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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Questar Gas Company's Replacement Infrastructure 2017 Annual Plan and Budget	Docket No. 16-057-17 Utah Division of Public Utilities' Motion for Temporary Protective Order
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Pursuant to Utah Admin. Code r.746-1-301, the Utah Division of Public Utilities (Division) files this Motion for Temporary Protective Order. The Division requests that the Commission immediately place the October 25, 2017 Correspondence from Commission Secretary Gary L. Widerburg under protective order treating the anonymous letter received as confidential subject to the protections provided in r.746-1-601 et seq. until the Division reports the findings of its investigation. The Division will provide a status report every thirty days until it files the report. Any other party may object to the claim of confidentiality in the motion in accordance with the procedures in r. 746-1-604.

On October 25, 2017 the Commission Secretary provided parties to the docket with a correspondence from an anonymous source that was received by the Commission on October 4,

2017 (“Letter”). The Letter makes specific and serious allegations against both individuals at the utility as well as a named contractor. The Division also takes such claims very seriously and is investigating the matter. The Division is simultaneously concerned about the effect that publication of those anonymous allegations may have on both the individual company employees as well as the contractor named in the complaint. The presence of anonymous, uninvestigated claims in the public record threatens reputational harm to the utility, at least one prominent officer, and a third-party. It is in the public interest to maintain the allegations confidentially until the Division reports its investigatory findings.

Pending the results of the Division’s investigation into the matter the indiscriminate dissemination of the potentially damaging claims outweighs the benefit of public disclosure. It is enough for now for the public to know there is an ongoing investigation of the utility based on an anonymous allegation. Reciprocal confidential treatment of the persons and companies accused in the Letter is reasonable considering the request and redaction of the name of the person who submitted the Letter.

The Division therefore requests that the Commission place the entirety of the Letter under the same protections granted to confidential and highly confidential information as set forth in r.746-1-601 et seq. Though the Commission’s rules do not directly address this situation where the Division is requesting a protective order for a document created and filed by another, the Commission has power to deviate from the Rules by expanding application to this letter pursuant to r.746-1-109. As the Division has explained, the potential damage to the parties named in the Letter outweighs the effects of temporary protective order treating the Letter as confidential. Thus, construing the protective order rule to prohibit the Division’s requested relief would impose a hardship outweighing the benefit of the rule’s limitation.

DOCKET NO. 16-057-17 - CERTIFICATE OF SERVICE

I CERTIFY that on October 31, 2017, a true and correct copy of the foregoing was served upon the following as indicated below:

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