

In the Matter Of:

In Re: QGC - Tariff Modifications

HEARING, DOCKET NO. 17-057-09

September 26, 2017

Job Number: 393748

1 BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

2

3 IN THE MATTER OF THE APPLICATION OF Docket No. 17-057-09
4 QUESTAR GAS COMPANY TO MAKE TARIFF
5 MODIFICATIONS TO CHARGE
6 TRANSPORTATION CUSTOMERS FOR PEAK
7 HOUR SERVICES

8

HEARING PROCEEDINGS

9

10 TAKEN AT: Utah Public Service Commission
11 4th Floor
12 160 East 300 South
13 Salt Lake City, Utah

14

15 DATE: Tuesday, September 26, 2017

16 TIME: 9:00 a.m.

17 REPORTER: Mary R. Honigman, R.P.R.

18 Job #393748

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1 PROCEEDINGS

2 COMMISSIONER LEVAR: Good morning.

3 We're here in Public Service Commission Docket No.
4 17-057-09, The application of Questar Gas Company to
5 Make Tariff Modifications to Charge Transportation
6 Customers for Peak Hour Service. We do recognize
7 that the Utility's name change has been approved
8 subsequent to this docket filing. All the documents
9 in this docket were filed as the Application of
10 Questar Gas Company. I think everybody in the room
11 knows who we're talking about.

12 As one more preliminary matter, I
13 would just note that we do have in the testimony
14 some confidential material. At this point, the
15 hearing is open to the public and is being streamed.
16 If we ever get to the point in testimony where any
17 of the attorneys need to make a motion to close the
18 hearing, we're going to rely to some extent on the
19 attorneys for the parties noticing if we start to
20 move into confidential areas and then we would have
21 to make a finding as a Commission to move to close
22 the hearing if that becomes a need, so I'll just
23 remind everyone of that. Are there any other
24 preliminary matters before we go to appearances?

25 MS. CLARK: There are, Commissioner.

1 The parties have agreed as a preliminary matter to
2 stipulate to the admission of prefiled exhibits and
3 testimony and would like the opportunity to do that.
4 I know that some of the parties may have additional
5 exhibits, but we have agreed to the admission of the
6 prefiled exhibits. And, in addition, I have with me
7 Mr. Cameron Sabin, and he would like to enter an
8 appearance in this matter.

9 COMMISSIONER LEVAR: Why don't we go
10 ahead and do appearances and then we'll take, it
11 looks like, one global motion for the prefiled
12 testimony. So for appearances for the Utility.

13 MS. CLARK: My name is
14 Jenniffer Nelson Clark. I'm counsel for Dominion
15 Energy, and I have with me Mr. Cameron Sabin from
16 Stoel Rives also representing the Company. And if I
17 may take a moment, I'll introduce our witnesses. We
18 have Mr. Kelly Mendenhall here on behalf of the
19 Company, and behind me -- you'll meet them later --
20 we have Mr. William Schwarzenbach, David Landward,
21 and Michael Platt.

22 COMMISSIONER LEVAR: Thank you. For
23 the Division of Public Utilities.

24 MS. SCHMID: Thank you.
25 Patricia E. Schmid with the Attorney General's

1 Office representing the Division. With me at
2 counsel table is the Division's witness, Douglas
3 Wheelwright. Also, sitting behind me is another
4 Division witness, Howard Lubow.

5 COMMISSIONER LEVAR: Thank you. For
6 the Office of Consumer Services.

7 MR. SNARR: Steven W. Snarr with the
8 Attorney General's Office representing the Office of
9 Consumer Services. I have with me today
10 Gavin Mangelson here at the table from the Office,
11 and our expert witness, Mr. Jerome Mierzwa, seated
12 in the audience here.

13 COMMISSIONER LEVAR: Thank you. For
14 the Utah Association of Energy Users.

15 MR. DODGE: Gary Dodge on behalf of
16 UAE. Neal Townsend is our witness and he's in the
17 the hearing room.

18 MR. MECHAM: Steve Mecham
19 representing the American Natural Gas Council.

20 COMMISSIONER LEVAR: Okay, thank you.
21 You do not have a witness?

22 MR. MECHAM: No, we do not have a
23 witness.

24 COMMISSIONER LEVAR: Do you intend to
25 participate in cross-examination today?

1 MR. MECHAM: No, but we generally
2 support UAE's position.

3 COMMISSIONER LEVAR: Okay. Thank
4 you. With that, we'll go to Ms. Clark for your
5 motion you described.

6 MS. CLARK: The Company will move for
7 the admission of its own exhibits and if the
8 Commission will indulge me, we did have some
9 corrections and some updates, so I'd like to sort of
10 read through the list to make sure that all the
11 parties and the Commission is aware of what exactly
12 it is we're seeking to have admitted.

13 COMMISSIONER LEVAR: And this motion
14 is for your four witnesses?

15 MS. CLARK: This is for the Dominion
16 Energy witnesses and exhibits. So the Company would
17 move for the admission of the direct prefiled
18 testimony of Kelly B. Mendenhall, and that is titled
19 QGC Exhibit 1.0C. That one was corrected with
20 accompanying Exhibits QGC 1.1, 1.2, 1.3, 1.4, 1.5U,
21 1.6, 1.7, and 1.8; the rebuttal testimony of
22 Kelly B. Mendenhall, and that is DEU Exhibit 1.0R,
23 1.1R, 1.2R, 1.3R, 1.4R, 1.5R, 1.6R, 1.7R, 1.8R,
24 1.9R, 1.10RC -- that one was also corrected and
25 updated -- 1.11; the prefiled rebuttal testimony of

1 David Landward, that is DEU Exhibit 2.0R; the
2 prefiled rebuttal testimony of Michael L. Platt,
3 DEU Exhibit 3.0R with accompanying Exhibits 3.1R,
4 3.2R, 3.3R, 3.4R, 3.5R; the rebuttal testimony of
5 William F. Schwarzenbach III, that is DEU Exhibit
6 4.0R with accompanying Exhibits 4.1R, 4.2R, 4.3R,
7 and 4.4R; and, finally, the surrebuttal testimony of
8 William F. Schwarzenbach III, that is DEU 4.0SR with
9 accompanying Exhibit 4.1SR.

10 COMMISSIONER LEVAR: If anyone in the
11 room objects to that motion, please indicate to me.
12 And I'm not seeing any objections so the motion is
13 granted. From your discussion before, was the
14 intent that we would have all parties make similar
15 motions now or do those as we get to them?

16 MS. CLARK: It was, I think, if they
17 prefer.

18 MS. SCHMID: Thank you. With that,
19 the Division would like to move for the admission of
20 DPU Exhibit No. 1.0 Direct with Exhibit Nos. 1.110
21 in confidential and redacted form filed by Douglas
22 Wheelwright on July 26, 2017; the surrebuttal of
23 Douglas D. Wheelwright filed on 9/19/2017,
24 consisting of his DPU Exhibit No. 1.0SR in both
25 confidential and redacted form; the direct testimony

1 of DPU witness Howard E. Lubow, DPU Exhibit No. 2.0
2 direct, filed on July 26, 2017, along with his
3 resume and an Exhibit 2.1 direct and 2.2 direct,
4 respectively; also, we would like to move for the
5 admission of Mr. Lubow's surrebuttal testimony,
6 that's DPU No. 2.0SR filed on September 19,
7 Exhibit No. 2.1SR, Exhibit No. 2.2SR, and
8 Exhibit No. 2.3SR. However, Exhibit 2.3SR is a data
9 response from Questar, and when the testimony was
10 filed we inadvertently omitted the second page of
11 the data response, and I have that to hand out
12 today. So we would like to move for the admission
13 of that as supplemented by the second page that I'll
14 hand out in just a moment if you would like; and
15 then, finally, the admission of DPU
16 Exhibit No. 2.4SR to Mr. Lubow's testimony.

17 COMMISSIONER LEVAR: Okay. If anyone
18 objects to this motion, please indicate to me. And
19 I'm not seeing any objection so the motion is
20 granted.

21 MS. SCHMID: Would you like me to
22 hand out the second page now or wait for a break?

23 COMMISSIONER LEVAR: I assume the
24 parties already had it before the motion, right?

25 MS. SCHMID: They did not.

1 COMMISSIONER LEVAR: Why don't you go
2 ahead and distribute it to parties and to us.

3 MS. SCHMID: With that, since I
4 didn't hand it to them before, I will request again
5 the admission of the supplemented 2.2SR just in case
6 there are any questions about the supplement.

7 COMMISSIONER LEVAR: Okay. If anyone
8 objects to the motion with the inclusion of this
9 supplement that she's handed out, please indicate to
10 me. And I don't see any objection so the motion is
11 granted with this supplement. Thank you. Is that
12 all from the Division at this point?

13 MS. SCHMID: That is. Thank you.

14 COMMISSIONER LEVAR: Thank you.
15 Mr. Snarr.

16 MR. SNARR: The Office has filed
17 prefiled testimony and exhibits. I'd like to
18 identify those for the record. They include
19 Exhibit OCS-1.R from Mr. Mierzwa consisting of
20 testimony with associated Exhibits labeled
21 OCS-1.1RA, 1.1RB, 1.2RA, and 1.2RB. In addition, we
22 have the prefiled testimony of Mr. Gavin Mangelson,
23 rebuttal testimony filed on August 25, 2017. I
24 would note a correction on the cover sheet of that
25 particular document, that's OCS-2R, and the cover

1 sheet indicated direct testimony and it's really
2 rebuttal. The sheets within the exhibit itself were
3 appropriately identified, but Mr. Mangelson wanted
4 to make sure we got the cover sheet taken care of
5 there. We also have surrebuttal testimony that's
6 been submitted on behalf of Mr. Mierzwa, OCS-2S and
7 including Exhibits OCS-1.1S, 1.2S, 1.3SA, 1.3SB; and
8 also the surrebuttal testimony of Mr. Mangelson,
9 OCS-2S.

10 We also have an additional exhibit
11 that was not prefiled that we would like to use in
12 connection with cross-examination. A copy has been
13 provided to opposing counsel and one to each of the
14 Commissioners. We have identified it as OCS-1.1CE
15 and designated it for cross-examination. I would
16 represent that it's wholly derived from Dominion
17 Energy Exhibit 1.10RC with some additional
18 calculations and if there are any questions about
19 that, Mr. Mierzwa would be happy to respond to
20 questions of counsel or the Commission. But we
21 would intend to use that today and we would move all
22 these exhibits into evidence at this time if there's
23 no objection.

24 COMMISSIONER LEVAR: If anyone
25 objects to this motion, please indicate to me.

1 MR. DODGE: Mr. Chairman, the
2 stipulation was to admit all prefiled testimony and
3 exhibits and I have no objection to that. I think
4 the cross-examination exhibits ought to await
5 cross-examination and see whether a proper
6 foundation is laid to admit it. So I do object to
7 that one.

8 COMMISSIONER LEVAR: Any objection
9 from any other party? Mr. Snarr, do you have a
10 response to the objection?

11 MR. SNARR: I'll be happy to lay the
12 foundation and take care of that during the course
13 of the hearing.

14 COMMISSIONER LEVAR: Okay. So the
15 motion is now amended to exclude this Exhibit
16 OCS-1.1CE for now?

17 MR. SNARR: Yes.

18 COMMISSIONER LEVAR: Any objection to
19 that motion as amended? Please indicate to me if
20 there is any. I'm not seeing any so that motion is
21 granted. Mr. Dodge.

22 MR. DODGE: Thank you, Mr. Chairman.
23 UAE would like to move the admission of the direct
24 testimony of Mr. Townsend, UAE Exhibit 1.0 and
25 Exhibit 1.1; also, his rebuttal testimony,

1 UAE Exhibit 1.0R and his surrebuttal testimony, UAE
2 Exhibit 1.0SR.

3 COMMISSIONER LEVAR: If anyone
4 objects to that motion, please indicate to me. And
5 I'm not seeing any objection so the motion is
6 granted. And I think with that we'll go to
7 Ms. Clark.

8 MS. CLARK: The Company waives
9 opening statements and is prepared to introduce its
10 witnesses utilizing the first witness,
11 Mr. Mendenhall.

12 KELLY B. MENDENHALL,
13 having been first duly sworn to tell the truth, was
14 examined and testified as follows:

15 BY MS. CLARK:

16 **Q Would you please state your name and**
17 **business address for the record?**

18 A My name is Kelly B. Mendenhall, and my
19 business address is 333 South State Street, Salt
20 Lake City, Utah.

21 **Q What is your title at Dominion Energy?**

22 A I'm a director of pricing and regulation.

23 **Q Did you file with the Commission the**
24 **direct testimony, the corrected direct testimony,**
25 **the rebuttal testimony, and corrected rebuttal**

1 **testimony referenced earlier in this hearing?**

2 A Yes, I did.

3 **Q Did you have corrections to that?**

4 A Yes, I did. On page 5 of my direct
5 testimony, QGC Exhibit 1.0C, on line 105 I make the
6 statement that "Both the transportation and sales
7 customer's peak hour demands are added together to
8 calculate the total peak day demand." That sentence
9 should read, "Both the transportation and sales
10 customer's peak day demands," so "hour" should
11 replaced with "day demands are added together to
12 calculate the total peak day demand."

13 **Q Do you adopt the contents of those**
14 **referenced documents as your testimony today?**

15 A Yes, I do.

16 **Q Would you please summarize that testimony?**

17 A Sure. In my direct testimony, I proposed
18 that transportation customers be allocated a portion
19 of the cost of the peak hour services provided by
20 Kern River. In addition to the issue that the
21 Company raised in its original application in their
22 response testimony, the Division asked the
23 Commission to consider whether the Kern River Firm
24 Peak Hour Service was just and reasonable. The firm
25 peak hour services are important because, as I

1 stated in my direct testimony, without firm peak
2 hour service, the Company will not have the ability
3 to meet the demands of all of its firm customers on
4 a design peak day.

5 Usually, these types of prudence reviews
6 would take place in the pass-through cost recovery
7 docket. The Company requested cost recovery for the
8 Kern River services in Docket 17-057-07, which was
9 filed the same day as this docket. However, the
10 Division raised the issue of prudence in this
11 docket.

12 In an effort to be responsive to the
13 Division's request to review prudence in this
14 docket, the Company introduced witnesses
15 Dave Landward, who discussed in further detail the
16 Company's peak day calculation; Mr. Mike Platt, who
17 shared the Company's models which demonstrated the
18 Company's need for additional firm services; and
19 Mr. Will Schwarzenbach, who discussed the various
20 options available to address the drop in pressure on
21 the system on high usage days. These witnesses are
22 well qualified in both educational and work
23 experience, and are prepared to address these
24 issues.

25 In addition to the other evidence provided

1 by these witnesses, I provided in my rebuttal
2 testimony presentations made during the integrated
3 resource planning process that discussed the Kern
4 River peak hour services. Parties in this docket
5 have taken exception to my inclusion of this
6 information and have stated that IRP presentations
7 do not constitute evidence. On page 4 of my
8 rebuttal testimony, I quoted the Commission Order on
9 Integrated Resource Plans which states, "IRP
10 information, conclusions, and operating strategies
11 may be used by regulators and other parties as
12 evidence in their evaluation of cost recovery of
13 both gas and non-gas costs for the relevant period."
14 Now, I do want to clarify that I'm not suggesting
15 that Integrated Resource Plan dockets be used for
16 cost prudence or cost recovery mechanisms. What I
17 wanted to illustrate was that we have had an open
18 dialogue about this peak hour service since December
19 of 2015. And May 1st of 2017 was not the first time
20 that parties were notified about the service.

21 I just wanted to summarize a few exhibits
22 in my rebuttal testimony to highlight some of the
23 evidence I have provided. So if you turn to DEU
24 Exhibit 1.8R, Exhibit 1.8R shows for the past 20
25 years the actual firm sales -- high firm sales day

1 shown on Column B, and as you can see over the last
2 20 years that has increased 53 percent. In Column D
3 you see the amount of firm upstream transportation
4 the Company has contracted for. And, as you can
5 see, that, over the last 20 years has increased
6 27 percent. I provided this as evidence to show
7 that the actual usage of the Company's customers is
8 outpacing the amount of upstream transportation that
9 the Company is procuring.

10 If you turn the next page over to Exhibit
11 1.9R, so there's been confusion about this exhibit
12 and I just wanted to review it briefly and clarify a
13 couple of items. So on this exhibit we have four
14 lines. We have the green straight line, horizontal
15 line, which represents the amount of firm sales
16 service that would be utilized during a design peak
17 day. We have the orange line which represents the
18 amount of firm transportation service that would be
19 contracted on a design day, and then you have the
20 purple horizontal line which represents the amount
21 of design day that has been contracted by Lakeside.
22 So these -- theoretically on a design day -- these
23 customers have contracted for this transportation
24 service, and the upstream pipelines are only
25 required to provide it on a ratable flow basis

1 evenly throughout the day. You see also on that
2 exhibit a curved line which goes above the line
3 which I've labeled as "Interruptible Capacity." And
4 I want to make clear that this curved line
5 represents the anticipated usage of all firm sales
6 and transportation customers on a design peak day.
7 There are no interruptible customers in here. The
8 reason it's labeled "Interruptible Capacity" is
9 because to the extent that that usage coming into
10 the Questar Gas system exceeds the top horizontal
11 line, that usage would be only provided on a
12 best-efforts basis, on an operationally available
13 basis. That's concerning to the Company because we
14 believe we need to be serving our customers using
15 firm services so as to maintain the reliability in
16 our system. I just wanted to clarify that.

17 The last exhibit I wanted to highlight was
18 Exhibit 1.10RC, and in this exhibit I have provided
19 the load profile, the usage profile, for just firm
20 transportation customers during the last winter
21 heating season. And as you notice, the usage
22 profile of these customers is very similar to the
23 usage profile that is shown for all firm sales
24 customers on Exhibit 1.9R. So I just want to
25 highlight those few exhibits.

1 I also wanted to just summarize that in my
2 rebuttal testimony, I also discussed the decision to
3 not include Lakeside volumes in the calculation.
4 And as Mr. Platt discusses in further detail, this
5 was because -- well, there's two reasons mainly.
6 First, because that contract is a special contract
7 and so they are paying a fixed amount contractually,
8 it's been approved by the Commission. And even if
9 we were to assess this charge, they would not be
10 required to pay it due to that special contract.

11 The second reason why we do not feel like
12 Lakeside needs to be included in the calculation is
13 because they have flow control equipment on their
14 system. So during a design peak day, this
15 customer -- the Company would have the ability to
16 manage this customer's load and be able to control
17 how much is being used at that facility.

18 So in my rebuttal, I also -- in an attempt
19 to be responsive to the Division's concern about
20 Lakeside not being included -- I proposed alternate
21 tariff language which would allow any customer who
22 used over 3,500 decatherms to be exempt from the
23 charge if they have full control equipment. And the
24 reason we chose 3,500 decatherms is because not only
25 are they larger customers who have a bigger impact

1 on the system, but also our gas control has
2 indicated it can only manage a certain number of
3 customers, so we decided to limit it to the larger
4 customers.

5 So that summarizes my testimony, and I'm
6 happy to take any questions anyone might have.

7 MS. CLARK: Mr. Mendenhall is
8 available for cross-examination and questions from
9 the Commission.

10 COMMISSIONER LEVAR: Thank you. I'll
11 go first to Ms. Schmid.

12 MS. SCHMID: Thank you. The Division
13 has just a few questions.

14 BY MS. SCHMID:

15 Q Is it fair to say that the Commission's
16 acknowledgment of an IRP doesn't bind or even allow
17 the Company to do what is set forth in its IRP?

18 A Yes, that's fair to say.

19 Q In your testimony and in your presentation
20 today, you talked a little bit about flow controls.
21 Mr. Platt also mentions flow controls, but I think
22 that you might be the proper witness to address
23 these questions. If not, will you let me know and
24 then I'll move them over to Mr. Platt?

25 A Absolutely. Yes.

1 Q So you said that Lakeside has a flow meter
2 that the Company could control; is that right?

3 A Correct.

4 Q And are there other customers who have
5 control valves?

6 A That might be a question for Mr. Platt.
7 To my knowledge, there are no others, but Mr. Platt
8 would be more intimately involved with that than I
9 am.

10 Q I'll reserve that one for him. This one
11 might be in your bailiwick and might not. Have you
12 offered other customers incentives to allow the
13 Company-controlled flow meters?

14 A To my knowledge, no.

15 MS. SCHMID: Thank you. Those are
16 all my questions.

17 COMMISSIONER LEVAR: Thank you,
18 Ms. Schmid. Mr. Snarr?

19 MR. SNARR: We have no questions for
20 Mr. Mendenhall.

21 COMMISSIONER LEVAR: Mr. Dodge?

22 MR. DODGE: Thank you, Mr. Chairman.

23 BY MR. DODGE:

24 Q Mr. Mendenhall, in your rebuttal on page
25 2, lines 43 and 44, you complain that the Division

1 and the UAE are raising these issues, meaning the
2 peak day design issues, for the first time in this
3 docket. You respond to that criticism -- to the
4 criticism of parties about that -- by pointing to
5 the IRP. UAE typically has not participated in the
6 IRP meetings, has it?

7 A In the pre-IRP meetings, no, I don't think
8 they have. And I would agree in the last couple of
9 IRPs the UAE has not been heavily involved.

10 Q In fact, UAE's consultant was banned from
11 staying at the meeting when it went into
12 confidential meetings at the IRP pre-meetings,
13 correct?

14 A Yes, that is correct.

15 Q So UAE really didn't have a chance to
16 raise this issue before; is that correct? Is that a
17 fair statement?

18 A Yes, that is a fair statement.

19 Q You reference this morning your Exhibit
20 1.10R and indicate that that is -- I should say RC,
21 the corrected version of it.

22 A Yes.

23 Q Have you calculated the variance that that
24 shows for firm transportation customers on an
25 average basis during the three-month winter period

1 last season?

2 A Yes. That is what that exhibit is
3 showing.

4 Q What is the percentage there shown?

5 A From the peak to the average?

6 Q Yes.

7 A I believe it's a 7 percent difference.

8 Q So on your Exhibit 1.5 you show a
9 17 percent variance for all customers --

10 A That's correct.

11 Q -- for transportation customers -- average
12 over the heating season was 7 percent?

13 A Correct. When the interruptible customers
14 are included, yes, it's a higher number.

15 Q When interruptible customers are included
16 in 1.5, you're saying?

17 A Correct.

18 Q And sales customers are included in 1.5?

19 A I believe 1.5 is just transportation.

20 Q I'm sorry. You're right. Has the Company
21 offered any evidence of its projection of what that
22 same variance would be on its design peak day?

23 A So on a design -- are you talking about
24 specifically the transportation customers?

25 Q By class. Has the Company attempted to

1 project by class the specific variance from the
2 average on that peak day to the maximum hourly?

3 A So if you want to get into specifics of
4 the planning, that's probably more a question for
5 Mr. Platt, but I can speak generally from my
6 understanding as a regulatory person. When we
7 produce that model, we do not look at it by class,
8 it's looking at it in terms of all customers whether
9 they're transportation or sales. On a design day,
10 we do assume that all interruptible volumes are
11 turned off and all those customers have reduced down
12 to zero. But we do not identify by class who is
13 using which volumes.

14 Q So if, for example, one deemed it
15 appropriate to allocate the peak hour cost, peak
16 hour service cost, on the projected peak day
17 contribution to that problem, you have not produced
18 evidence in this docket that would provide those
19 numbers. Is that a fair statement?

20 A Well, yes. And I don't know if from a
21 modeling standpoint if that's even possible.

22 Q During an extreme weather event,
23 Mr. Mendenhall, a transportation customer --
24 assuming that there's a decision by the Company that
25 it needs to take steps to deal with pressure and

1 interruptible customers, et cetera -- is it a fair
2 statement that during that event, a transportation
3 customer, unlike a sales customer, is obligated to a
4 a) not use more than is being delivered for them
5 upstream. Is that a fair statement?

6 A During the day?

7 Q During the day.

8 A Correct.

9 Q So transportation customers' first
10 restriction on their usage on an extreme weather day
11 is they can't use it if it's not being delivered
12 upstream?

13 A That would be my understanding.

14 Q Secondly, when the Company takes action to
15 try and protect the integrity of its system it
16 directs all firm transportation customers, does it
17 not, that they may not use more than 1/24, a pro
18 rata portion of the lesser of either their firm
19 contract demand or their nominated demand the day
20 before?

21 A That's probably a question for
22 Mr. Schwarzenbach. I'm not the one who actually
23 issues those notices or deals with the
24 transportation customers on a day-to-day basis so he
25 can give you more detail.

1 Q I will raise that to Mr. Schwarzenbach.

2 Thank you. Has the Company made any effort to
3 explore market-based options to this peak hourly
4 service that might include, for example, incentives
5 to customers to shed load during a design day
6 occurrence or to install flow meters? I know you
7 have talked about an option to, but have you
8 explored whether there would be a cheaper option
9 than the peak hour services you're requesting
10 approval of here if you use money to incent
11 customers to shed load or to install flow meters?

12 A So I believe in one of our integrated
13 resource plans -- once again, this is
14 Mr. Schwarzenbach's wheelhouse -- but we did
15 approach some of the larger customers to talk, to
16 float this idea of incenting them to alter usage
17 based on an economic incentive, and they didn't seem
18 to have to a lot of appetite for it.

19 Q And do you know which customers you
20 approached on that?

21 A I don't. Mr. Schwarzenbach can give you
22 more detail there.

23 MR. DODGE: Thank you. I have no
24 further questions.

25 COMMISSIONER LEVAR: Thank you. Any

1 redirect?

2 MS. CLARK: No, sir. We don't have
3 any redirect. Thank you.

4 COMMISSIONER LEVAR: Thank you.
5 Commissioner Clark, do you have any questions?

6 COMMISSIONER CLARK: No questions.

7 COMMISSIONER LEVAR: Commissioner
8 White?

9 BY COMMISSIONER WHITE:

10 Q This might be the appropriate question for
11 you since it's a regulatory question -- and my
12 apologies if this comes across as a dumb question --
13 but we've got a couple of threshold questions in
14 this docket. One being whether this new service is
15 necessary, and, I guess, after that the next
16 question is, you know, how that should be allocated
17 based upon cost causation principles. Is this
18 something that is typically done under the tariff
19 outside of a rate case? In other words, allocating
20 or discussing the allocation of costs in this type
21 of proceeding? I guess I'm wondering that because
22 the tariff language seems to indicate otherwise. I
23 don't know if you have an opinion on that.

24 A I do have an opinion. Because this is
25 really an upstream transportation service,

1 typically -- well, the allocation could be done in
2 an outside tariff filing. I mean, the other charge
3 that we have out there that's similar as a
4 transportation imbalance charge, typically that
5 allocation charge is calculated at the same time as
6 the pass-through in a separate docket. So this is
7 kind of following along the same lines. So in terms
8 of a general rate case, I don't believe these
9 charges would be discussed in a general rate case
10 proceeding.

11 Q The allocation or just --

12 A The allocation.

13 Q Back to the other question -- and, again,
14 I apologize because sometimes I confuse what the
15 purpose of the 191 is versus when we have these
16 dockets outside of that -- but my understanding --
17 maybe this is a question for the Division --
18 typically those costs for prudence that have -- I
19 understand this has already been included, at least
20 the Kern River contract -- I guess my question is if
21 we were to make a prudence determination now with
22 respect to whether or not this new peaking contract
23 service is necessary, do you have an opinion as to
24 what the Division would be addressing in their audit
25 of those costs? In the 191 audit of the ones that

1 have already been flowing?

2 A That's a good question. So let me tell
3 you how, typically, this would work. We would file
4 for cost recovery in a 191 docket then the Division
5 would get an action request. If they had concerns,
6 they would work with the Company or prepare an
7 audit. So you raise an interesting question.
8 Assuming the Commission approved this and then it
9 became part of the 191, I guess the Commission could
10 determine whether they wanted the Division to
11 perform the audit under this docket or under the 191
12 docket. And, also, they could determine whether the
13 Division had performed enough of the due diligence
14 audit in this proceeding.

15 The Company believes -- in terms of which
16 docket the service should be approved under -- the
17 Company believes that we have provided enough
18 evidence to support a prudence in this docket, both
19 a prudence and whether the transportation or the
20 allocation is just and reasonable to transportation
21 customers.

22 COMMISSIONER WHITE: I have no
23 further questions. Thank you.

24 BY COMMISSIONER LEVAR:

25 Q I might have a little bit of a follow-up

1 to Commissioner White's question. So from what you
2 just said, if this charge were approved -- I mean,
3 currently the costs are flowing through the 191
4 account on an interim basis.

5 A Correct. So currently sales customers are
6 paying for these costs, correct, on an interim
7 basis.

8 Q But you're asking in this docket for a
9 portion of those costs that are currently interim
10 to be charged to transportation customers but not on
11 an interim basis? Is that the request that is being
12 made?

13 A I guess that is the request, yes.

14 Q So you're asking for a prudence
15 determination now that would preclude further
16 determination in the Division's audit of the 191
17 account for last April's pass-through?

18 A Yes. I guess if the Commission were to
19 make both determinations right now and they were to
20 determine the current services were prudent, then we
21 would be asking for final rates for this portion,
22 for the transportation fees.

23 Q So backing up from that, from a process
24 perspective, what do you see as the difference
25 between what normally occurs in the 191 account --

1 costs are added to the 191 account frequently in 191
2 dockets.

3 A Right.

4 Q It's not as frequent that new cost
5 categories -- new types of costs that aren't just
6 increases to categories that are already in there --
7 what should be the process for adding new types of
8 costs into the 191 account?

9 A Well, so we, at the time of the filing,
10 thought the appropriate method would be to file for
11 cost recovery in the pass-through and then file in a
12 separate docket to discuss this issue for the
13 transportation customers and then create a dual
14 path. Ultimately, both of those issues have been
15 rolled into this docket and, as I mentioned, we're
16 happy to provide evidence. But the Office and the
17 Division have raised issues that -- they didn't feel
18 like they had enough time. The Company has always
19 had a good relationship with the Office and the
20 Division, and we're open to whatever process -- if
21 the Commission deems this process is not the best
22 process to introduce new rates -- we're open to
23 whatever process regulators would like to make it --
24 to give all parties the opportunity to review the
25 evidence and to weigh in. And, basically, the

1 Company isn't opposed to any option the Commission
2 would propose, as long as we have the opportunity to
3 present the evidence that we feel we need to make a
4 complete record from our standpoint.

5 Q Thank you. I just have one other
6 question. For the contract that's currently in
7 operation through the 191, is the utility receiving
8 any ancillary benefits unrelated to peak management?
9 Is the utility receiving any other benefits from the
10 contract?

11 A So that may be a question for
12 Mr. Schwarzenbach. He's more familiar with the
13 day-to-day operation of that contract.

14 COMMISSIONER LEVAR: Thank you.
15 That's all I have, then. I think we're finished
16 with Mr. Mendenhall.

17 MS. CLARK: The Company calls
18 David C. Lanward as its next witness.

19 DAVID C. LANDWARD,
20 having been first duly sworn to tell the truth, was
21 examined and testified as follows:

22 BY MS. CLARK:

23 Q Good morning, Mr. Lanward.

24 A Good morning.

25 Q Could you please state your full name and

1 **business address for the record?**

2 A My name is David Landward. My business
3 address is 333 South State Street in Salt Lake City,
4 Utah.

5 Q **Mr. Landward, would you please state your**
6 **title and describe your area of responsibility with**
7 **Dominion Energy?**

8 A Certainly. I am a regulatory analyst for
9 Dominion Energy Utah. My responsibilities include
10 forecasting gas demand and customer growth,
11 preparing the estimate of firm sales and
12 transportation demand on a design peak day for the
13 Integrated Resource Plan, and providing analytical
14 support of the department functions.

15 Q **Mr. Landward, could you describe your work**
16 **experience and also your educational background?**

17 A Yes. I have a bachelor of science in
18 mathematics and a master of statistics from the
19 University of Utah. I've worked for Dominion Energy
20 Utah for 22 years. I began working in regulatory
21 affairs as an analyst in 2008. Prior to that, I
22 worked as a computer programmer and systems analyst
23 for the Company. In that role, I provided technical
24 support to the Regulatory Affairs Department for a
25 number of years writing software to acquire, manage,

1 and analyze data in support of regulatory functions.

2 **Q Can you please summarize the testimony you**
3 **have offered in this docket?**

4 A Certainly. In his direct testimony,
5 Mr. Lubow describes a comparison he made between the
6 highest level of daily firm sales and the design day
7 firm sales by heating season from 1997 through 2017.
8 He infers from that comparison that because high
9 firm sales levels have averaged over 20 percent
10 below design day estimates, firm peaking service is
11 unnecessary. The purpose of my rebuttal testimony
12 in this case is to demonstrate whether Mr. Lubow's
13 conclusion based on that comparison is incorrect.

14 The comparison is inadequate for two
15 reasons. First, Mr. Lubow was comparing firm sales
16 that did not occur under design conditions to
17 estimates of levels that would be seen under such
18 conditions. The comparison is inconsistent in its
19 context. Second, the comparison does not address
20 the changes in firm demand that are caused as
21 conditions affecting demand shift from observed
22 levels to the more extreme design levels.

23 The tool I used for my demonstration is
24 the Company's design day model itself, the one used
25 to estimate firm sales demand under design day

1 conditions. The design day model is a multivariate
2 regression analysis of historic daily firm sales
3 data since 2004. It analyzes daily firm sales
4 against variables shown to significantly affect the
5 demand. These variables include heating degree
6 days, mean wind speed, maximum sustained wind gusts,
7 day of the week, holidays, and prior day demand.

8 I've illustrated the effect of each
9 variable by estimating demand for a single day using
10 observed values and then changing the value of each
11 variable to the design day value. I selected the
12 January 6 gas day for the illustration, the day of
13 highest demand during the 2016-2017 heating season.
14 On that day, firm sales demand was
15 974,095 decatherms. After changing the variables to
16 the design day levels, the estimated demand reaches
17 the level of 1,337,180 decatherms. This
18 illustration shows that Mr. Lubow's comparison of
19 actual high usage days to design days is not an
20 appropriate measure of our customer's collective
21 need.

22 The Company must take all of these factors
23 I have described into consideration in the context
24 of design day conditions when planning for a design
25 peak day. To do otherwise would place customers at

1 unreasonable risk of loss of service when a design
2 peak day occurs. Mr. Lubow's comparison does not
3 attempt to quantify or otherwise address these
4 effects under such conditions. This concludes my
5 summary.

6 **Q Have you reviewed Mr. Mierzwa's**
7 **surrebuttal testimony in this case?**

8 A Yes, I have.

9 **Q And do you agree with his findings?**

10 A I have replicated this correlation
11 analysis and understand the results, yes.

12 **Q Mr. Mierzwa has also conducted a rank**
13 **analysis of the top 100 heating days data points and**
14 **has found that the highest maximum wind gust subset**
15 **is 25 miles per hour, and the highest average wind**
16 **speed is 9.5 miles an hour. Would substituting**
17 **those values for the Company's design day wind**
18 **speeds change the need for peak hour service from**
19 **Kern River?**

20 A No, it would not. To demonstrate why
21 estimated firm sales demand -- assuming wind speeds
22 from those results -- using those speeds in the
23 design day analysis, the peak hour flow rate is
24 approximately 313,000 decatherms. In other words,
25 even with his figures, there is still a need of more

1 than 300,000 decatherms that would have to be met,
2 demonstrating that the Kern River peak hour service
3 would still be necessary.

4 MS. CLARK: Thank you. Mr. Landward
5 is available for cross-examination and Commission
6 questioning.

7 COMMISSIONER LEVAR: Thank you.
8 Ms. Schmid?

9 MS. SCHMID: No questions.

10 COMMISSIONER LEVAR: Mr. Snarr?

11 MR. SNARR: No questions.

12 COMMISSIONER LEVAR: Mr. Dodge?

13 MR. DODGE: Thank you, Mr. Chairman.

14 BY MR. DODGE:

15 Q Mr. Landward, on page 2 of your testimony,
16 in the middle Q and A, you reference the things
17 assumed for your design day, which includes the
18 heating degree days of 70, wind speed of 47 --
19 maximum sustained wind speed of 47 miles per hour --
20 average wind speed of 26 miles per hour, and a day
21 other than Friday, Saturday, Sunday, or a holiday.
22 What's the odds of those all coming together on the
23 same day?

24 A I haven't done any analysis to determine a
25 likelihood of every single one of those conditions

1 simultaneously occurring.

2 Q But it's a fair statement that the mean
3 temperature you've analyzed as a one-in-twenty year,
4 but it's highly unlikely all of those things would
5 come together as one in twenty years, correct?

6 A I can say that it would be rare; I can't
7 offer a statement of likelihood. I would need to do
8 some probabilistic analysis on all of those
9 variables simultaneously.

10 Q In any event, those have never come
11 together simultaneously in the last 50 years?

12 A Not that I've observed in the data.

13 Q So we may be purchasing a service for a
14 one in a hundred-year event or a one in a
15 seventy-year event? I guess it's hard to know,
16 right?

17 A Let me clarify that the one-in-twenty-year
18 event is specific to the mean temperature, so I
19 can't speak to the other variables in terms of a
20 recurrence interval the way I do with the
21 temperature because those haven't been determined
22 through a recurrence interval analysis. So I guess
23 I can't answer the question in terms of a recurrence
24 level like you're asking, but it's safe to say it
25 would be a rare event. That's what we're targeting

1 is a rare event.

2 Q And you understand from a ratepayer
3 perspective it's sort of like buying tornado
4 insurance in Utah. It may happen every now and
5 then, but it might be kind of expensive. Have you
6 done that kind of analysis? The trade-off between,
7 okay, how rare is this and how devastating would the
8 consequences be, and are customers better off paying
9 for this every year or taking the chance?

10 A That's a good question. The risk
11 tolerance level is primarily set in the
12 determination of using a one-in-twenty-year interval
13 to set the mean temperature because the mean low
14 temperature sets the context, sets the environment
15 for everything else to occur within. So to be more
16 extreme or -- we could choose a mean temperature
17 that is completely outside the range of the data
18 that we've observed and know that we would cover any
19 possible eventuality. And, of course, there has to
20 be a balance of reasonableness with risk
21 tolerance -- being prepared for the worst that could
22 occur -- and so the way to set that level of risk is
23 to do some risk analysis. And that's where the
24 recurrence interval analysis comes in. That comes
25 from extreme value of theory. It's used in risk

1 tolerance by actuaries for high insurance claims,
2 and it's been brought to bear here to determine a
3 risk tolerance on low mean temperatures based on
4 analysis of the data.

5 The other conditions are determined --
6 again, we're trying to orchestrate a worst-case
7 scenario that could happen based on the data points
8 that we've observed. But all of those are set
9 within that one-in-twenty year occurrence of a low
10 mean temperature of minus 5 degrees.

11 **Q In your analysis, you included an**
12 **assumption that the total firm contract demand of**
13 **all transportation customers would be used on the**
14 **peak design days; is that a fair statement?**

15 **A Yes, sir. That's correct.**

16 **Q Has the Company done any analysis of**
17 **whether or not on a peak day or peak design day, in**
18 **fact, transportation customer's usage maxes out**
19 **their contract's capability?**

20 **A I haven't done that type of analysis. The**
21 **assumption is -- Mr. Platt can speak more**
22 **specifically on specific analysis on transportation**
23 **customer volumes under those scenarios -- but the**
24 **assumption in using the full maximum firm contract**
25 **demand of each transportation customers that were**

1 contractually obligated to meet that demand on a
2 firm basis regardless of the conditions.

3 **Q Is that your understanding? If on a peak**
4 **day a company has nominated less than their complete**
5 **firm demand, is it your understanding that customers**
6 **can still demand up to the full firm demand?**

7 A That's outside of my area of analysis and
8 expertise. I would have to defer to
9 Mr. Schwarzenbach. That's more of a gas supply
10 issue.

11 MR. DODGE: Thank you. No further
12 questions.

13 COMMISSIONER LEVAR: Thank you. Any
14 redirect, Ms. Clark?

15 MS. CLARK: No. Thank you.

16 COMMISSIONER LEVAR:
17 Commissioner White, do you have any questions?

18 COMMISSIONER WHITE: No questions.
19 Thank you.

20 COMMISSIONER LEVAR:
21 Commissioner Clark?

22 COMMISSIONER CLARK: No questions.
23 Thank you.

24 COMMISSIONER LEVAR: And I don't have
25 any, so, thank you, Mr. Landward. Ms. Clark.

1 MS. CLARK: The Company would call
2 Michael L. Platt as its next witness.

3 MICHAEL L. PLATT,
4 having been first duly sworn to tell the truth, was
5 examined and testified as follows:

6 BY MS. CLARK:

7 Q Good morning.

8 A Good morning.

9 Q Can you state your name and your business
10 address for the record, please?

11 A I am Michael Platt. I work at 1140 West
12 200 South, Salt Lake City, Utah 84104.

13 Q What title do you hold at Dominion Energy?

14 A I am the manager of engineering systems.

15 Q Can you please describe your educational
16 background and your work history?

17 A I have a Bachelor of Science and Master of
18 Science in mechanical engineering from the
19 University of Utah. I am also a certified
20 professional engineer. I have worked at Dominion
21 Energy for the past nine years. I have spent most
22 of my career building, verifying, and improving our
23 gas network analysis models and planning for peak
24 day.

25 Q Mr. Platt, can you summarize the testimony

1 **you have offered in this docket for our Commission?**

2 A I will. System demands, our customer
3 demands are growing; the upstream pipelines are not.
4 Our peak day planning -- we must meet our customers
5 demands on peak day, and that includes every
6 instance of peak day. The peak models do not solve
7 without peak hour services. I included analysis in
8 my testimony that shows that 92 percent of the time,
9 the peak hour is at least 17 percent higher than the
10 peak day mean. I also included analysis that showed
11 that without the proper supply, our pressures drop
12 below operational minimums on our high pressure
13 system and that without peak hour service, we will
14 lose five high-pressure industrial customers and 44
15 intermediate high-pressure regulator stations.

16 Mr. Wheelwright suggests that not
17 including Lakeside is inaccurate, and I state and
18 believe that it is accurate as we have modeled them
19 at their daily contract limit. Because we have flow
20 control from our feeder line 26 side of the system
21 which is connected to our greater high pressure
22 system, that allows us to control how much gas is
23 going to them in their contractual obligation. Our
24 contractual obligation to Lakeside is their daily
25 contract limit. Failing to obtain peak hour

1 services will result in the inability for us to meet
2 our peak day requirements.

3 Q Does that conclude your summary?

4 A It does.

5 MS. CLARK: Mr. Platt is available
6 for cross-examination and any questions that the
7 Commissioners may have.

8 COMMISSIONER LEVAR: Thank you. Ms.
9 Schmid.

10 BY MS. SCHMID:

11 Q Thank you, Mr. Platt. Do you have DEU
12 Exhibit 3.4R, which was attached to your rebuttal
13 testimony? Is that in front of you?

14 A I do.

15 Q Could you please turn to that? Looking at
16 lines marked 1 through 40 on this exhibit, it
17 appears that from "Transportation Customer" down to
18 "Cottonwood Heights" would have lower than your 125
19 required pressure if there were not peak hour
20 service; is that correct?

21 A That is that correct.

22 Q Why wouldn't they have adequate pressure
23 and why would they lose service?

24 A So I explained -- I have explained and let
25 me explain again. Our high pressure system is

1 designed with a 125 minimum, and what that means is
2 that all of the equipment from our high pressure
3 system assumes a 125-pound inlet pressure in order
4 to obtain the capacity -- that's the design
5 capacity -- so when we drop below that pressure,
6 there's no longer adequate capacity to feed the
7 needs of those regulator stations and transportation
8 customers.

9 **Q What makes the sites listed 1 through 40**
10 **different than the sites listed 41 through 49?**

11 A Well, I can tell you that if you round
12 from 124.6 up, that you're still below 125. The
13 transportation customer included in the last line on
14 line 49 has a required inlet pressure of 300 pounds,
15 and that is a contractual obligation that we have.
16 So if we fall below that, we are not meeting their
17 need.

18 **Q Let me see if I can ask a better question.**
19 **Looking, say, at just lines 23 and 24 -- because I**
20 **live in Sandy -- what would cause those two nodes to**
21 **lose their capacity? What sort of delivery -- this**
22 **is sort of pipeline 101. Could you just explain a**
23 **little bit more?**

24 A Well, when the demands on the system are
25 greater than the supply coming in and the available

1 pack and other tools, we can't continue to serve our
2 customer's needs. It's more going out than more
3 coming in; that's a problem. Pressures drop.

4 MS. SCHMID: Okay. Thank you. Those
5 are all my questions.

6 COMMISSIONER LEVAR: Thank you.
7 Mr. Snarr?

8 MR. SNARR: We have no questions for
9 this witness.

10 COMMISSIONER LEVAR: Thank you.
11 Mr. Dodge?

12 MR. DODGE: Thank you, Mr. Chairman.

13 BY MR. DODGE:

14 Q Mr. Platt, just a brief follow-up. So
15 what happens when pressures drop below the necessary
16 level, as a practical matter? What happens?

17 A When pressures drop below the necessary
18 level, we lose the capacity at those customers'
19 equipment to feed the need behind regulation or
20 whatever equipment is there.

21 Q And does the Company have a tariff that
22 indicates what happens in that event? Do you start
23 shedding load?

24 A I believe that if it's a question on
25 tariff, you'd be better to ask Mr. Mendenhall.

1 Q And he was already up here, so I'm going
2 to try -- do you not know whether your tariff
3 addresses what happens when you face that situation
4 and have to start shedding load?

5 A The tariff is outside of my area of
6 expertise.

7 Q So you don't know?

8 A Not adequately enough to answer.
9 I guess --

10 Q Is it consistent with your understanding
11 of your tariff -- you've read it, I assume, right?

12 A I have read it.

13 Q -- that the Company has a list of
14 customers they will start shedding when things like
15 that happen, starting with large industrial
16 customers?

17 A We do have a list and I don't know if
18 that's included in our tariff or our emergency plan,
19 but we do have a list.

20 Q And is it consistent with your
21 understanding that the transportation customers and
22 large industrial customers are cut first, hospitals
23 and the like cut last, essentially?

24 MS. CLARK: The Company would object
25 to the continued line of questioning. The tariff

1 speaks for itself, and Mr. Platt has indicated that
2 he does not have expertise on how the tariff
3 functions in this regard.

4 MR. DODGE: I'm actually not asking
5 for an expert opinion; I'm asking if he's familiar
6 with it. And if he says he doesn't know -- he's
7 indicated some familiarity and he's read it, so I'm
8 just trying to see if that's consistent with his
9 understanding. If he doesn't know, that's fine. I
10 accept that answer.

11 COMMISSIONER LEVAR: Well, I think
12 he's given his answer on his knowledge of the
13 tariff. I think, then, continued questions on
14 specific provisions to the tariff -- considering
15 that answer -- don't seem appropriate for this
16 witness, but might be appropriate at a different
17 stage of the hearing today.

18 MR. DODGE: No further questions.

19 COMMISSIONER LEVAR:
20 Commissioner Clark?

21 COMMISSIONER CLARK: No questions.
22 Thank you.

23 COMMISSIONER LEVAR:
24 Commissioner White?

25

1 BY COMMISSIONER WHITE:

2 Q Just one question. You mentioned earlier
3 this concept that the demand increasing from
4 customers with pipes are essentially static in terms
5 of their capacity. I guess the genesis or impetus
6 of this need to address the peak hour issue -- is
7 that an issue of increased demand or, I guess,
8 increased load? In other words, additional
9 customers, or is it just you would be characterizing
10 it as customers using gas in a different way?

11 A I don't believe that it would be customers
12 using gas in a different way. Our customers --
13 depending on the class -- our general service
14 customers, which are the majority of our customers,
15 are burning the same today as they ever have. But
16 the growth of the customer demand on the system has
17 been substantial, and we have received -- we work
18 with upstream pipelines on a joint operations
19 agreement to determine what the capabilities are and
20 there are no -- the capability to feed our demand
21 swings throughout the day has hit its limit and hit
22 its limit a few years ago.

23 COMMISSIONER WHITE: I have no
24 further questions. Thanks.

25

1 BY COMMISSIONER LEVAR:

2 Q Under your modeling for a peak hour
3 situation, what would be the circumstances that
4 would affect the length of the impact -- you're
5 talking about impact to customers and impact when
6 system minimum pressure goes down -- what time
7 duration of impact are we talking about? And a
8 secondary question is are we talking about the kinds
9 of impacts that if they ultimately flow to
10 residential customers, it would require utility
11 personnel to go to each home and each meter and turn
12 it on? Are those the kind of impacts we're talking
13 about? Or how severe would the peak hour have to be
14 to get to that point?

15 A So if we look back at this 3.4R, there are
16 a number of regulator stations that drop below 125.
17 Each of these regulator stations feeds the
18 intermediate high-pressure system which is our
19 residential customers. So losing them for one
20 minute means that we have lost them for the day and
21 we have to relight them. We have to call techs out
22 and if you think back to Coalville, we lost about
23 600 customers and it took about 24 hours to relight
24 the town. It would be catastrophic.

25 COMMISSIONER LEVAR: Thank you. I

1 don't have any other questions. Ms. Clark, I think
2 we're finished with redirect, so we'll go to our
3 next witness.

4 MS. CLARK: Thank you. The Company
5 would call William F. Schwarzenbach III as our final
6 witness.

7 WILLIAM F. SCHWARZENBACH III,
8 having been first duly sworn to tell the truth, was
9 examined and testified as follows:

10 BY MS. CLARK:

11 Q Good morning, Mr. Schwarzenbach. Could
12 you please state your name and business address for
13 the record?

14 A My name is William Frederick
15 Schwarzenbach III. My business address is 333 South
16 State Street, Salt Lake City, Utah.

17 Q What's your title at Dominion Energy?

18 A I'm the manager of gas supply.

19 Q Can you please describe your educational
20 background and your work history?

21 A I have a Bachelors of Science Degree in
22 civil engineering from Virginia Tech, I have an MBA
23 from George Mason University. I'm also a licensed
24 engineer in the state of Utah. I have worked for
25 Dominion Energy for thirteen years, seven of which

1 were in the engineering and system planning realm.
2 The past six years I've been in the gas supply
3 department. Prior to that I worked for six years
4 for Washington Gas where I was also serving in the
5 capacity of engineering and system planning
6 analysis.

7 **Q Could you please summarize the testimony**
8 **you have offered in this docket?**

9 A Yes. Dominion Energy of Utah's
10 residential, commercial, and industrial customers do
11 not use gas evenly over the day. I showed this in
12 Exhibit 4.3R. I've bought a large illustration of
13 that, so I'm going to point at the pictures a little
14 bit here.

15 COMMISSIONER LEVAR: Please try to
16 stay close to your microphone because we're
17 streaming this and it's important for the record.

18 THE WITNESS: I'm going to try and
19 balance this and still talk into the microphone.

20 COMMISSIONER LEVAR: If we need to
21 get someone to assist you with holding that, that
22 might be easier for you.

23 THE WITNESS: What I want to point
24 out is the black line on this graph (indicating).
25 This graph represents a little longer than a day.

1 The reason for that is the gas day goes from
2 8:00 a.m. to 8:00 a.m. so I wanted to show a full
3 gas day, but I also wanted to show a full calendar
4 day. On this graph, you'll see what our demand
5 does. That black line increases during the morning
6 hours, decreases a little bit after that, increases
7 again in the evening, and decreases after that in
8 the evening again. That is indicative of, as
9 Mr. Mendenhall and Mr. Platt both described, of our
10 customers not using gas evenly throughout the day.

11 Now, despite the fact that our
12 customers do not use gas evenly throughout the day,
13 supplies are really delivered to us on a daily
14 basis. That's been the norm and continues to be the
15 norm. You see that in terms of the blue bar at the
16 bottom and also the yellow bar up to the red dotted
17 line. Now, because our demand does not match that
18 supply, that's where we've looked for services to
19 meet what you see there as the purple and the green.
20 Those are the hours of the day where our demand is
21 increased above the amount of supply that is being
22 delivered. There are also hours during the day
23 where the demand is less than the supply that is
24 being delivered, so we've looked for ways to meet
25 those sections. And that's really what I wanted to

1 point out with this graph.

2 So that sets up the problem. The
3 Company was really notified through the Joint
4 Operating Agreement planning process with Dominion
5 Energy Questar Pipeline that they could no longer
6 support these fluctuations and demand that Dominion
7 Energy Utah had been planning on for a peak day.
8 Those fluctuations in demand are generally referred
9 to as our peak hour demand. We're referring to that
10 time period in the morning where those demands are
11 greater than supply we have coming into our system.
12 The Company has generally pushed all those load
13 swings or that peak hour demand to Dominion Energy
14 Questar Pipeline. This is just the result of our
15 gate stations from Questar Pipeline being pressure
16 controlled, whereas the gate station served from
17 Kern River's pipeline are flow controlled, so
18 they're set to flow evenly during the day.

19 Now if we look at Dominion Energy
20 Questar Pipeline's tariff, it states that, "A
21 shipper shall use reasonable efforts to deliver and
22 receive gas at uniform hourly and daily rates of
23 flow." That's directly from their tariff. In other
24 words, their tariff does not require them to deliver
25 gas above our contracted or scheduled quantity for

1 the day. That's referred to as the Required Minimum
2 Delivery, or RDC, as we've referred to it. Flows
3 above that RDC are basically provided on an
4 operationally-available basis. That means if the
5 pipeline has available capacity, they will serve us
6 our flows that are higher than what we have
7 scheduled. If not, they will not provide that for
8 us.

9 This response that we received from
10 Dominion Energy Questar Pipeline as part of that
11 planning process is consistent with what's ongoing
12 in the industry, the changes that we've seen. And
13 as a result, you've seen FERC Order 809. It was
14 driven in large part by power generation in other
15 parts of the U.S, but it is applicable in our
16 situation with extreme load swings caused by
17 residential and industrial customers. Recently, at
18 a Kern River conference, they presented a similar
19 story at their customer meeting that they're
20 experiencing a similar situation on their pipeline.

21 As part of this, Dominion Energy Utah
22 explored multiple options to meet the peak hour
23 demand. Four options were outlined in our 2016/2017
24 IRP and our 2017/2018 IRP. Those options that we
25 looked at included demand response, purchasing

1 excess capacity and making additional purchases on
2 that excess capacity; we also did a request for
3 proposal for services, and we looked at and are
4 continuing to evaluate on system storages options,
5 all to meet this need. What we found right now with
6 what's available is that firm peaking services are
7 the most cost-efficient means to meet this need.

8 We also reviewed how other local
9 distribution companies handle this issue, and they
10 do it in a couple of ways. One, they continue to
11 rely on the upstream pipeline to meet their need.
12 They basically continue to fluctuate on the
13 pipeline. And, unfortunately, times are changing
14 and as we're seeing, some of the pipelines are
15 beginning to push back on this, which is why FERC
16 Order 809 came out, which is why we're in the
17 situation we are is some of the pipelines are not
18 able to handle that increased load and are pushing
19 back. The other way that many companies handle it
20 is through on-system storage. In a data response
21 that we provided, we identified more than 50
22 companies using LNG facilities. There is also a
23 number of companies using on-system storage such as
24 propane air, or high-pressure natural gas bottles,
25 things like that. They're using that storage to

1 meet this need.

2 And while Dominion Energy Utah
3 understands that we don't handle supply for
4 transportation customers, these customers still have
5 the same demand issues, the same peak hour demand
6 issues that we do. And when they don't use gas
7 evenly over a day but they continue to provide their
8 supply on an even basis, those demand swings are
9 handled by our system, Dominion Energy Utah's
10 system, by default. Those swings are pushed onto
11 our system and we have to find a way to handle it.
12 The exceptions to this are situations where Dominion
13 Energy could actually control the flow and not allow
14 those large customers to fluctuate their flow over
15 the course of the day. In that situation, that's
16 how we would handle it rather than with any upstream
17 services. And that really concludes the summary of
18 my testimony.

19 MS. CLARK: Mr. Schwartzenbach is
20 available for cross-examination and any Commission
21 questions as well.

22 COMMISSIONER LEVAR: Thank you.

23 Ms. Schmid.

24 BY MS. SCHMID:

25 **Q Thank you. I have just a few questions.**

1 So you talked about alternatives to the peak day
2 contracts. Do you know if DEU has offered customers
3 incentives to allow DEU to control their meters or
4 control valves?

5 A I do not believe we've offered any
6 incentives. We have proposed that here in this
7 docket to allow that, but I don't believe we have
8 proposed any incentives at this point.

9 Q Given the magnitude of the dollars
10 involved with the Kern River and the DEQP contracts,
11 couldn't you offer certain customers a lot of
12 incentives with a low probability of payout for the
13 money that you are paying Kern River and will pay
14 DEQP?

15 A Well, first of all, there's two things
16 that are going on. One, is if we were to control
17 the flow, it is going to cost us to control that
18 flow. We're going to have to put in equipment to
19 control the flow to those customers. So on one hand
20 you would have costs that we would incur to do that.
21 On the other hand, you have to keep in mind that
22 while we are trying to allocate a portion of this
23 cost -- because a portion of the problem is being
24 caused by transportation customers -- it is not the
25 sum of the whole problem. The problem is being

1 caused by our sales customers as well as
2 transportation customers, so it is a larger problem
3 than the sum of just what the transportation
4 customers are doing. So even if you were to add up
5 all the transportation customers and keep them even
6 though flow control -- which, to be honest, there's
7 a lot of them -- it would not be something that's
8 manageable by our gas control department. If you
9 were to do a few or even all of them, you're still
10 not meeting the full need. The full need is that of
11 both our sales customers and the transportation
12 customers. So saying we control it just by limiting
13 the transportation customers isn't going to resolve
14 your full need.

15 **Q And in terms of the equipment that you**
16 **have said you would need to put on these customers**
17 **to control their flow, how does that compare to the**
18 **cost of the Kern River and DEQP contracts? Is it**
19 **50 percent?**

20 **A** I believe that's in Mr. Mendenhall's
21 testimony.

22 **Q Do you recall? Because I don't.**

23 **A** If I remember the number, I believe it's a
24 hundred thousand dollars for one customer.

25 **Q Okay. And then since you're so fluent in**

1 pipeline, I have what is probably a couple of really
2 stupid questions, but I'll go with them anyway. So
3 if we turn to your rebuttal testimony, line 105, in
4 that area you state that in the Joint Operations
5 Agreement planning process, DEQP notified Dominion
6 Energy that the peak day demand would exceed the
7 RDC. And then you specifically state, "In fact,
8 DEQP would not have capacity operationally available
9 to meet the customer demands during a peak hour on a
10 design peak day." Did I read that correctly?

11 A Yes.

12 Q If DEQP doesn't have the operational
13 capacity to meet the demands, how does a peak hour
14 contract create that capacity?

15 A Well, as part of the peak hour contract,
16 one thing they would be doing is actually
17 contracting for additional capacity on another
18 pipeline. So they would use the other pipeline to
19 redirect some of the gas that we have flowing on
20 their pipeline. By doing that, by reducing the
21 actual volume that's flowing on their pipeline, they
22 create additional line pressure on their pipe. So
23 that basically builds line pack, and they're able to
24 use that line pack to meet our additional
25 fluctuations. So as part of this contract and part

1 of the cost of the contact, Dominion Energy Questar
2 Pipeline actually goes and subscribes to additional
3 capacity or additional space on another pipeline.
4 So, in a way, they're borrowing line pack from
5 another pipeline.

6 **Q Did DEU ask DEQP about increasing pressure**
7 **at DEU city gates?**

8 A We have had discussions about increasing
9 pressure at the city gates. Unfortunately, in order
10 to do that, they have to replace a lot of pipe on
11 their system. It's only rated for certain MAOPs, it
12 works with their compression. That is a long-term
13 goal to get those pressures up, but it is an
14 expensive long term goal, and it is something that's
15 out there planned for years in the future.

16 **Q Thank you for explaining things. Those**
17 **are all my questions.**

18 COMMISSIONER LEVAR: Thank you.

19 Mr. Snarr?

20 MR. SNARR: I have no questions.

21 COMMISSIONER LEVAR: Mr. Dodge?

22 BY MR. DODGE:

23 **Q Thank you. Mr. Schwartzbach,**
24 **Mr. Mendenhall -- I forget now which one -- prior**
25 **witnesses deferred to you my question about whether**

1 on average, transportation customer's firm contract
2 demand is higher than the nominated demand on any
3 given day.

4 A On many days it is, but as I think
5 Mr. Platt stated, we have to be able to meet their
6 firm contract regardless of whether they have
7 nominated on the day. On the day, we only have to
8 meet what they've nominated, but, in general, we
9 have to plan to meet their firm contract because we
10 have an contractual obligation to meet that for all
11 those customers.

12 Q But if on a design day the odds are that
13 the firm contract customers wouldn't have nominated
14 their full demand, that's what you have to meet on
15 that day, correct? You don't have to meet the full
16 firm contract demand if it hasn't been nominated the
17 day before?

18 A We have to meet what they have nominated,
19 that is true, however, they are paying for that firm
20 portion of their contract. I do not believe any
21 customer would pay to have a firm contract limit
22 higher than they planned to actually use. I don't
23 see why they would do that if they weren't planning
24 to use that full contract amount.

25 Q You said you don't see why they would. Do

1 most industrial transportation customers plan for a
2 heating need or for industrial needs?

3 A I believe that depends on the customer.
4 We definitely see that most customers do increase --
5 even large industrial customers -- do increase their
6 load on cold days, but it is completely customer
7 dependent. Some of that is process load, but they
8 are going to be needing to use that process load.
9 And, again, it is up to the customer to match their
10 contract with what they plan to use, and they're
11 paying for that amount so they're going to try
12 and -- they have financial incentive to closely
13 match what they contract for and what they plan to
14 use.

15 Q They're required to pay for the firm
16 amount year-round if they need it on any given day
17 or any given season of the year, right?

18 A Yes, that is correct.

19 Q And you haven't done an analysis, I
20 assume, of the average nominated firm transportation
21 versus contractual amount for this docket?

22 A No, I have not.

23 Q During an extreme weather event, would you
24 agree with me that Questar has the ability or
25 Dominion has the ability and will take the steps of

1 **notifying firm customers that they a) can't deliver,**
2 **they can't use more gas than is being delivered**
3 **upstream for them on their behalf?**

4 A That is dependent on what the cause of the
5 curtailment is. We have the latitude to really
6 determine whether Dominion Energy Utah can make up
7 for any shortfalls in supply. If we feel we have
8 the supply available and there's not system capacity
9 and that's why we're calling the curtailment, then
10 we might allow them to burn some extra gas that we
11 have available. It really is dependent on the
12 system conditions. If the system is supported and
13 they don't have the gas supply, then we're going to
14 tell them that they are limited to what they
15 provide. It's really operationally dependent as to
16 what curtailment, whether we restrict their usage to
17 match their nominations or not.

18 Q **On a design peak day, is the Company**
19 **likely to impose that restriction on transportation**
20 **customers?**

21 A I would expect that on a design peak day
22 we would enforce that restriction, yes.

23 Q **And on a design peak day, would the**
24 **Company likely also notify firm transportation --**
25 **well, excuse me, transportation customers -- that**

1 **they may not use any of the interruptible service?**

2 A Yes, our system is designed so that on a
3 design peak day, interruptible customers would be an
4 option.

5 Q **And, secondly, you'd notify the customers**
6 **even within their firm that they can't exceed 1/24**
7 **of the lesser of their firm contract demand or their**
8 **prior day nominations -- the nomination for that gas**
9 **day, correct?**

10 A So that is what we've done historically.
11 Now, historically, we have not had these services
12 so, or, at least, had the full amount of these
13 services and we've not had enough to cover the
14 transportation customer's usage. We would have to
15 evaluate in the future whether or not that 1/24 is
16 something that we would continue to enforce if the
17 transportation customers were paying for the
18 service. We would have to evaluate that going
19 forward.

20 Q **And you offer transportation customers the**
21 **option either to live with a 1/24 restriction like**
22 **you impose currently or to pay for the upstream**
23 **services?**

24 A That is something that could be
25 considered. We have not considered it at this

1 point.

2 Q And just to be clear, if a customer has a
3 firm transportation limit -- I'm going to make up
4 silly numbers -- of ten, and on the day before they
5 nominated eight, and it turns out to be a peak
6 design day and the Company instructs the customer
7 you must not exceed eight, if they do, what happens?
8 If they actually burn ten, up to their firm contract
9 amount, what happens?

10 A They would be penalized for the additional
11 two.

12 Q And Questar believes that penalty is \$45 a
13 decatherm, right?

14 A I believe it's \$40 a decatherm plus the
15 cost of gas.

16 Q Thank you. And, in addition, if they
17 exceed the ten that was their firm contract demand,
18 there's a similar penalty there plus a three-year
19 imposition of moving to firm transportation for that
20 portion that exceeded their firm contract demand,
21 right?

22 A Yes, that is what's in our tariff.

23 Q Do you have any of those tools to deal
24 with sales customers? Hourly usage during a peak
25 day event?

1 A Yes. Those tools are in place for
2 interruptible sales, I believe, as well, but these
3 would be -- the actual tariff questions are probably
4 better asked of Mr. Mendenhall.

5 **Q I mean for your firm sales customers. You**
6 **don't have similar tools to control how high I turn**
7 **up the furnace at my home on peak day, do you?**

8 A We do not need similar tools because we
9 are responsible for making sure that we have enough
10 gas for those customers. So we make sure we have
11 the supply for all of our sales customers, so we do
12 not need to have a mechanism for a shortfall in
13 supply for those customers. We make sure that we
14 have that supply available for those customers.

15 **Q I wasn't talking supply, I was talking**
16 **about the peak hourly demands that I may impose on**
17 **the system at home when I turn my heater way up on**
18 **that minus 5-degree day. You don't have any ability**
19 **to control your firm sales customer's usage of gas**
20 **on an hourly basis, do you?**

21 A We do not which is why we're proposing to,
22 by these services, to make sure we support that
23 need.

24 MR. DODGE: Thank you. No further
25 questions.

1 COMMISSIONER LEVAR: Any redirect,
2 Ms. Clark?

3 MS. CLARK: I do just have a couple
4 of redirect questions.

5 BY MS. CLARK:

6 Q Mr. Schwarzenbach, I want you to think
7 back to the moment when Ms. Schmid was questioning
8 you. Do you remember her asking you about flow
9 control?

10 A Yes, I do.

11 Q Would you agree, subject to check, that
12 flow control can cost up to \$50,000 per customer?

13 A I quoted a hundred, but if you're telling
14 me it's 50 --

15 Q -- subject to check?

16 A -- subject to check, yes.

17 Q And would you agree that those costs may
18 also vary depending on the size of the customer?

19 A Yes, they're definitely dependent on how
20 much flow is for each customer.

21 Q Even if those customers went to the
22 expense to install flow control, would that
23 eliminate the need for peak hour services?

24 A No, it would not. Again, as I explained,
25 the majority of the need is for our sales customer.

1 If you were to eliminate some of the transportation
2 that may reduce it a little bit, but there is only a
3 certain number that our gas control could manage.
4 We have over, I think, 500 -- subject to check --
5 transportation customers at this point. We have a
6 lot, and gas control can't be trying to turn down
7 the volume for 500 customers on a peak-type day
8 where they're trying to manage the gas supply for
9 our entire system. That's a little onerous for them
10 to handle. Could they handle ten to twelve? That's
11 something we have worked with them and they said
12 they could handle, so that's why we've proposed it
13 for some of the larger ones.

14 **Q Thank you. Do you remember Mr. Dodge**
15 **asking you about whether or not transportation**
16 **customers actually nominate up to their contract**
17 **limit? Do you remember him asking you those**
18 **questions?**

19 A Yes.

20 **Q Does the Company plan for the contract**
21 **demand, or does it plan for what someone might do**
22 **below that?**

23 A The Company plans for the contract demand
24 because we are contractually obligated to provide
25 that. So if a customer contracts for

1 100,000 decatherms, we need to plan and make sure
2 that we can serve that 100,000 decatherms on any day
3 of the year, whether its summertime or wintertime.
4 We need to make sure that we can fulfill that
5 contractual obligation.

6 Q And, hypothetically speaking -- I think
7 Mr. Dodge posed a similar hypothetical -- if you had
8 customers who, on a design peak day, nominated less
9 than their full contract limit and received notice
10 from the Company that they needed to curtail or
11 reduce to the lower nomination and failed to do so,
12 what would be the consequence to the Company and the
13 remaining customers, or what could be the
14 consequence?

15 A Well, the consequence could be that our
16 system would not be able to maintain that demand.
17 So, while after the fact you can penalize these
18 customers, that's not helping us on an operational
19 basis on the day, that's not keeping the gas
20 flowing. The problem is more gas will then be
21 flowing on our system than we have services or the
22 ability to meet, so we wouldn't have the capacity in
23 our system to meet those flows. And you could
24 penalize them afterwards, but that's not going to
25 help explain why sales customers, transportation

1 customers, industrial customers, and residential
2 customers, why they lost service on that particular
3 day.

4 MS. CLARK: Thank you. I have no
5 further redirect.

6 COMMISSIONER LEVAR: Thank you.
7 Ms. Schmid, any recross?

8 MS. SCHMID: None.

9 COMMISSIONER LEVAR: Mr. Dodge, any
10 recross?

11 MR. DODGE: No, thank you.

12 COMMISSIONER LEVAR:
13 Commissioner White, any questions?

14 BY COMMISSIONER WHITE:

15 Q One question. It sounds like, harking
16 back to the testimony of Mr. Platt, that this
17 service has been procured, I guess, to address, you
18 know, avoiding potentially catastrophic shutoff
19 situations such as occurred in Coalville, it's a
20 peak hour issue. My question is does Dominion have
21 the ability to utilize this tool -- I guess I'd call
22 it an insurance policy -- in other ways other than
23 just addressing the peak hour issues?

24 A Well, I would say the Kern River service,
25 we have used it on nonpeak days. So while it does

1 provide for what we need on a peak day, we're able
2 to use it on the other days as well, to help manage
3 our systems. It keeps pressures up in our system,
4 it helps evenly balance our supply on the system.
5 Are there any other benefits to it? None that I can
6 think of right now, but it can be used more than
7 just on a peak day. It's not something that's only
8 able to be used on a peak day; it's able to be used
9 on any day and we do use it on other days.

10 COMMISSIONER WHITE: That's all the
11 questions I have.

12 BY COMMISSIONER CLARK:

13 Q My questions also relate to the actual use
14 that you've made of the contract at this point in
15 time. Mr. Wheelwright addresses this in his
16 rebuttal testimony, page 3, I think, and if you have
17 that in front of you I'll wait for you to turn to it
18 if you would like.

19 A You said his rebuttal testimony, page 3?

20 Q Right. I'm sorry, surrebuttal.

21 A I have it in front of me.

22 Q Between lines 65 and 70, he describes the
23 days in the last heating season when the contract
24 was utilized and concludes, "It's doubtful that
25 these days were peak weather event days," and he

1 suggests, at least, that the contract is being used
2 during normal operating conditions. You've
3 acknowledged that in your answers to Commissioner
4 White. I'm wondering if you can sort of allocate,
5 at least in a general way, how much of this usage
6 that's described here in Mr. Wheelwright's testimony
7 was related to peak day weather event conditions and
8 how much of it was used for other operational
9 considerations. We have a number of days here -- I
10 didn't add them up -- but could you give us a rough
11 allocation?

12 A I'm not sure there's a specific
13 allocation. Let me give an example that explains
14 what's going on. So the peak hour service -- we
15 purchase the amount of peak hour service based on
16 our need on a peak day. So we have a -- we've
17 bought a car in the driveway that we need to drive
18 on a certain day. Well, on other days, we use that
19 car anyway. You need it for a certain day, you need
20 it when you need to get to work, right? So I've
21 bought a car for on the days I need to get to work.
22 Well, that car is sitting in the garage on the
23 weekends as well, and you drive it on other days.
24 So that's what is going on here is we've got the
25 peak hour service to meet the need on a peak day.

1 Now, on other days, we still use the
2 service. It's more so -- just about any day, our
3 load is fluctuating as I showed on that graph
4 earlier. Even on summer days -- it's muted a little
5 bit -- but we still have that same fluctuation.
6 Well, when winter days come along and we've got that
7 fluctuation, any amount that we're flowing over our
8 scheduled quantity for the day is done so on an
9 interruptible basis. That's using additional volume
10 on the upstream pipeline. In this case, it's
11 Dominion Energy Questar Pipeline. So we utilize
12 that on other days to minimize how much we're
13 flowing on an interruptible basis on the other
14 pipelines. Do we necessarily need to use it on
15 those days? Not unless we're interrupted on that
16 upstream pipeline.

17 So it's really a gas control call at that
18 point as to when they use it and how often they use
19 it. And we work closely with gas control to utilize
20 that contract. But it's not something that we can
21 say we needed to use it on these days, so to
22 allocate that to customers based on how we use it
23 is, I think, a little bit difficult and I would have
24 to work closely with our regulatory department on
25 the allocation factor. But, really, it's only being

1 used to meet an operational benefit at that point
2 instead of an operational need at that point. Does
3 that address your question at all?

4 Q I think it does, but to use your analogy,
5 what I'm trying to get a sense for is whether you
6 bought the car so that you could drive to the golf
7 course on Saturday, but you use it the other six
8 days for other purposes, or whether you bought the
9 car to get to work Monday through Friday and you use
10 the car on Saturday and Sunday for other purposes.
11 Do you see what I'm saying?

12 A I do, and I think the need is to get to
13 work. The need it make sure we cover a peak day.
14 The benefit is we can use it to get to the golf
15 course on Saturday.

16 Q So if I looked at the -- it looks like
17 there are about 30 days of -- in the last heating
18 season, at least in December, January, and February
19 when you used the services of the Kern River Peaking
20 Service contract. Of those 30 days, how many of
21 those, at least, would you estimate were days where
22 you needed the capabilities of the contract to
23 address a peak hour issue as opposed to other
24 operational issues?

25 A I would have to address that with our gas

1 control, but I would say we did not have a peak day,
2 a design peak day, this past year and since those
3 services are designed for design peak day, I
4 wouldn't say that any of them were a need-to-use
5 type basis.

6 **Q So they would have all been in the**
7 **operational category?**

8 **A Yes.**

9 COMMISSIONER CLARK: Thank you. That
10 concludes my questions.

11 BY COMMISSIONER LEVAR:

12 **Q I just have one question. Under the**
13 **circumstances of a design peak day, is there any**
14 **realistic potential that Kern River or Dominion**
15 **Energy Questar Pipeline would be unable to perform**
16 **under its contract? Any realistic potential?**

17 **A** Under their existing contract, their
18 tariff only has them provide an a uniform hourly
19 flow rate, so I do not believe there's any potential
20 they would not be able to provide on that, but that
21 would have them providing on a uniform hourly flow
22 rate. Unfortunately, our demand on their system is
23 not uniform, therefore, I do believe that there is
24 the potential for them to not be able to meet that
25 amount that we would be flowing above an RDC or the

1 required minimum delivery. I do believe there is
2 the possibility they would not be able to meet that,
3 which is why we're looking at these services.

4 **Q I intended my question to be about peak**
5 **day services. Is there any potential under the**
6 **circumstances of a design peak day they would not be**
7 **able to meet those contracted --**

8 A Okay. So on the peak day services, I do
9 not believe that the -- I believe -- just like we
10 model our system and make sure that we can meet our
11 contractual obligations -- that is a firm
12 contractual obligation to meet those peak hour
13 services. And I do believe their system would be
14 designed to meet those, and I do believe they would
15 be able to meet those design conditions. They're
16 going to remain conservative on their side in
17 offering the contracts and they're going to make
18 sure from their side, either through modeling or
19 design, to make sure that they meet those contracts.
20 So I don't believe they would not be able to meet
21 any contract that they have obligated to.

22 COMMISSIONER LEVAR: Thank you.
23 That's all I have. So I think that's all for this
24 witness, and I think it's an appropriate time to
25 take a short break. So we'll be in recess until

1 10:50.

2 (A brief recess was taken.)

3 COMMISSIONER LEVAR: I think we're
4 back on the record. Ms. Clark, do you have anything
5 else?

6 MS. CLARK: No. The Company has no
7 other witnesses. Thank you.

8 COMMISSIONER LEVAR: Thank you.
9 Ms. Schmid?

10 MS. SCHMID: Yes. The Division would
11 like to call Mr. Douglas Wheelwright to the stand
12 and could he please be sworn?

13 DOUGLAS D. WHEELWRIGHT,
14 having been first duly sworn to tell the truth, was
15 examined and testified as follows:

16 BY MS. SCHMID:

17 Q Good morning.

18 A Good morning.

19 Q Could you please state your full name,
20 business address, employer, and position for the
21 record?

22 A My name is Douglas D. Wheelwright. I'm a
23 technical consultant with the Division of Public
24 Utilities. My business address is 160 East 300
25 South in Salt Lake City.

1 Q Have you participated in this docket on
2 behalf of the Division?

3 A Yes, I have.

4 Q Could you please briefly describe your
5 activities?

6 A Since the information was filed by the
7 Company, we have done an examination of the
8 information that was filed. We've had numerous
9 meetings with the Company to further explore the
10 peak hour issue, and I have done an extensive
11 analysis.

12 Q Did you prepare and cause to be filed your
13 direct and surrebuttal testimony that has been
14 previously admitted here?

15 A Yes.

16 Q Do you have any changes or corrections to
17 that testimony?

18 A No, I do not.

19 Q Do you adopt that prefiled testimony as
20 your testimony here today?

21 A Yes, I do.

22 Q Do you have a prepared summary to give us
23 of your testimony?

24 A Yes, I do.

25 Q Please proceed.

1 A Thank you. Good morning, Commissioners.
2 In Docket No. 17-057-09, the Company asks for
3 Commission approval to make tariff modifications in
4 order to charge transportation customers for peak
5 hour transportation services. As part of the review
6 process, the Division hired Overland Consulting to
7 assist in the review and analysis of the Company's
8 application. During the course of this docket,
9 Division representatives and our consultant
10 submitted numerous data requests and participated in
11 meetings with Company representatives in order to
12 gather additional information and gain a better
13 understanding of this issue. In addition to my
14 testimony today, Mr. Howard Lubow from Overland
15 Consulting will provide testimony on behalf of the
16 Division.

17 The Company's original application asked
18 for approval to allocate a portion of the cost for
19 the Kern River peak hour contract to transportation
20 customers. This application was originally filed
21 with seven pages of direct testimony and four brief
22 exhibits which lacked a significant amount of the
23 necessary and substantial detail. The Company later
24 filed extensive rebuttal testimony that included
25 four witnesses along with 20 additional exhibits.

1 The late filing of this additional and more detailed
2 information made it challenging for the Division and
3 its consultant to have sufficient time to analyze
4 and evaluate the new information or allow for
5 additional discovery.

6 It is the Division's position that the
7 detailed information filed in the rebuttal should
8 have been provided as part of the original
9 application. Based on the information that has been
10 provided, the Division is not convinced that the
11 peak hour contracts are necessary and in the public
12 interest. Therefore, the Division cannot recommend
13 that transportation customers pay a portion of the
14 cost associated with this contract. However, if the
15 Commission finds that peak hour contracts are in the
16 public interest, transportation customers should pay
17 a share of the cost based on how the contracts are
18 being used.

19 The justification for peak hour service
20 has been based on the Company's projections for
21 natural gas consumption under extreme weather
22 conditions. The Company's unsteady state model is
23 used to calculate the total system requirement for
24 each hour of the peak planning day. The Company
25 uses this model in its Integrated Resource Planning

1 docket and has used the same information in this
2 docket.

3 The Commission should be aware that the
4 planning model used in this analysis and in the IRP
5 assumes that both the Kern River peak hour contract
6 as well as the Dominion Energy Questar Pipeline peak
7 hour contract are in place in order to maintain
8 adequate system pressures. The Dominion Questar
9 Energy Pipeline contract is larger and more costly
10 than the Kern River contract. The cost for the
11 Dominion Energy Questar pipeline contract has not
12 been included in previous dockets, but it is
13 anticipated that it will be included in the next 191
14 filing.

15 While the justification for peak hour
16 service contracts is based on extreme weather
17 conditions, the Company has indicated that the Kern
18 River contract has been used under less than extreme
19 conditions. During the 2016/2017 heating season,
20 the Kern River contract was used 30 times. Since it
21 appears that this contract is being used as an
22 operational contract and not as a peak day event
23 contract, all customers have been receiving service
24 under this contract. If the Commission finds that
25 the peak hour costs are in the public interest and

1 if peak hour contracts are to be used on a regular
2 basis, the costs should be allocated to all
3 customers that will be using this service. This
4 would include all transportation customers,
5 including those with interruptible service.

6 The Division has expressed concern with
7 the way the Company has modeled and estimated the
8 peak planning day requirement. For most of the
9 customers, the Company attempts to estimate their
10 usage based on historical information to estimate
11 the peak planning day hourly consumption. In
12 contrast, the model does not use the same
13 assumptions or attempt to estimate the hourly usage
14 of the Lakeside Electric Generation Facility. The
15 forecast for this customer does not model the
16 anticipated usage, and the Company has excluded
17 this customer from the analysis in this docket. It
18 is the Division's position that understanding and
19 including large volume customers should be an
20 important part of the peak hour planning and should
21 be included in this analysis.

22 In the rebuttal phase of this docket, the
23 Company proposed to include flow controls on 12
24 large-use customers as a possible solution to
25 address a portion of the peak hour issue. This is

1 the first time the Company has presented flow
2 controls as an option to address the peak hour
3 requirement. No analysis was provided to determine
4 if this option would be more cost effective or to
5 give any potential impacts that flow controls would
6 have on the peak hour requirement or to the proposed
7 contracts. Given the late filing of this
8 information, the Division has not been able to
9 verify if the proposed 3,500 decatherm per day
10 amount is reasonable, or if the 12 customers
11 identified would have a significant impact.

12 The Company's application has not
13 addressed how the existing no-notice service
14 currently in place and the new peak hour contracts
15 would work together, or why both contracts are
16 needed since they both appear to be providing
17 similar service and allow for inter-day
18 fluctuations. The Company has represented that
19 without both, the Kern River and the Dominion Energy
20 Questar Pipeline peak hour contracts and many
21 transportation and sales customers in numerous
22 cities would lose service if they experienced a peak
23 planning day event or conditions.

24 Previous IRP presentations have indicated
25 a perceived need for peak hour service, but have not

1 indicated a near-compete system failure if these
2 contracts are not in place. It is unclear to the
3 Division why the integrity of the system is now
4 critical without these contracts or why this
5 condition has only recently been identified.

6 In summary, the Division is not convinced
7 that peak hour service contracts are necessary or in
8 the public interest. Therefore, the Division cannot
9 recommend that transportation customers pay a
10 portion of the associated costs. However, if the
11 Commission finds the peak hour contracts are in the
12 public interest, transportation customers should pay
13 a share of the cost based on how the contracts are
14 to be used. And that concludes my summary.

15 Q Mr. Wheelwright, in your summary you
16 mentioned the challenge that the Division had in
17 fully analyzing the rebuttal testimony that was
18 filed by the Company. Do you recall how many days
19 there were, or how many work days there were,
20 between the filing of rebuttal and surrebuttal
21 testimony in which the Division had the opportunity
22 to do its analysis?

23 A I don't know the exact number of days.

24 Q Would you accept, subject to check,
25 perhaps about 15?

1 A That sounds about right.

2 Q And then would you also accept, subject to
3 check, that by filing its rebuttal testimony -- the
4 information that's in its rebuttal testimony --
5 then, rather than in the application phase, the
6 Division's and the other party's review process was
7 shortened by approximately a hundred and seventeen
8 days?

9 A I would agree subject to check, yes.

10 Q Mr. Wheelwright, in your testimony you
11 make certain references to the Lakeside contract
12 that are confidential. To the extent possible,
13 could you answer any questions without mentioning
14 the confidential details? Of course, if you need
15 to, we can ask the Commission to close the hearing
16 so you can discuss those matters?

17 A I'll try to do it without divulging any
18 Company information.

19 MS. SCHMID: Thank you.
20 Mr. Wheelwright is now available for
21 cross-examination questions and questions from the
22 Commission.

23 COMMISSIONER LEVAR: I'll go to
24 Mr. Snarr first.

25 MR. SNARR: The Office has no

1 questions.

2 COMMISSIONER LEVAR: Thank you.

3 Mr. Dodge?

4 MR. DODGE: Thank you, Mr. Chairman.

5 BY MR. DODGE:

6 Q Mr. Wheelwright, are you -- is the
7 Division proposing or planning in this docket that
8 it will continue to evaluate the merits of the need
9 for the peak hour service in the 191 docket?

10 A I believe we do need to continue to
11 evaluate the merits of the peak hour issue whether
12 it's in this docket or in the 191.

13 Q This docket today is kind of the last
14 chance, so can you do it in this docket?

15 A I still think there's a number of
16 questions that are unanswered. Something I
17 mentioned in my summary, the questions concerning
18 the no-notice service and how that would work with
19 this peak hour contract, the Company has not
20 addressed those issues.

21 Q So I think you heard Mr. Mendenhall
22 earlier indicate in response to a question from the
23 Chairman that the Company's request is for final
24 rates for this service for transportation customers.
25 Would the Division agree that it would be

1 **inappropriate to impose final rates here before a**
2 **showing of need in this docket or the other one if**
3 **it's adequately done?**

4 A I think there's a little bit of a problem
5 where we have only approved the Kern River contract
6 in the 191 filing with interim rates. I don't know
7 if the Commission could approval final rates in this
8 docket.

9 Q You indicated in your statement here this
10 morning that in your view, costs of this service if
11 needed or if prudent, should be based on how the
12 resource will be used. Is that a fair summary?

13 A Yes, that's correct.

14 Q Is there evidence in this docket to your
15 satisfaction of how exactly it will be used or has
16 been used?

17 A There's information on how it has been
18 used. I don't think there's information on how it
19 will be used, and we have no information on how the
20 Kern River -- or how the Questar Pipeline contract
21 will be used in the future.

22 Q Are you typically the Division witness on
23 rate design and cost allocation for natural gas?

24 A No.

25 Q Are you familiar with general principles

1 of cost causation from Bonbright or otherwise?

2 A Generally.

3 Q Is it generally consistent with your
4 understanding that, at least, Bonbright typical
5 allocation procedures would suggest that peak demand
6 costs are allocated based on peak demand usage, for
7 the most part?

8 MS. SCHMID: Objection. I believe
9 that that question goes beyond the scope of
10 Mr. Wheelwright's testimony.

11 MR. DODGE: To the contrary,
12 Mr. Wheelwright has proposed that that cost be
13 allocated based on how it will be used. I think I
14 certainly have the right to ask him whether that
15 proposal is consistent with traditional cost
16 allocation rate design principles used by this
17 Commission.

18 MS. SCHMID: To the extent that
19 Mr. Wheelwright knows about Professor Bonbright's
20 principles, I withdraw the objection.

21 BY MR. DODGE:

22 Q And I will say that my question was based
23 on the general familiarity. If you say you don't
24 know, that's fine. My question is, is it consistent
25 with your general understanding that demand costs

1 are typically allocated based on contribution to the
2 demand?

3 A It's my understanding -- I'm not going to
4 quote Bonbright or anything like that -- but it's my
5 general understanding that you do look at cost
6 causation.

7 Q You heard Mr. Mendenhall say -- or
8 Mr. Schwarzenbach say on the stand -- that the cause
9 of this cost was the peak day -- the peak hour needs
10 on the design peak day, correct?

11 A Yes.

12 Q Mr. Wheelwright, you're familiar, are you
13 not, with the general Questar tariff and its
14 treatment of transportation customer's interruption
15 requirements and penalties? Are you generally
16 familiar with those?

17 A Generally, yes.

18 Q And you heard a series of questions both
19 with Mr. Schwarzenbach and Mr. Mendenhall from me
20 about the consequences of a transportation customer
21 failing during an extreme weather event when
22 notified, to limit their usage to 1/24 of either
23 their nomination or the lower of their nomination or
24 their firm demand. You heard that exchange?

25 A I did, yes.

1 Q And you heard the testimony about the
2 consequences to a customer if they fail to do that,
3 right?

4 A Yes.

5 Q And you're familiar, are you not, with the
6 fact that when those penalties are imposed, what
7 happens to them? Do you know what happens when
8 penalties are imposed on transportation customers
9 for failure to meet that hourly restriction? What
10 happens to those penalties? Do you know where they
11 get credited?

12 A I'm not sure -- I believe they get
13 credited to the 191 account.

14 Q So subject to check, you'll agree they get
15 credited back to the firm sales customers --

16 A Yes.

17 Q -- through the 191 account. There is a
18 proceeding before this Commission right now -- and I
19 refer to it only because it's a public document --
20 in which one large transportation customer alleges
21 that they're being penalized to the tune of a half a
22 million dollars for a January 6th event of this
23 year. Are you familiar with that at all?

24 A I'm not working on that particular case,
25 no.

1 Q You're not familiar with that?

2 A I know it's been filed, but I'm not
3 working on the details of that.

4 Q If that penalty were upheld and went back
5 to firm customers, should the fact that those who
6 don't respond -- if that's what happened -- don't
7 respond to the requirement, should those be taken
8 into account in analyzing the cost responsibility of
9 the transportation class?

10 A I'm not sure I understand your question.

11 Q In other words, isn't it fair to
12 transportation customers that if those penalties --
13 when they fail to interrupt -- go back to firm sales
14 customers, that the cost allocation of service in
15 the first place could take that into account?

16 A I'm still not sure I understand what
17 you're trying to get to.

18 MR. DODGE: I'll withdraw the
19 question. I have no further questions. Thank you.

20 COMMISSIONER LEVAR: Thank you.
21 Ms. Clark.

22 MS. CLARK: Thank you. I just have a
23 few.

24 BY MS. CLARK:

25 Q Good morning, Mr. Wheelwright. How are

1 you?

2 A Good.

3 Q Mr. Wheelwright, are you an engineer?

4 A No, I'm not.

5 Q Are you a statistician?

6 A No, I'm not.

7 Q Did you do a systems analysis on Dominion
8 Energy Utah's system to determine its capacity
9 requirements in conjunction with this?

10 A I did not.

11 Q And you haven't done any analysis as to
12 the basis of the Company's proposed peak hour like
13 Mr. Lanward has, have you?

14 A I have not.

15 Q Would you agree, Mr. Wheelwright, that the
16 proposed -- the Kern River peak hour service that
17 the Company is proposing to allocate in the docket
18 today costs a little more than \$800,000?

19 A Yes. That's what the Company has
20 represented.

21 Q And you indicated in your prefiled
22 testimony that there may be other alternatives, such
23 intra-day nominations?

24 A Yes.

25 Q Would you agree also that the approximate

1 cost of utilizing intra-day nominations would range
2 somewhere between \$1.6 million and \$1.8 million a
3 year?

4 A I don't know. I don't have those figures.
5 Those are not my numbers.

6 Q But you would agree that those have been
7 offered into evidence today?

8 A I believe I've seen numbers similar to
9 that in testimony. I'm not sure who provided that.

10 Q Would you agree, subject to check, that
11 those numbers appear in Mr. Schwarzenbach's rebuttal
12 testimony at lines 218 to 220?

13 A I would agree subject to check, yes.

14 MS. CLARK: May I approach the
15 witness?

16 COMMISSIONER LEVAR: Yes.

17 BY MS. CLARK:

18 Q Mr. Wheelwright, I put in front of you the
19 Company's tariff. I'm going to represent to you
20 that that is a current copy of the Company's tariff,
21 and I'm going to ask you to read -- I'm also going
22 to represent to you that what I have it open to is
23 page 2-14 of the tariff. It's section 2.06
24 pertaining to pass-through dockets. Can you see
25 that that's the page I have it open to?

1 A Yes, correct.

2 Q Would you please read the verbiage that is
3 both highlighted and bracketed right there at the
4 top of the page?

5 A "All items recorded in the 191 account are
6 subject to regulatory audit."

7 Q And would you agree that the costs for the
8 Kern River Peak Hour Service contract are properly
9 dealt with in the 191 account?

10 A Yes.

11 MS. CLARK: I have no further
12 questions.

13 COMMISSIONER LEVAR: Thank you. Any
14 redirect, Ms. Schmid?

15 MS. SCHMID: Just one.

16 BY MS. SCHMID:

17 Q Mr. Wheelwright, do you recall Ms. Clark
18 asking you if you were an engineer or a statistician
19 or had conducted a statistical analysis or a
20 capacity analysis of DEU's pipeline?

21 A Yes.

22 Q Do you recall when this sort of
23 information was offered by the Company? Was it in
24 rebuttal?

25 A Which information are you referring to?

1 Q The testimony specifically that
2 Mr. Schwarzenbach and others discussed with regard
3 to capacity and other attributes of the DEU
4 pipeline?

5 A The more detailed information was filed in
6 rebuttal by the Company.

7 Q Did the timing of that filing make it
8 difficult? Would the timing of that filing have
9 made it more difficult for the Division to engage
10 the services on an engineer than if that detail had
11 been provided with the application?

12 A Yes, it would.

13 Q Thank you. Those are all my redirect
14 questions.

15 COMMISSIONER LEVAR: Any recross,
16 Ms. Clark?

17 MS. CLARK: No, thank you.

18 COMMISSIONER LEVAR:

19 Commissioner Clark, any questions?

20 COMMISSIONER CLARK: Yes, thank you.

21 BY COMMISSIONER CLARK:

22 Q Good morning, Mr. Wheelwright. On page 7
23 of your direct and elsewhere, I think, including in
24 your summary today, you noted that the most recent
25 191 account filing included the costs of the Kern

1 River Peaking Service Contract and that those costs
2 are now in rates on an interim basis for firm sales
3 customers; is that correct?

4 A That's correct.

5 Q And you also say on page 7, "The Division
6 is not convinced that the contract expenses are a
7 valid expense," or that the contract costs should be
8 paid by ratepayers -- I'm exerting a couple of words
9 because of the context. I hope I'm accurate in
10 capturing the sense of your statement on page 7. If
11 you think I'm not, please tell me.

12 A That's correct.

13 Q So from, either a public policy
14 perspective or on really any other basis, you want
15 to answer the question why would -- why is it
16 appropriate for the first sales customers to be
17 bearing these costs currently on an interim basis --
18 at least until you have completed and reached some
19 final conclusions -- but not the transportation
20 customers that we've been talking about today.

21 A I think my testimony points out that all
22 customers who benefit from this service should be
23 paying for the service if it's being used for
24 operational needs. The 191 filing is a very
25 abbreviated process. We only have 30 days from the

1 time they file until we have a hearing on that. We
2 don't have an opportunity to go into detail on all
3 of the costs that are included in that filing, and
4 we don't have the time to engage an engineer or
5 something to that effect to look at those costs. So
6 they're approved on an interim basis, and we then
7 have the opportunity to go back and explore those
8 costs in more detail through an audit process and
9 further evaluation. So I believe that if
10 transportation customers are receiving the benefit
11 from this service that's being used for operational
12 needs, that all customers should be paying for the
13 service.

14 **Q And until the benefit is established, then**
15 **the transportation customers would be excluded**
16 **because they don't receive SNG cost allocation**
17 **through the 191 account process on an interim basis?**

18 **A** There's two questions that I think need to
19 be answered. One is, is this cost reasonable and
20 justified is the first question. Then next question
21 is how do we allocate the cost? So there are two
22 separate questions that need to be addressed. So
23 there's a two-step process in this decision-making
24 process.

25 **Q And the Division has not yet concluded the**

1 **first step?**

2 A Right. The Division has not yet concluded
3 that the costs are just and reasonable in the public
4 interest, so I think that while they have been
5 approved on an interim basis in the 191 account, we
6 need to explore this further to analyze the
7 reasonableness of the cost in total.

8 **Q Do you have a sense for the timing of**
9 **conclusion of the Division's work in this area?**

10 A I don't. As we dig deeper into this, it
11 creates more and more questions, and as we can see
12 from testimony in this docket, it's raised a number
13 of issues that we need to explore further. I don't
14 have a time frame of how long it would take to
15 complete that work.

16 COMMISSIONER CLARK: That concludes
17 my questions.

18 COMMISSIONER LEVAR:

19 Commissioner White?

20 BY COMMISSIONER WHITE:

21 **Q Just a couple of questions. The first --**
22 **I'm probably confused on this -- but the DEQP**
23 **contract it sounds like that has not been included**
24 **in a 191 application yet.**

25 A That's correct.

1 **Q** **So just for my understanding, we are not**
2 **addressing the need for prudence of that contract**
3 **today? I guess I'm just trying to figure out the**
4 **order of business here.**

5 **A** Well, that's very confusing because the
6 analysis the Company has presented for the IRP and
7 in this docket include both -- the assumption that
8 both contracts are in place and operating in order
9 to determine if they have sufficient pressures on
10 their system. So they have assumed that both
11 contracts are in place and functioning, but the
12 Questar Pipeline contract has not been included in
13 the 191 filing to date. It's anticipated it will be
14 filed with the next filing, which will be in less
15 than a week, I believe.

16 **Q** **So is it safe to say that we could have**
17 **the situation where essentially the need of prudence**
18 **for these two different contracts are bifurcated?**
19 **One being in this one to be potentially audited**
20 **later and then one in the subsequent 191 filing?**

21 **A** Yes. I think we do have a problem with
22 the timing of these contracts with the 191 filings.

23 **Q** **The other question I had -- and I alluded**
24 **to this a little bit with some of the questions I**
25 **had for Mr. Mendenhall -- in response to**

1 Commissioner Clark's questions, you've outlined
2 basically that there's two steps here. One meaning
3 the need or prudence question, the second is the
4 allocation of costs. The provision I was getting at
5 that I was looking at earlier -- and this is in
6 Dominion's Tariff 2.06, the Gas Balancing Account
7 Adjustment Provision -- is that the 191 account
8 tariff?

9 A Yes, I believe so.

10 Q I'm looking here at page 2-13 of PSCU 500
11 and I'll just go ahead and read it. This is the
12 second block that is titled, "Supplier Non-Gas Cost
13 Rate Determination." I'll just read you the first
14 sentence and I would just kind of like to get your
15 opinion on what that means and maybe if I'm
16 misunderstanding it, but it reads, "Using the
17 procedure established in PSCU Case Number 84-057-07,
18 supplier non-gas cost allocation levels will be
19 established in general rate cases." Are we in the
20 wrong docket to be talking about this, or am I
21 misunderstanding that? Is this the right proceeding
22 to be addressing SNG cost allocation?

23 A You've read that it should be determined
24 in a rate case, and that's the way the tariff reads.
25 We have been, in practice, looking at SNG costs in

1 the 191 filings.

2 **Q Have we been allocating SNG costs?**

3 A No. We have not been changing the
4 allocation of those costs; we've been reviewing the
5 costs themselves but not changing the allocation.

6 **Q Is there a distinction to be made between,**
7 **you know, the approval of the new tariff for the**
8 **5 percent out-of-variance customers -- I can't**
9 **recall the exact name of that docket -- but as you**
10 **recall, we addressed some additional costs for**
11 **transportation customers. Is there a distinction**
12 **between that type of tariff approval where we are**
13 **addressing existing cost versus what -- here, we may**
14 **or may not be addressing new costs?**

15 A Yes, I think there is a difference because
16 this is a new cost. The other one we have
17 identified in the transportation imbalance charge --
18 I believe that's the one you're referring to -- is
19 just a review of the specific costs in that, and,
20 then, crediting that back to the 191 account. This
21 is a new charge that has not been included
22 previously, and I think there is a difference
23 between that and the transportation imbalance
24 charge.

25 **Q And what would it look like if we were to,**

1 I guess, if I'm reading this correctly, follow this.
2 The costs -- if they were determined to be prudent
3 and needed -- the costs are currently flowing --
4 explain to me how they're currently allocated in the
5 191 account, the Kern River contract.

6 A Right now, all of the costs are being paid
7 by sales customers in the 191 account.

8 Q And if they were allocated at a later
9 time, would -- I'm assuming those would be subject
10 to reallocation or refunds or -- how would you see
11 that going forward?

12 A The 191 account is a balancing account, so
13 I would envision them being some balancing entries.
14 You'd have to make some adjustments to the rate
15 structure in order to collect those costs and credit
16 back. If it is determined that these costs are just
17 and reasonable and they are allocated to
18 transportation customers, I would imagine that then
19 these costs would be credited back to sales
20 customers through the 191 balancing account.

21 COMMISSIONER WHITE: I have no
22 further questions. Thank you.

23 BY COMMISSIONER LEVAR:

24 Q First, tell me if I'm summarizing your
25 position accurately. Is it accurate to say you're

1 not prepared today to recommend that these contract
2 costs are prudent, just and reasonable? You're not
3 saying that they are not prudent, just, and
4 reasonable? Is that accurate, an accurate summary?

5 A Yes. We're not --

6 Q That was a double negative sentence. I'll
7 say it differently if you want me to. My
8 understanding is you have not testified today that
9 you find these cost to be unreasonable or imprudent,
10 you're just unable yet to say that they are. Is
11 that an accurate description?

12 A I think it's an accurate statement. There
13 are still a lot of questions out there that we have.
14 There have been questions concerning the model and
15 how they've calculated the peak need. There are
16 other questions out there so I think it's a fair
17 statement, yes.

18 Q As you described your reasons for that,
19 I've heard and read you referring both to the time
20 to evaluate material that was provided in rebuttal
21 testimony and concerns with deficiencies in the
22 record. Of those two concerns, how significant is
23 the fact that you've had a truncated time period to
24 evaluate what was filed in rebuttal testimony
25 compared to your perceived deficiencies in that

1 material? How much difference would more time make
2 in your ability to conclude that the costs either
3 are or are not prudent?

4 A Well, as stated, I'm not an engineer. We
5 did not have time sufficient to engage the service
6 of an engineer to evaluate the Company's model.
7 That created a problem. It was the recommendation
8 of our consultant, Mr. Lubow, that we engaged the
9 services of an engineer to evaluate this. We didn't
10 have time to do that. So I think timing was a
11 pretty important part of filing this information so
12 late in the process. It didn't give us enough time
13 to really evaluate this. We didn't have time to do
14 additional discovery with the Company to evaluate
15 the proposal for some of these additional services
16 they've recommended in the last stages of the
17 filing.

18 COMMISSIONER LEVAR: Thank you. I
19 appreciate that. That's all I have so I think
20 that's all we have for Mr. Wheelwright. Ms. Schmid.

21 MS. SCHMID: Thank you. The Division
22 would like to call its next witness, Mr. Howard
23 Lubow. Could he please be sworn?

24 HOWARD E. LUBOW,
25 having been first duly sworn to tell the truth, was

1 examined and testified as follows:

2 BY MS. SCHMID:

3 Q Good morning.

4 A Good morning.

5 Q Could you please state your full name and
6 profession for the record?

7 A My name is Howard E. Lubow. I'm president
8 of Overland Consulting.

9 Q Attached to your direct testimony is a
10 detailed list of dockets in which you have
11 participated, and also your educational experience.
12 Could you summarize in just a few sentences your
13 experience?

14 A Yes. I have been involved or engaged in
15 regulatory consulting on behalf of utilities, state
16 commissions, and other parties for a period of
17 approximately 40 years. Those engagements have
18 generally focused on electric and gas matters before
19 regulators. We have also spent a significant amount
20 of our practice focused on the review of large
21 electric and gas utilities in the context of
22 management review, proceedings, and engagements, as
23 well as mergers and acquisitions.

24 Q What is your current affiliation with
25 Overland Consulting?

1 A I'm president of the company. I left out
2 one thing that is fairly significant in the context
3 of today's proceedings. I was a chief operating
4 officer of a transmission pipeline company for
5 several years in my past experience.

6 Q So you were retained by the Division to
7 participate in this docket on the Division's behalf,
8 correct?

9 A That's correct.

10 Q Did you prepare and cause to be filed your
11 direct and surrebuttal testimony that has previously
12 been admitted?

13 A I did.

14 Q Were you here when I asked to have the
15 second page of a data request included in that
16 accepted filing?

17 A I was.

18 Q Do you have any other changes or
19 corrections to your testimonies?

20 A No.

21 Q Do you adopt the prefiled and admitted
22 testimonies as your testimony here today?

23 A I do.

24 Q Do you have a brief summary of your
25 testimony to present?

1 A I do. The Company is now proposing the
2 allocation of peak hour demand services to
3 transportation customers. And in its direct, the
4 Company proposes to plan for resources necessary to
5 meet design day peak hour requirements in contrast
6 to its peak day historic use in terms of its
7 planning, which is consistent with current industry
8 practice.

9 The Company has represented that the peak
10 hour requirement is 17 percent greater than the
11 average requirement on its design day. However,
12 when Lakeside and interruptible loads are
13 eliminated, the excess demand over average expected
14 usage is reduced to approximately 7 percent. At
15 some level, pipelines allow imbalances and also
16 provide no-notice services to manage variations in
17 customer requirements during peak conditions. To
18 the extent that peak conditions present a potential
19 threat to meeting customer requirements, demand
20 response programs including load control can be a
21 more economical alternative to the peak hour
22 services proposed by DEU.

23 In spite of its current proposals in this
24 proceeding to focus on peak hour requirements, the
25 Company planning process continues to be based on a

1 design peak day in its modeling approach to estimate
2 firm sales under peak design day conditions. It has
3 remained essentially unchanged over the last ten
4 years. The idea of an LDC basing its upstream
5 pipeline requirements on a peak hour, to my
6 knowledge, is unique within the industry.
7 Similarly, I have not seen any industry literature
8 nor has the Company produced any relevant documents
9 supporting LDC planning for peak hour requirements
10 in making peak pipeline capacity commitments.

11 The Company's design day is based upon,
12 among other things, a once in 20-year event. The
13 last design day condition occurred in 1963 over 50
14 years ago. A review of peak demand data reflects
15 that no firm customers have been curtailed over a
16 period extending to approximately 30 years. In
17 fact, actual peak demands have been well below the
18 amount of pipeline capacity held by the Company.
19 Based upon my review of the DEU materials in
20 recognizing industry practice in meeting LDC
21 customer requirements during peak conditions, it is
22 my opinion that the peak hour services secured by
23 the Company are unnecessary in providing safe,
24 adequate, and reliable service. It will result in
25 needless financial burden to its customers.

1 As I stated in my prefiled testimony,
2 should the Company find that these peak hours -- I'm
3 sorry -- should the Commission find that these peak
4 hour services procured by DEU are, in fact, in the
5 public interest, it seems logical that
6 transportation customers would benefit from such
7 services in a matter similar to the Company's sales
8 customers.

9 And I'd like to just briefly make one
10 additional observation based on comments made this
11 morning by Mr. Landward in his summary which I
12 believe mischaracterizes my testimony as it exists
13 in my direct prefiled testimony. I further
14 clarified that based on his prefiled rebuttal in my
15 surrebuttal testimony, pages 6 and 7, I have, in
16 fact, not in either of my testimonies equated
17 historic peak usage with the use of a design day
18 peak. And with that clarification, that concludes
19 my comments.

20 MS. SCHMID: Thank you. Mr. Lubow is
21 now available for cross-examination, questions, and
22 questions from the Commission.

23 COMMISSIONER LEVAR: Thank you.
24 Mr. Snarr?

25 MR. SNARR: No questions.

1 COMMISSIONER LEVAR: Thank you.

2 Mr. Dodge?

3 MR. DODGE: No questions.

4 COMMISSIONER LEVAR: Ms. Clark?

5 MS. CLARK: I do have just a few.

6 Thank you.

7 BY MS. CLARK:

8 Q Mr. Lubow, you have testified, haven't
9 you, that you have no reason to challenge the
10 Dominion Energy analysis that indicates a 17 percent
11 spread on the peak hour over the average daily
12 demand during a peak weather event, have you?

13 A I stated that based on the fact that it
14 was outside of the scope of my review.

15 Q So you just haven't done that review?

16 A That's right.

17 Q Okay. And you don't disagree with
18 Mr. Mendenhall's position that the Company must plan
19 for both expected weather and extreme weather
20 events? You don't disagree with that, do you?

21 A Not at all.

22 Q Would you agree that the evidence on the
23 record in this case -- and particularly the evidence
24 on the chart that Mr. Schwarzenbach showed us all
25 earlier today -- shows that during the peak hour,

1 those services are being provided by upstream
2 pipelines on an interruptible basis as opposed to a
3 firm basis?

4 A I'm not sure I would characterize it
5 exactly that way. When you look at the Kern River
6 tariff similar to all pipelines, there is some
7 variation that's allowed or expected within peak day
8 service. And how that variability is characterized
9 and charged to shippers tends to be on a
10 tariff-by-tariff and contract-by-contract basis.

11 Q Have you talked to anybody at Dominion
12 Energy Questar Pipeline about this issue?

13 A I have not.

14 Q And have you talked to anybody at Kern
15 River about this issue?

16 A I have not.

17 Q And you would agree that the testimony on
18 the record in this case is that both Dominion Energy
19 Questar Pipeline and Kern River have notified
20 Dominion Energy Utah that these services are offered
21 only on an interruptible basis? Would you agree
22 that that's the testimony on the record here?

23 A I think it's on an availability basis. In
24 other words, when you're managing from the pipeline
25 perspective -- I can't speak for Kern River but I

1 know in my firsthand experience -- regardless of the
2 specific tariff provisions, pipelines are generally,
3 they're -- in a peak condition -- are very concerned
4 about meeting the requirements of its shippers. And
5 that is its primary focus on that day. It's not
6 looking to see, you know, what is firm, what's
7 interruptible, what the nominations were. It, of
8 course, is aware of all of this, but its primary
9 focus is the delivery of gas based on the demand of
10 its shippers.

11 Q But you wouldn't disagree, would you, that
12 those pipelines could only offer such services on an
13 operationally available basis as has been
14 represented in this case?

15 A That's correct.

16 Q Would you deem it prudent of the utility,
17 then, having received this message from both of its
18 upstream pipelines, that such services are available
19 on an operationally available basis? Would it be
20 prudent for that utility, then, to take steps to
21 ensure that on the coldest of cold days, on the
22 highest peak design day, it can continue to serve
23 its firm customers?

24 A I think so. And I think that the
25 consideration of how it does that can be based on a

1 number of options that it may have available.

2 MS. CLARK: I don't have any further
3 questions. Thanks.

4 COMMISSIONER LEVAR: Any redirect,
5 Ms. Schmid?

6 MS. SCHMID: No.

7 COMMISSIONER LEVAR:
8 Commissioner White, do you have any questions?

9 COMMISSIONER WHITE: Just one
10 question.

11 BY COMMISSIONER WHITE:

12 Q In summarizing, you know, the point of
13 your testimony, am I mischaracterizing it to say
14 that your opinion is not that there is no need, it's
15 just this may or may not be the most cost-effective
16 tool to address it?

17 A Yes is the direct answer and the indirect
18 answer is that, of course, local distribution
19 companies have been required forever within the
20 industry to look at the requirements of its firm
21 customers on a peak day basis, design day basis, for
22 many years, including this Company. And so we're
23 sitting here today in this proceeding looking at a
24 peak hour service and what's behind that, and my
25 view is that, you know, this is a consideration that

1 has existed within this Company for many years. And
2 it's operated on the basis of design day planning
3 with peak day commitments from its upstream
4 suppliers in combination with policies and
5 procedures that it can employ to operate its system
6 to meet peak day conditions absent a peak hour
7 upstream pipeline service.

8 COMMISSIONER WHITE: Thank you.
9 That's all the questions I have.

10 COMMISSIONER LEVAR:
11 Commissioner Clark?

12 BY COMMISSIONER CLARK:

13 Q So at the conclusion of your dialogue with
14 Ms. Clark, you referred to options, and could you
15 just remind us of some of the other approaches that
16 could be taken? And I'm asking you that because my
17 real question is if you were the Company or if you
18 were sitting in our chairs, how do you think a
19 utility should select among those options? What
20 process, what evaluation, should occur?

21 A Well, of course, as I indicated, it was
22 beyond the scope of my review to look at the outset
23 at the basis and reliability for the design day
24 estimation. So that's an important process and if I
25 were a policymaker, I would want in evidence some

1 assurance that this is a reliable model and that the
2 data has been constructed in a reasonable way so
3 that I can make an informed decision about resources
4 being committed to meet customer requirements in an
5 extreme weather event. So in looking at alternative
6 options, demand site management programs in many
7 areas of the country have been very effective in
8 mitigating peak load, and it appears that the
9 Company has looked at some of the these programs, of
10 course. And in certain instances that are
11 particularly relevant, I think, to this proceeding,
12 it has begun to look in recent months at the
13 potential for load control of its larger customers.
14 And I think that that analysis, which has only been
15 peripherally entered into this record to date, is
16 important to the extent that the Commission believes
17 that the design day requirements represented by the
18 Company are reasonable, that this is an important
19 element of how it would cost effectively respond to
20 those requirements.

21 And I did include historical data to give
22 some context to the design day peak estimation.
23 This is a company that has not experienced a design
24 day in something like 53 years. It's a once in
25 20-year event. There have been no historic

1 curtailment of firm customers, let alone residential
2 customers, so I think that if I were a policymaker,
3 if I wanted to further pursue the potential
4 consideration of this kind of service, I would want
5 more evidence to support why this makes sense, and
6 that the Company has fully anticipated and
7 considered other alternatives when it comes to the
8 Commission with these particular recommendations.

9 **Q And when you say "makes sense," that**
10 **includes, I assume from your answer, the**
11 **reevaluation of the design day criteria or**
12 **specifications?**

13 A You know, when you look at the criteria,
14 at what variables this Company considers, I think
15 that those are reasonable and generally are included
16 within industry peers as a basis for estimation.
17 However, industry peers have never, to my knowledge,
18 come up with this kind of recommendation in meeting
19 a design day requirement.

20 **Q I'm exploring the implications of your**
21 **testimony about the last time that an event was**
22 **experienced and the 20-year, once in 20-year rule or**
23 **hypothesis, so I'm just wondering what it should**
24 **mean for us that it's been 53 years since there's**
25 **been any kind of --**

1 A I don't want to minimize Mr. Lanward's
2 comments because looking at history is interesting,
3 and I think it's interesting in a particular
4 context. So you have a design day estimate, and you
5 have upstream capacity commitments relative to that
6 estimate, and let's just say on average for the last
7 20 years there's been a 20 percent margin. So that
8 being said, from an operations planning perspective,
9 that's interesting information, but it's also
10 important to look at what a design day requirement
11 looks at, looks like, because in order to provide
12 safe, adequate, and reliable service, I think
13 industry practice would generally recognize the
14 consideration of design day need in planning its
15 system requirements.

16 Q You mentioned demand-side management
17 actions and referred to the Company's engagement in
18 those kinds of activities with its customers and the
19 benefits in addressing the peak day issues that
20 we're dealing with today. And I'm also wondering
21 about contractual -- I'll call them load shedding
22 arrangements -- or other ways of addressing the very
23 rare events that we're discussing. Are those --
24 what is your experience with the use of those kinds
25 of arrangements and contracts?

1 A So it came up in earlier testimony or
2 questions in some context and, of course, this
3 company -- like every regulated utility in the
4 country -- has a curtailment plan in place, which I
5 have not reviewed. But I suspect that that
6 curtailment plan provides for a priority of usage
7 based on the public interest and that large
8 industrial customers or generators or other
9 customers who may be imposing firm demand would
10 be -- that load would be shed first and that there
11 would be a certain priority in sequence which has
12 been approved by this Commission if and when that
13 event -- if it ever got to that condition.

14 Q **I guess what I'm asking is, is it**
15 **appropriate to maybe aggressively or at least in**
16 **some means, seek other arrangements of that kind to**
17 **be able to more extensively address peak day**
18 **requirements?**

19 A I think so, and I think other companies in
20 the country are beginning to look at these options
21 as well. Load or flow control opportunities with
22 large customers I think makes a lot of economic
23 sense as something to look at. There have been
24 numbers thrown around as to what the cost of that
25 might be, and I think those numbers are the upper

1 limit of what it might cost for a large customer,
2 and I think in some of the testimony it indicates
3 that there's a pretty broad range. So, of course,
4 that data is not in this record, but I think it
5 certainly would be worth considering that evidence
6 as an alternative in meeting this issue.

7 COMMISSIONER CLARK: Thank you. That
8 concludes my questions.

9 COMMISSIONER LEVAR: And I don't have
10 any further questions. Thank you. Ms. Schmid, do
11 you have anything further?

12 MS. SCHMID: No.

13 COMMISSIONER LEVAR: Mr. Snarr.

14 MR. SNARR: Yes, we would like to
15 proceed and call Gavin Mangelson as a witness here
16 this morning.

17 GAVIN MANGELSON,
18 having been first duly sworn to tell the truth, was
19 examined and testified as follows:

20 BY MR. SNARR:

21 **Q Would you please state your name, business**
22 **address, and by whom you're employed?**

23 A My name is Gavin Mangelson. I work at
24 160 East 300 South. I'm employed by the Office of
25 Consumer Services as a utility analyst.

1 Q Do you submit prefiled testimony in this
2 docket?

3 A Yes. I submitted rebuttal testimony on
4 August 25th and surrebuttal testimony on
5 September 19th.

6 Q We previously noted a correction to the
7 cover sheet of your rebuttal testimony. Are there
8 any other corrections that need to be made?

9 A No other corrections.

10 Q And would the testimony, then, that has
11 been submitted be your testimony under oath here
12 today?

13 A Yes.

14 Q Have you prepared a statement summarizing
15 the Office's position in this case?

16 A I have.

17 Q Would you present that, please?

18 A Commissioners, to augment our analysis in
19 this proceeding, the Office retained the services of
20 Mr. Jerome Mierzwa of Exeter Associates, an expert
21 on natural gas cost of service and transportation
22 issues. With the aid of Mr. Mierzwa, the Office
23 evaluated the materials filed in support of the
24 proposed rate to charge transportation customers for
25 peak hour services. We submitted several discovery

1 requests, reviewed discovery responses provided by
2 other parties, and analyzed all other testimony and
3 exhibits filed in this proceeding. The Office filed
4 rebuttal and surrebuttal testimony with supporting
5 exhibits.

6 In my rebuttal testimony, I described the
7 circumstances of this docket which are that the
8 proposed rate is based on a peak hour service that
9 has not been previously determined by the Commission
10 to be prudent. Accordingly, the Office's analysis
11 expanded to include an evaluation of the peak hour
12 issue itself. Our evaluation encompassed the
13 volumes and constraints of a design peak day
14 scenario, as well as an analysis of Dominion's
15 design peak day criteria. As described in
16 Mr. Mierzwa's surrebuttal testimony, we believe that
17 the current design peak day criteria may be
18 unreasonable.

19 Pertaining to Dominion's specific request
20 in this proceeding to charge transportation
21 customers for their share of the Kern River peak
22 hour service contract, the Office supports the
23 proposed rate as representing the correct allocation
24 of those costs and recommends that the Commission
25 either approve the rate or provisionally approve the

1 rate subject to a final determination on the
2 prudence of the peak hour contract. That concludes
3 my statement.

4 MR. SNARR: We offer Mr. Mangelson
5 for cross-examination.

6 COMMISSIONER LEVAR: Ms. Schmid?

7 MS. SCHMID: No questions.

8 COMMISSIONER LEVAR: Ms. Clark?

9 MS. CLARK: I also have no questions.

10 COMMISSIONER LEVAR:

11 Commissioner Clark?

12 COMMISSIONER CLARK: No questions.

13 Thank you.

14 COMMISSIONER LEVAR:

15 Commissioner White?

16 BY COMMISSIONER WHITE:

17 Q Just a question, and this may be more
18 appropriate for Mr. Mierzwa. Is it the Office's
19 testimony that there may be potentially a need to be
20 addressed, it's just a question of cost allocation
21 that's the more crucial question in this docket?

22 A I would agree that the Company would like
23 the issue of cost allocation to be the sole issue of
24 this docket and that it is the Office's position
25 that there may be a need limited to those that would

1 be covered under this contract.

2 COMMISSIONER WHITE: That's all the
3 questions I have. Thanks.

4 BY COMMISSIONER LEVAR:

5 Q I have one question. It's a question that
6 Commissioner White asked both Mr. Mendenhall and Mr.
7 Wheelwright. He read some tariff language
8 indicating that SNG allocation levels will be
9 established in general rate cases. Do you have any
10 comment on that concept? Whether that concept is
11 applicable to what we're doing here?

12 A I don't have a comment on that.

13 COMMISSIONER LEVAR: That's all I
14 have. Thank you. Mr. Snarr?

15 MR. SNARR: Thank you. We would like
16 to call as a witness, Mr. Jerome Mierzwa of Exeter
17 Associates.

18 JEROME D. MIERZWA,
19 having been first duly sworn to tell the truth, was
20 examined and testified as follows:

21 BY MR. SNARR:

22 Q Mr. Mierzwa, could you state your name and
23 your business address for the record?

24 A My name is Jerome D. Mierzwa. I'm a
25 principal and vice president with Exeter Associates

1 which is located at 10480 Little Patuxent Parkway in
2 Columbia, Maryland.

3 **Q And you are here today on behalf of the**
4 **Office of Consumer Services in Utah?**

5 A Yes, I am.

6 **Q What was the nature of your engagement in**
7 **connection with this case?**

8 A Exeter was retained by the Office of
9 Consumer Services to review the proposal of Dominion
10 Energy Utah, formally Questar Pipeline Company, to
11 charge transportation customers for peak hour
12 services.

13 **Q In connection with your analysis of the**
14 **materials presented in this case, did you have a**
15 **chance to review Dominion Energy**
16 **Exhibit No. 1.10RC?**

17 A Yes, I did.

18 **Q And could you describe that exhibit**
19 **briefly?**

20 A It was an exhibit filed by Mr. Mendenhall
21 that showed the hourly use of firm transportation
22 customers for the period, I believe, November 15,
23 2016, through February 15, 2017.

24 **Q A graphic exhibit, right?**

25 A It was a graphic exhibit and it was a

1 correction in the original one you filed, and the
2 filed correction included an Excel spreadsheet that
3 had data attached, and it was, like, 44 pages long.

4 **Q And you looked at some of those 44 pages**
5 **to look at the underlying data?**

6 A Yes, I did.

7 **Q And in connection with that, did you look**
8 **specifically at the date, January 6 of 2017?**

9 A Yes. I looked at the data contained that
10 was supporting that exhibit and looked at the data
11 to see during which hour during an entire time
12 period was the maximum demands of firm
13 transportation customers, and it turned out to be
14 that the peak hour occurred on January 6, 2017.

15 **Q Did you perform additional analysis with**
16 **respect to that particular peak send-out or that day**
17 **of January 6, 2017?**

18 A Yes, I did. For that day, I calculated
19 the average hourly demand and compared that to the
20 peak hour demand and found that the peak hour was
21 27 percent greater than the average hour demand.

22 **Q And did you prepare an exhibit, at least**
23 **for use in possible cross-examination, that has been**
24 **submitted and identified as OCS Exhibit 1.1CE?**

25 A Yes, I did.

1 **Q Could you describe that particular**
2 **document and, particularly, what you're portraying**
3 **there, what information you were able to derive, and**
4 **how that was put together?**

5 A Yes. What I did is instead of putting out
6 the 44 pages of data supporting that graph, I picked
7 out all the data for that one date, January 6, 2017,
8 and took out the data that showed the -- that date,
9 the hour of the day, and the firm usage of
10 transportation customers which was presented in that
11 exhibit. To that -- with that data, I then
12 calculated the average hourly demand on that day and
13 did a comparison of how the average hourly demand
14 compared to the actual hourly demand on that day.

15 **Q I wanted to ensure that we provide the**
16 **foundation for that cross-examination exhibit, and I**
17 **believe that we now are prepared to provide**
18 **Mr. Mierzwa to the hearing for cross-examination.**

19 COMMISSIONER LEVAR: Thank you.
20 Ms. Schmid, do you have any questions?

21 MS. SCHMID: No questions.

22 COMMISSIONER LEVAR: Mr. Dodge?

23 BY MR. DODGE:

24 **Q Thank you. Mr. Mierzwa, the exhibit --**
25 **the cross-examination exhibit that hasn't been**

1 admitted but I assume will be used with
2 Mr. Townsend -- you indicated that January 6, 2017,
3 was the date you selected from that as the date that
4 had the highest one hour demand; is that correct?

5 A That's correct.

6 Q Did you do any exploration as to what
7 happened on January 6, 2017, what circumstances
8 accompanied that particular day?

9 A No, I did not.

10 Q Are you familiar with the fact that there
11 was a general curtailment of interruptible and firm
12 transportation down to nominated limits that day?

13 A No, I'm not.

14 Q Have you read all the testimony in the
15 docket?

16 A Yes, I have.

17 Q Including those that talked about this
18 particular day and the percentage of transportation
19 customers that allegedly did not curtail on that
20 day?

21 A Yes, I did.

22 Q Have you explored at all what happened,
23 why so many customers didn't curtail on that day?

24 A No, I did not.

25 Q Do you have any basis to think that

1 January 6, 2017, is a representative of either a
2 peak or peak design day?

3 A It was the day with the highest demand
4 during the whole entire period, so I figured it was
5 the closest that we had to a design day.

6 Q For one particular period with some fairly
7 unique circumstances, potentially, you'll accept
8 there may be some unusual circumstances? You didn't
9 explore any of that, I assume?

10 A No, I did not.

11 Q And you're not presenting this as evidence
12 that this would be what would happen on a peak
13 design day?

14 A I'm presenting it as something that
15 occurred on the day with the highest peak hour usage
16 during the period used by Mr. Mendenhall.

17 Q And it's kind of offered in the way of
18 surrebuttal, I assume, but that's fine. You saw the
19 exhibits that were produced here today that show on
20 average during that peak there's only a 7 percent
21 delta between the average and the hourly peak firm
22 transportation customers?

23 A Yes. I saw that and I looked at this
24 because your witness, Mr. Townsend, had said that
25 data using averages was not appropriate.

1 Q And so in an effort to kind of offer
2 testimony, the Company didn't offer about peak day;
3 you chose this as evidence of that?

4 A Yes, I did.

5 Q And you'll accept that you have done
6 nothing to conclude or to demonstrate that this is a
7 normal design peak day occurrence?

8 A It's the day of the highest peak hour
9 demand by transportation customers.

10 Q And you didn't explore the Company's
11 failure, perhaps, to notify customers or anything
12 why there was excess demand on that particular day
13 versus the average?

14 MS. CLARK: I'm going to object to
15 the characterizations of that question. It's also
16 referencing an entirely different docket in evidence
17 that I don't believe is on the record in this case.

18 MR. DODGE: It's public record, it
19 can certainly be analyzed. I guess I just want to
20 clarify that he didn't look into any of the --

21 COMMISSIONER LEVAR: What's your
22 response to the objection?

23 MR. DODGE: Well, I guess I don't
24 understand it.

25 MS. CLARK: The objection is you're

1 making reference to a different docket and testimony
2 in that docket -- well, allegations made in that
3 docket that are not on the record in this docket,
4 and, in particular, referencing alleged failures of
5 the Company to communicate. I don't think any of
6 that is at issue here nor has it been testified
7 about.

8 MR. DODGE: It's been a long time
9 since some of us, maybe, appeared in court, but I
10 don't know what that objection is. I show no
11 reference to a rule of evidence or otherwise. I
12 certainly have the right to ask him if he's aware of
13 allegations on a particular day, and there are
14 public allegations that there was a failure to
15 communicate the need to interrupt on that day to a
16 very large customer. It's in the record. I don't
17 understand how that could not be relevant to this
18 issue on the very day that he chose out of all the
19 history to try and be representative of a peak day
20 condition. That's the day that one of the largest
21 customers on the system allegedly didn't receive
22 notice on the hour that he identified as 27 percent.
23 I think it's highly irrelevant and inappropriate,
24 frankly, for this evidence to try and be used in the
25 manner it's trying to be used as sur-surrebuttal

1 without any chance for us to rebut it.

2 I will object to the introduction of
3 the exhibit for that reason, but, it's basically
4 being offered here as sur-surrebuttal and I think it
5 is inappropriate for a proposition that is not
6 sustainable if you get into the facts behind it.
7 But we can't demonstrate that here.

8 COMMISSIONER LEVAR: Since this is
9 Mr. Snarr's witness, let me go over to him to see if
10 he has any objection.

11 MR. SNARR: I take no position on the
12 objection, and I think if we would just allow
13 Mr. Mierzwa to respond, he's taken a position on the
14 data that was presented in this docket in a Dominion
15 case with Dominion data, and he's merely trying to
16 highlight and present that for crystal clear review
17 here. And if he's saying more than that in another
18 docket, we need to find out. I don't think that's
19 the case, I don't think there's a basis for
20 objecting to this document coming in any more than
21 there is for the exhibit itself from Dominion.

22 MR. DODGE: May I respond to that,
23 Mr. Chair?

24 COMMISSIONER LEVAR: I think since
25 this was Ms. Clark's objection, I'll let you respond

1 to Mr. Snarr, but then I'll let Ms. Clark make any
2 final comment on the objection before we make a
3 decision on that.

4 MR. DODGE: The purpose for which
5 this witness is supposedly offering this exhibit is
6 in the nature of sur-surrebuttal. It's not
7 permitted by the Commission, it's been rejected in
8 other contexts, and we don't have a chance to
9 respond to it. It doesn't matter if there is raw
10 data somewhere in the record. That doesn't mean he
11 can come in in live testimony and present it for a
12 proposition that we now can't cross-examine him on
13 adequately because we haven't been able to bring in
14 the witnesses to show why that day was an
15 aberration. I think it's inappropriate to try and
16 use it for that purpose.

17 MR. SNARR: May I respond?

18 COMMISSIONER LEVAR: Sure.

19 MR. SNARR: We are not trying to
20 explain why the day was an aberration. The raw data
21 presented by Dominion notes that it was an
22 aberration, and we're just trying to present that
23 and understand the extent of the difference between
24 the firm use on that day and the average on that
25 hour, and the average hours of that particular day.

1 It's just factual reality. It's already in the
2 record.

3 MR. DODGE: Then I would move to
4 strike his testimony that purports to say it's
5 representative of what a design peak day might be or
6 another peak day. That's what the sur-surrebuttal
7 is that's inappropriate.

8 MR. SNARR: I don't believe the
9 witness said that. I'm sorry.

10 COMMISSIONER LEVAR: Well, at this
11 point, we have not had a motion to enter this
12 exhibit into evidence, so at this point I think we
13 need to deal with the objection first. My
14 understanding is the question at this point that's
15 being discussed is whether Mr. Mierzwa can be asked
16 his awareness of allegations regarding failure to
17 communicate on this day that's the subject of this
18 exhibit. I think I'm summarizing that.

19 MR. DODGE: Let me make it easy; I'll
20 withdraw that question. I think he's already said
21 he didn't investigate. Probably the proper
22 objection is asked and answered and I'll withdraw
23 the question.

24 COMMISSIONER LEVAR: I think the
25 objection is moot at this point. Mr. Dodge?

1 MR. DODGE: I have no further
2 questions.

3 COMMISSIONER LEVAR: Ms. Clark?

4 MS. CLARK: The Company doesn't have
5 any questions for Mr. Mierzwa.

6 COMMISSIONER LEVAR: Any redirect,
7 Mr. Snarr?

8 MR. SNARR: No redirect.

9 COMMISSIONER LEVAR:
10 Commissioner Clark?

11 COMMISSIONER CLARK: No questions.
12 Thank you.

13 COMMISSIONER LEVAR:
14 Commissioner White?

15 BY COMMISSIONER WHITE:

16 Q I just want to follow up on a question I
17 had for Mr. Mangelson. I'm just trying to get to
18 the crux of the Office's testimony with respect to
19 the need for this peaking service. I'm looking at
20 page 7, line 156 of your surrebuttal testimony.
21 About halfway through that first line it says, "I
22 believe the evidence presented by the Company in its
23 rebuttal case is sufficient to justify the
24 acquisition of the 100,000 Dth per day of Kern River
25 peak hour service." So I guess I'm just trying to

1 ask is it your testimony that there's a need here
2 and that the peaking hour service, the Kern River
3 contract, addresses that need?

4 A Based on the evidence presented by the
5 Company, particularly Mr. Platt's analysis in his
6 rebuttal testimony, it appears there is a need for
7 the 100,000 decatherms of Kern River. But, as I
8 say, I'm not certain that the additional 250,000 is
9 appropriate from Questar Pipeline.

10 Q Do you have any opinion as to whether or
11 not other tools or potential remedies would address
12 this issue in a more cost-effective way, or is it
13 just that there's a need and this appears to address
14 it?

15 A This addresses it. I believe the cost of
16 the service is \$800,000 a year, and I heard
17 testimony today that flow control would cost \$50,000
18 to \$100,000 per customer. I think it's pretty close
19 whether you're going to find something more cost
20 effective.

21 COMMISSIONER WHITE: That's all the
22 questions I have. Thanks.

23 COMMISSIONER LEVAR: Thank you. I
24 don't have any questions. Thank you, Mr. Mierzwa.
25 Anything else, Mr. Snarr?

1 MR. SNARR: Nothing else from the
2 Office.

3 COMMISSIONER LEVAR: Thank you. We
4 do need to give our court reporter a break at this
5 point, and so I'm debating in my mind whether we
6 take a short break and then come back for
7 Mr. Townsend, or whether there's any need for a
8 lunch break. And we have been moving through
9 witnesses fairly quickly. I'll ask -- I think what
10 I'll do is I'll ask anyone to indicate to me if they
11 think it makes sense to do a longer break, and if I
12 don't see any indication, I think we'll do a shorter
13 break unless anyone objects to just a short break
14 and continuing on. I'm looking around the room and
15 not seeing anyone objecting to that, so we will
16 break until 12:25 and then we'll move to UAE.

17 (A recess was taken.)

18 COMMISSIONER LEVAR: We're back on
19 the record, and I think we're going to Mr. Dodge
20 next.

21 MR. DODGE: Thank you, Mr. Chairman.
22 UAE calls Neal Townsend.

23 NEAL TOWNSEND,
24 having been first duly sworn to tell the truth, was
25 examined and testified as follows:

1 BY MR. DODGE:

2 Q Mr. Townsend, tell us who you are and why
3 you're here.

4 A My name is Neal Townsend. I'm here on
5 behalf of the UAE organization.

6 Q And does the direct rebuttal and
7 surrebuttal prefiled testimony that's been accepted
8 into the record here represent your testimony?

9 A It does.

10 Q And do you have a summary you'd like to
11 provide?

12 A I do.

13 Q Please proceed.

14 A Good afternoon, Commissioners. In my
15 direct testimony, I recommended that Dominion Energy
16 Utah, or DEU's, proposal to impose a peak hour
17 charge on transportation customers be rejected. I
18 do not believe that DEU has made an adequate showing
19 that a peak hour service is needed. To my
20 knowledge, this type of peak hour service is
21 extremely uncommon in the industry. In addition,
22 since DEU will also try to add additional costs for
23 this type of service from its affiliate pipeline, I
24 urge the Commission to scrutinize this proposal with
25 extreme care. If, nevertheless, the Commission were

1 to decide that this new type of service is in the
2 public interest, I further contend that DEU has not
3 shown that transportation customers are causing the
4 need for this service. The cost underlying DEU's
5 proposal is for an upstream pipeline product.
6 Transportation customers do not purchase upstream
7 products from DEU. This new upstream pipeline
8 service is allegedly being pursued for those hours
9 on a peak day design day in which DEU's hourly peak
10 requirements exceed the peak design day average
11 hourly demand. The need for any such service has
12 not been shown to be caused or even significantly
13 contributed to by transportation customers.

14 In my rebuttal testimony, I agree with the
15 DPU that the new service has not been shown to be
16 necessary or in the public interest. However, I
17 disagree with the DPU that transportation customers
18 should be subject to the peak hour charge if the
19 Commission, despite the recommendations of the DPU
20 and UAE, determines that the service is in the
21 public interest. Transportation customers make
22 their own transportation arrangements with upstream
23 pipelines in coordination with their commodity
24 suppliers. Transportation customers or their
25 suppliers are required to comply with all upstream

1 pipeline requirements for ratable deliveries and are
2 subject to imbalance penalties for non-ratable use
3 on both the upstream pipelines and the DEU system.
4 In addition, during extremely cold conditions --
5 which, by definition, would happen on a peak design
6 day -- transportation customers could be required to
7 limit their usage of natural gas to 1/24 of the
8 lesser of the amount delivered on behalf of their
9 upstream suppliers, their contract demand, or their
10 prior day nomination, and failure to do so could
11 lead to significant penalties. There are ample
12 procedures in place to ensure ratable hourly and
13 daily use by transportation customers during extreme
14 weather events. It is thus inappropriate to also
15 impose additional charges on transportation
16 customers for upstream peak hour services. In
17 particular, it would be extremely inappropriate to
18 subject interruptible transportation customers to
19 peak hour charges. It should be obvious that
20 interruptible customers cannot be contributing to
21 the need for firm upstream pipeline transportation
22 services.

23 In my surrebuttal, I reiterate there has
24 been no showing of any significant variation in firm
25 transportation customer hourly usage on a peak

1 design day. However, even if the Commission were
2 concerned that hourly variations may exist in
3 transportation customer usage on a peak design day,
4 I reiterate that transportation customers are
5 required to make and comply with their own upstream
6 transportation arrangements, are required to limit
7 hourly deliveries during extreme temperature events
8 subject to significant penalties for failure to do
9 so, and should not be forced to pay for an
10 additional upstream service purchased by DEU.

11 Finally, I recommend that if a peak hour
12 charge is nevertheless imposed on firm
13 transportation customers, the transportation share
14 of any such cost should be determined based on
15 hourly variance on a peak design day relative to the
16 upstream firm contract capacity, which is allegedly
17 driving the need for this new service. DEU has not
18 produced any evidence demonstrating this percentage,
19 but it would certainly be likely less than the
20 7 percent variance shown on DEU Exhibit 1.10RC,
21 which reflects the hourly average variance for
22 transportation customers over the last entire winter
23 season. The actual firm transportation customer
24 hourly variance on a peak design day would certainly
25 be less than the winter-long average for all the

1 reasons I explained above. And that concludes my
2 summary. Thank you.

3 MR. DODGE: Thank you. Mr. Townsend
4 is available for cross.

5 COMMISSIONER LEVAR: I think I'll go
6 to Ms. Schmid first.

7 MS. SCHMID: No questions.

8 COMMISSIONER LEVAR: Mr. Snarr?

9 MR. SNARR: We've decided we have no
10 questions for Mr. Townsend.

11 COMMISSIONER LEVAR: Ms. Clark.

12 MS. CLARK: The Company has no
13 questions.

14 COMMISSIONER LEVAR:
15 Commissioner Clark?

16 COMMISSIONER CLARK: No questions.

17 COMMISSIONER LEVAR:
18 Commissioner White?

19 COMMISSIONER WHITE: No questions.

20 COMMISSIONER LEVAR: And I guess I'll
21 join the group and have no questions either. Thank
22 you, Mr. Townsend. I appreciate your testimony. Do
23 you have anything further, Mr. Dodge?

24 MR. DODGE: No, thank you.

25 COMMISSIONER LEVAR: We don't

1 typically do this, but I'll ask the attorneys if
2 there's any interest in any closing statements
3 before we adjourn. Ms. Clark?

4 MS. CLARK: The Company would, in
5 lieu of a closing statement, request the opportunity
6 to file post-hearing briefs.

7 COMMISSIONER LEVAR: Has that been
8 discussed with any other attorneys yet?

9 MS. CLARK: It has not.

10 COMMISSIONER LEVAR: Do the other
11 parties want to take a moment -- do you need a
12 moment to think about whether you want post-hearing
13 briefs? Ms. Schmid, Mr. Snarr?

14 MS. SCHMID: I would like a moment to
15 consider.

16 COMMISSIONER LEVAR: Mr. Snarr?

17 MR. SNARR: May I have a moment to
18 think about that?

19 COMMISSIONER LEVAR: Should we stay
20 here and stay on the record for a moment or two?
21 Okay.

22 COMMISSIONER LEVAR: It looks like
23 we're ready. So the Utility has made a request for
24 post-hearing briefing. Ms. Schmid.

25 MS. SCHMID: It's the practice before

1 this Commission that post-hearing briefing is the
2 exception, not the rule. I do not think that the
3 circumstances here merit or require a post-hearing
4 brief. That said, if the Commission desires one,
5 the Division would, of course, participate in the
6 briefing. However, the Division would request that
7 if briefing is ordered, the Company go first and
8 then the other parties reply to the Company's brief.

9 COMMISSIONER LEVAR: Okay. Thank
10 you. Mr. Snarr.

11 MR. SNARR: The Office has the view
12 that the issues in this case have been sufficiently
13 eliminated in this hearing. We don't think there's
14 a need for closing statements nor post-hearing
15 briefs.

16 COMMISSIONER LEVAR: Mr. Dodge.

17 MR. DODGE: I believe either
18 post-hearing comments or a brief would be
19 appropriate. If the Commission would prefer briefs,
20 that will certainly allow presentation of the
21 arguments in a more structured order, but I would
22 request sufficient time to have the record -- have
23 the Company file its brief and then respond as
24 Ms. Schmid indicated.

25 COMMISSIONER LEVAR: Okay.

1 Understanding the Division and Office's position
2 where the Utility has the burden of proof in this
3 proceeding and is making this request, it seems
4 appropriate to allow this to happen, to allow some
5 briefing. Do you have any objection to the schedule
6 suggested by Ms. Schmid where the Utility would file
7 a brief and the other parties would have an
8 opportunity for a reply brief.

9 MS. CLARK: I think the Company would
10 prefer concurrent briefing. I'm not sure that it's
11 necessary or appropriate for causes and responses.
12 And the reason we asked for briefing is twofold.
13 One, as Mr. Dodge, I think, accurately pointed out,
14 it helps us consolidate the evidence in a really
15 concise and organized fashion and I think that might
16 be helpful. The other issue is there have been some
17 issues raised, even some by Commissioners
18 yourselves, that none of the parties addressed and
19 that we'd like the opportunity to address. And I
20 think reviewing the record, for all parties, puts us
21 in the same position for filing comments. So
22 concurrent comments would be preferable from the
23 Company's perspective.

24 COMMISSIONER LEVAR: Thank you.
25 Would you like to expand on your request,

1 Ms. Schmid?

2 MS. SCHMID: Yes. I object to
3 concurrent briefs. The Company does have the burden
4 of proof in this docket, the Company is the one that
5 requested the briefs, and I believe that it is
6 appropriate for the Company to step out first.

7 COMMISSIONER LEVAR: Mr. Snarr, do
8 you have a position on this issue?

9 MR. SNARR: No. Whatever the
10 Commission decides, we'll do.

11 COMMISSIONER LEVAR: Mr. Dodge?

12 MR. DODGE: Nothing further. I have
13 already indicated I agree with Ms. Schmid.

14 COMMISSIONER LEVAR: I think this
15 disputed issue probably warrants a very brief
16 deliberation, so we'll recess probably five minutes
17 or less. If it needs to go longer, we'll indicate
18 and maybe bring some calendars in so we can look at
19 dates.

20 MS. CLARK: May I suggest an
21 alternative that may be acceptable to the Division
22 and to Mr. Dodge? We could treat it with a briefing
23 schedule not unlike you would for motion work. The
24 Company files the initial, the Division, Office, and
25 other parties could respond and then offer an

1 opportunity for reply to any issues that may require
2 it.

3 COMMISSIONER LEVAR: Do you need a
4 little time to think about that proposal,
5 Ms. Schmid?

6 MS. SCHMID: No. I have no comments
7 on it.

8 COMMISSIONER LEVAR: No support or
9 objection to it?

10 MS. SCHMID: No support or objection.
11 If I must, I think that the record is sufficiently
12 clear that a brief and a reply brief -- brief by the
13 Company and reply brief by the parties, other
14 parties -- would be sufficient, but, again, if the
15 Commission desires more information or more
16 briefing, the Division is happy to comply.

17 COMMISSIONER LEVAR: Mr. Snarr?

18 MR. SNARR: I have no additional
19 comments.

20 COMMISSIONER LEVAR: Mr. Dodge?

21 MR. DODGE: I think that Ms. Clark's
22 suggestion is a reasonable one. Given that it has
23 the burden of proof, I think it's appropriate to
24 allow the Utility to file a reply limited to
25 comments raised in the response brief. So I don't

1 have any objection to that.

2 COMMISSIONER WHITE: I'm not familiar
3 with -- typically, my understanding with legal
4 briefs is they're done based upon the record
5 evidence. So, I mean, is that something that's
6 common practice to do response briefs in this
7 setting? I guess I'm not familiar with that
8 concept.

9 MS. SCHMID: I've seen it done
10 before, and I think that, again, since the Company
11 has the burden of proof, I think that it would be
12 appropriate for it to go first so that other parties
13 can respond. And I have no objection to the Company
14 filing a reply brief.

15 COMMISSIONER LEVAR: Then I guess we
16 need to turn this into a scheduling conference to
17 pick some dates for these. Recognizing that it
18 usually takes about two weeks to get the transcript
19 in, if there's interest, the Commission can pay for
20 an expedited transcript. That usually happens
21 within one week. So, with that, I'll go to
22 Ms. Clark.

23 MS. CLARK: The Company would be
24 happy to request and also bear costs associated with
25 an expedited transcript if that hastens the process.

1 COMMISSIONER LEVAR: Do we need a
2 moment to look at calendars and propose dates?

3 MS. SCHMID: Yes, please.

4 COMMISSIONER LEVAR: So why don't we
5 just take a moment or two and kind of look up when
6 you're ready to talk dates.

7 MS. SCHMID: And would the briefs be
8 simultaneous, or would they be consecutive?

9 COMMISSIONER LEVAR: It looks like we
10 have pretty close agreement on a brief filed by the
11 Utility, reply briefs by other parties, and then a
12 final response by the Utility. I think there's no
13 serious objection to that -- no significant
14 objection at this point to that schedule. It's
15 thought everyone's preferred, but it sounded like --

16 MS. SCHMID: Would the Commission
17 also have a briefing limit, a page limit?

18 COMMISSIONER LEVAR: Page limit?
19 We're amenable to any suggestion for a page limit.
20 I think we're not inclined to impose one unless
21 parties want one. If you want to take a minute and
22 look at your calendars and also think about if you
23 want to impose a page limit.

24 COMMISSIONER CLARK: I'm just
25 wondering, Chair LeVar, if the Counsel would like to

1 just discuss that and see if they can reach the
2 schedule among themselves quickly, and we can go off
3 the record for a few minutes while they do that. If
4 they want to talk about page limits, they can do
5 that as well and propose something to us.

6 MS. SCHMID: I think that is a
7 wonderful idea, however, the Division also would
8 like a moment to speak with its client first.

9 COMMISSIONER LEVAR: Would a
10 five-minute recess at this point be objectionable to
11 anybody?

12 MS. SCHMID: What about ten?

13 COMMISSIONER LEVAR: Okay. We will
14 reconvene at 12:55. Thank you.

15 (A brief recess was taken.)

16 COMMISSIONER LEVAR: We're back on
17 the record and do we have any kind of agreement on
18 dates or page limits?

19 MS. CLARK: We do. Thank you,
20 Commissioner. The parties conferred and determined
21 that if it meets with the Commission's schedule, the
22 Company would file a post-hearing brief on
23 October 27th. The remaining parties could file a
24 response on November 17th, and then there would be
25 an opportunity for Company reply on November 30th.

1 And the parties also conferred about page
2 limitations and agreed it was not necessary to
3 impose page limitations.

4 COMMISSIONER LEVAR: Does any other
5 party have anything to add to that? Then we'll
6 establish that schedule of October 27th for a
7 post-hearing brief by the Utility, November 17 for
8 responses, and November 30 for replies. We'll state
9 that we will be accepting these briefings. They're
10 not mandatory, we're not mandating them to be filed
11 by any party, and we will draw no inference from any
12 parties who chooses not to file a brief, but we will
13 accept briefs through those dates. Anything further
14 before we adjourn?

15 MS. SCHMID: Nothing further from the
16 Division.

17 MR. SNARR: Nothing further from the
18 Office.

19 COMMISSIONER LEVAR: We're adjourned.
20 Thank you.

21 (The hearing concluded at 12:55 p.m.)
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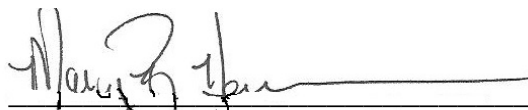
REPORTER'S CERTIFICATE

STATE OF UTAH)
COUNTY OF SUMMIT)

I, Mary R. Honigman, a Registered Professional Reporter, hereby certify:

THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; that the witnesses were placed under oath to tell the truth, the whole truth, and nothing but the truth; that the proceedings were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes a full, true, and accurate record of such testimony adduced and oral proceedings had, and of the whole thereof.

I have subscribed my name on this 3rd day of October, 2017.



Mary R. Honigman
Registered Professional Reporter #972887

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