

IN THE MATTER OF THE	)	
APPLICATION OF DOMINION	)	
ENERGY UTAH FOR APPROVAL OF	)	Docket No. 17-057-T04
A THIRD-PARTY BILLING RATE	)	
	)	MOTION TO RECONSIDER

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The Utah Home Builders Association (UHBA) respectfully requests that the Utah Public Service Commission reconsider this Third-Party Billing Rate tariff that was approved on July 28, 2017, because UHBA who represents non-union residential HVAC contractors believes the Commission erred in allowing a third-party tariff for HVAC warranty programs be billed on Dominion Energy ratepayer gas bills.

**DISCUSSION**

UHBA believes this tariff is adverse to public interest and good, because it provides Dominion Energy Solutions, a for-profit subsidiary of Dominion Energy with an unfair advantage over all other for-profit heating contractors who offer home warranty programs, and natural gas furnace repair work. We argue that while Utah Code 54-4-37, deals with third party billing, it does not address the issue of customer confusion and whether gas utility ratepayers will think they are contracting directly with Dominion Energy, the Utility, and not be aware that they are instead contracting with a for-profit subsidiary that competes directly with all other independent HVAC contractors, who also offer warranty programs and may provide services that are less expensive or a better option for the gas customer, which may harm the ratepayers.

UHBA refutes the discussion and findings in the docket, that is not a readily discernible market for warranty programs in Utah, and that the proposed tariff would not negatively impact customers in a manner unrelated to their rates. As already stated, there will be confusion among rate payers, who will believe that they are contracting for a warranty service with Dominion Energy, not their for-profit subsidiary, Dominion Energy Solutions, which plans to further blur the line between the ratepayer based entity and the for-profit entity, by advertising the warranty programs in Dominion Energy newsletters that are sent out with ratepayer gas bills, a prospect that a small HVAC contractor cannot realize because of cost and inability to provide services in all of Dominion Energy's service area.

UHBA only today found out about this Third-Party Billing Rate tariff application and that today is the also the deadline for filing a motion to reconsider this matter, otherwise, we would have appeared at the initial hearing and objected at that time. UHBA has also reached out to other contractor associations and discovered that UHBA is not alone among sub-contractor associations concerned with the unfair advantage over all other HVAC contractors of Utah, by allowing Dominion Energy Solutions warranty program to be billed on Dominion Energy ratepayer gas bills. Had today not been the last day to file a motion to reconsider, additional parties would have signed on to this motion as interested parties.

WHEREFORE, UHBA respectfully requests that the Commission

- 1) Stop any implementation of Dominion Energy Solutions plans to advertise and offer HVAC warranty programs on Dominion Energy ratepayer gas bills until this Motion to Reconsider has been reviewed by the Public Service Commission, and to

2) Rescind the approval of Docket No. 17-057-T04 and have the Public Service Commission reconsider the public impact of third party billing services offer by Dominion Energy to it's own for-profit subsidiary, Dominion Energy Solutions, versus all other private warranty service providers and HVAC Contractors licensed to work in Utah.

DATED this 28<sup>th</sup> day of August 2017.

Respectfully submitted,

Utah Home Builders Association

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#### CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August 2017, a true and correct copy of the foregoing

Motion to Reconsider was served upon the following by electronic mail:

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