

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
Joseph Cook and Warren Bennett against) DOCKET NO. 14-057-28
Questar Gas Company) ORDER DISMISSING COMPLAINT

ISSUED: May 22, 2015

FINDINGS OF FACTS

1. On March 20, 2015, Joseph Cook and Warren Bennett filed an amended formal complaint against Questar Gas Company (Company). The complaint, however, was unsigned. Mr. Cook subsequently sent an e-mail to the Commission on April 1, 2015, in which he referenced the “[a]ttached signed complaint[.]” The e-mail, however, contained no attachment.

2. On April 7, 2015, the Commission notified Mr. Cook and Mr. Bennett via letter that the Commission will hold the complaint without further action until a signed copy is received.

3. On April 13, 2015, the Division of Public Utilities (Division) filed a memorandum recommending the Commission dismiss the pending action. According to the Division, the Company restored service to Mr. Cook’s residence in November 2014; thus, the complaint should be dismissed.

4. The Commission has received no further response from Mr. Cook or Mr. Bennett.

CONCLUSIONS OF LAW

Utah Administrative Code R746-100-3(G) requires a complaint to be signed by the parties or the parties’ attorney or authorized representative. Mr. Cook and Mr. Bennett failed to file a signed copy of their complaint in accordance with R746-100-3(G). Given complainants’

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failure to file a signed complaint, and the Division's position that this matter is essentially mooted by the fact that service was already restored to the residence at issue before the complaint was filed, dismissal is appropriate.

ORDER

For the foregoing reasons, the Commission dismisses the complaint. The dismissal is without prejudice such that if Mr. Cook and Mr. Bennett wish to refile their complaint, it must be signed in compliance with Utah Administrative Code R746-100-3(G) referenced above.

DATED at Salt Lake City, Utah, this 22nd day of May, 2015.

/s/ David R. Clark, Commissioner

/s/ Thad LeVar, Commissioner

Attest:

/s/ Gary L. Widerburg
Commission Secretary
DW#266408

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on the 22nd day of May, 2015, a true and correct copy of the foregoing was served upon the following as indicated below:

By U.S. Mail:

Mr. Joseph Cook and Mr. Warren Bennett
980 Military Drive
Salt Lake City, UT 84108

By E-Mail:

Joseph Cook (military980@gmail.com)

Patricia Schmid (pschmid@utah.gov)

Justin Jetter (jjetter@utah.gov)

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Utah Assistant Attorneys General

By Hand-Delivery:

Division of Public Utilities
160 East 300 South, 4th Floor
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Administrative Assistant