent by electronic mail to the following on April ____ 2011:

Colleen Larkin Bell
Abigail E. Magrane
Questar Gas Company
180 East First South
P.O. Box 45360
Salt Lake City, UT 84115
colleen.bell@questar.com
abbie.margrane@questar.com
