

In the Matter Of:

In Re: DEU - Resource Decision to Construct an LNG Facility

HEARING VOLUME I (REDACTED PORTION)

October 01, 2018

Job Number: 470012B

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the)	Docket No. 18-057-03
Investigation of Dominion)	
Energy's Application for)	HEARING, Volume 1
Voluntary Request for)	
Approval of Resource)	CONFIDENTIAL PORTION
Decision)	IS REDACTED

October 1, 2018
8:59 a.m.

Location: Utah Public Service Commission
160 East 300 South, 4th Floor
Salt Lake City, UT 84111

Reporter: Teri Hansen Cronenwett
Certified Realtime Reporter, Registered Merit Reporter

Job No. 470012B

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2 P R O C E E D I N G S

3 CHAIRMAN LEVAR: Okay. I think we'll begin.
4 Good morning. We're here in Public Service Commission
5 Docket 18-57-3, Request of Dominion Energy Utah for
6 Approval of a Voluntary Resource Decision to Construct
7 an LNG Facility. Why don't we start with appearances
8 for Dominion.

9 MR. SABIN: Good morning, commissioners.
10 Cameron Sabin from Stoel Rives, outside counsel for the
11 company here today, and with me is Jenniffer Clark,
12 in-house counsel. And then each of our witnesses that
13 have provided testimony, as well as Colleen Bell is here
14 as president of the company.

15 CHAIRMAN LEVAR: Okay. Thank you. For the
16 Division of Public Utilities?

17 MR. JETTER: Good morning. I'm Justin Jetter
18 with the Utah Attorney General's Office, and I am here
19 today representing the Utah Division of Public
20 Utilities. With me at counsel table is DPU witness
21 Douglas Wheelwright, and the division will have another
22 witness, who is still traveling this morning, but will
23 be here shortly, named Allen Neale.

24 CHAIRMAN LEVAR: Thank you. For the Office of
25 Consumer Services.

1 MR. SNARR: My name is Steven Snarr. I am an
2 assistant attorney general here representing the
3 interests of the Office of Consumer Services. With me
4 is Bela Vastag, who will be assisting at counsel table
5 and also is a witness. We have two other witnesses also
6 present.

7 CHAIRMAN LEVAR: Okay. Thank you. Utah
8 Association of Energy Users.

9 MR. DODGE: Thank you, Mr. Chairman. Gary
10 Dodge of the law firm of Hatch James and Dodge. I and
11 my partner, Phil Russell, who will join us a little
12 later, are appearing here today on behalf of the Utah
13 Association of Energy Users.

14 In addition, I have been asked this morning to
15 appear on behalf of Magnum. Magnum, as your Honors
16 know, has filed some testimony in this matter, and
17 specifically to help them put on their testimony through
18 a Q and A process, and also as necessary to respond to
19 legal issues or objections, they have asked me to appear
20 this morning on their behalf.

21 CHAIRMAN LEVAR: Okay. You and Mr. Russell
22 will both be representing both -- assisting both
23 clients, or is there going to be any other --

24 MR. DODGE: As necessary. At some point when
25 your Honor will give me the minute, we also have a

1 scheduling issue that this has raised for me that I'd
2 like to address, but as necessary, he could step in and
3 help Magnum. But the intent is that he will probably
4 put on the UAE witness, Mr. Townsend, and I will put on
5 the Magnum witnesses.

6 CHAIRMAN LEVAR: Okay. Why don't we go to the
7 scheduling issue at this point then.

8 MR. DODGE: And I apologize to the parties for
9 not having circulated this. This happened fairly
10 recently, me being asked to come here. I have a hard
11 stop problem tomorrow at about 2:45, as does one of
12 Magnum's witnesses.

13 I don't have any clue how long this hearing
14 will go, but I would request the indulgence of the
15 parties and the commission, if possible, to be able to
16 put on the Magnum witnesses sometime before that time.
17 UAE's witness I think is fine any time, and I believe
18 Mr. Russell could be here at any time as well.

19 CHAIRMAN LEVAR: Okay. So the -- their timing
20 issue comes at 2:45 tomorrow afternoon?

21 MR. DODGE: Yes. We -- we both -- one -- one
22 of us has a plane to catch, and I have a preplanned
23 meeting with several people coming in from out of town
24 that I have to be at by three o'clock so...

25 CHAIRMAN LEVAR: It -- it seems to me then

1 we're probably safe to address that at least by tomorrow
2 morning.

3 MR. DODGE: Correct.

4 CHAIRMAN LEVAR: First -- if we address it
5 first thing tomorrow morning, will have an idea of where
6 things are.

7 MR. DODGE: Yeah. I certainly don't feel the
8 need to have it today, but if you can accommodate that,
9 I would appreciate other parties.

10 CHAIRMAN LEVAR: Okay. Thank you.

11 MR. DODGE: Thank you.

12 CHAIRMAN LEVAR: Before -- we have a pending
13 motion by Dominion, but are there any other preliminary
14 matters that we should address before we move to that
15 motion? Okay.

16 Well, we had a motion filed and a
17 supplement -- supplemental material filed to the motion.
18 Why don't we just give every party an opportunity to
19 just briefly state any position you have with respect to
20 the motion. Why don't we start with Dominion. We've
21 received and we've reviewed your -- your supplemental
22 information, if you have anything to add.

23 MR. SABIN: I don't have a lot to add, but
24 I -- I will just make two points. The -- the gist of
25 the motion is that there were -- there have been some

1 materials, and we did not by the way feel the need to
2 move to address every single new issue that was raised
3 in surrebuttal testimony.

4 But given that when the scheduling order was
5 done in this matter, there was no contemplation that --
6 we were unaware of the position of the other parties
7 that it was going to be that our witnesses would not be
8 able to address their surrebuttal testimony live during
9 the hearing. That came up, as you will recall, during
10 our peak hour proceedings in this matter, and so we
11 didn't contemplate that in the scheduling order at the
12 time.

13 There are three matters -- three witnesses
14 that we have identified in supplemental materials that
15 we submitted to the commission last week, indicating
16 some new matters that they have raised, or at least new
17 positions they have taken, that we -- we feel we at
18 least need to reserve the right to address, if that need
19 arises during the hearing.

20 The three witnesses are Mr. Schwartz, who was
21 not a witness on -- did not file direct testimony in
22 this matter but submitted surrebuttal testimony in this
23 matter, and has raised -- basically, his entire
24 testimony raises issues that were not addressed in
25 either direct testimony of any intervenor.

1 And the company did not have an opportunity to
2 respond to a rebuttal. And I have highlighted in the
3 supplemental materials that I have provided to you the
4 page and line of each of those items, and I have
5 identified them by subject.

6 The second witness, Mr. Neale, just has one
7 issue we feel like we need to address, which I have
8 highlighted for you. That was brought up in his
9 surrebuttal testimony. It was not -- it -- it consists
10 of new material.

11 And then the third piece is Mr. Mierzwa, in
12 his surrebuttal testimony, takes a position, it appears
13 on page 11 and 12 of his testimony, and I have included
14 the quotes, but he takes a position that he did not take
15 in his prior direct testimony that we responded to in
16 rebuttal.

17 He goes beyond what he said in that prior
18 testimony, and our witnesses would like the opportunity
19 to respond to that, given that he is taking a position
20 that we think is contrary to the evidence in the -- in
21 the proceeding and that our witnesses did not have an
22 opportunity to respond to.

23 So happy to take any questions, but those are
24 the issues we would like to at least reserve the right
25 to address on -- on the -- on the stand.

1 CHAIRMAN LEVAR: Are you prepared to give us
2 any summary of the type of testimony that your
3 witnesses -- that you intend to have your witnesses
4 present, or is it, since you said reserve the right, is
5 it the kind of issue where you are hoping to have some
6 flexibility as the -- as the hearing goes forward?

7 MR. SABIN: I can address specifically what we
8 intend to do. With regard to Mr. Schwartz, we -- we
9 would like two of our witnesses, Mr. Gill and I believe
10 it's Mr. Paskett, excuse me. Mr. Gill and Mr. Paskett
11 would like to respond to the issues that he has raised
12 in their opening statements, to just provide the
13 commission with their -- their response to his positions
14 that he has taken.

15 With regard to Mr. Neale, that -- that would
16 just be addressed, we would have one witness just
17 briefly address the issue that he has raised that we
18 have identified in their opening statement.

19 And then with regard to Mr. Mierzwa,
20 Mr. Paskett is prepared to address that issue and to
21 provide on -- in his opening statement just a brief
22 response to that and -- and some information that we
23 think demonstrates that that's not a correct statement.

24 MR. DODGE: Just to clarify. Sorry,
25 Mr. Chairman. But do you mean Mr. Schultz for Magnum,

1 right?

2 MR. SABIN: So -- so Mr. Schultz would be
3 addressed by -- by the two witnesses that I talked
4 about.

5 MR. DODGE: I think you just said Schwartz.

6 MR. SABIN: Oh, did I say Schwartz? I
7 apologize. Excuse me, Schultz. Excuse me, Schultz,
8 yes.

9 CHAIRMAN LEVAR: Okay. Thank you.
10 Commissioner Clark, do you have any questions for
11 Dominion on the motion?

12 COMMISSIONER CLARK: No questions. Thank you.

13 CHAIRMAN LEVAR: Mr. White?

14 COMMISSIONER WHITE: No questions. Thank you.

15 CHAIRMAN LEVAR: Okay. Thank you. Now
16 Mr. Jetter.

17 MR. JETTER: The division -- excuse me. The
18 division hasn't formed a strong opinion either way on
19 this, in large part because it largely doesn't involve
20 our -- our witnesses or testimony. It -- it would seem
21 reasonable that if the commission believes that there is
22 new testimony inserted by all to allow to a brief
23 opportunity to respond. And I think that's all I would
24 comment on that.

25 CHAIRMAN LEVAR: Okay. Any questions for

1 Mr. Jetter, Commissioner Clark?

2 COMMISSIONER CLARK: No questions. Thank you.

3 COMMISSIONER WHITE: No questions. Thanks.

4 CHAIRMAN LEVAR: Okay. Thank you. Mr. Snarr.

5 MR. SNARR: Thank you. I am going to zero in
6 specifically on the allegations as it relates to
7 Mr. Mierzwa. As I have reviewed the information
8 provided by Dominion, I am puzzled a bit. I am further
9 puzzled by the comment of counsel, where he says we have
10 taken a position contrary to the evidence in this
11 proceeding.

12 We would like to reserve the right to take a
13 position contrary to the evidence that they presented,
14 present our own evidence. That's what this hearing is
15 all about.

16 Now, with respect to surrebuttal and whether
17 there's anything new, I'd like to direct the
18 commission's attention to Mr. Mierzwa's direct
19 testimony, and specifically the materials discussed at
20 lines 174 through 204. And we would submit that the
21 information that seems to be bothering Dominion is laid
22 out in the Mr. Mierzwa's direct testimony. He does
23 refer to this same type of information once more in
24 surrebuttal.

25 I can't for the life of me understand why they

1 think there is something new or different than what was
2 presented in his direct, and certainly they have broad
3 latitude to cross-examine Mr. Mierzwa on what he is
4 saying, the basis for why he is concluding what he is
5 concluding, and whether that's based upon information
6 they have presented in this case, or based upon
7 information he is bringing separately to this case.
8 That's all fair game in cross-examination.

9 I don't see any need for them to have special
10 permission to bring on a witness in response to what's
11 said in surrebuttal, because as I see it, it's the same
12 thing as what he said in direct. So we oppose the
13 motion as it relates to Mr. Mierzwa.

14 CHAIRMAN LEVAR: Okay. Thank you, Mr. Snarr.
15 Commissioner White, do you have any questions for
16 Mr. Snarr?

17 COMMISSIONER WHITE: No questions. Thanks.

18 CHAIRMAN LEVAR: Commissioner Clark?

19 COMMISSIONER CLARK: No questions. Thank you.

20 CHAIRMAN LEVAR: Okay. Thank you. Mr. Dodge.

21 MR. DODGE: Thank you, Mr. Chairman. On
22 behalf of UAE, UAE takes no position on the motion.
23 With respect to Magnum, Magnum does not oppose the
24 motion.

25 Magnum is in an unusual situation here

1 perhaps. It's not here as an advocate for -- for or
2 against the proposed LNG project. It's here as an
3 advocate for its own project, with a strong desire to
4 make sure the record is clear about what its project is
5 and is not, and can and cannot do. That's its sole
6 reason for coming.

7 The -- the Magnum witnesses were fairly
8 careful about explaining in each case the testimonies in
9 which they were responding. They responded in their
10 direct testimony to specific things said about their
11 project. In direct and in surrebuttal, they responded
12 to specific things said in surrebuttal -- excuse me, in
13 rebuttal, and they feel like the testimony is
14 appropriate.

15 But they certainly have no objections subject
16 to the commission's, you know, how -- how you choose to
17 run the -- the proceeding. They have no objection to
18 any evidence that's appropriate coming out. They think
19 the more you understand about all these projects the
20 better. So bottom line is, they don't -- they have no
21 opposition to the motion.

22 CHAIRMAN LEVAR: Okay. Thank you.

23 MR. DODGE: Thank you.

24 CHAIRMAN LEVAR: Commissioner White, do you
25 have any questions for Mr. Dodge?

1 COMMISSIONER WHITE: No questions. Thank you.

2 CHAIRMAN LEVAR: Commissioner Clark?

3 COMMISSIONER CLARK: No questions. Thank you.

4 CHAIRMAN LEVAR: Okay. Dominion, since this
5 is your motion, do you want to add anything further?

6 MR. SABIN: I'll just -- I'll just add -- I
7 just want to clarify for Mr. Snarr, clear up his
8 confusion. On page 8 of Mr. Mierzwa's direct testimony,
9 he takes the position -- I am on Line 193. He says, "Of
10 the 40 NGDC resource portfolios I have reviewed, none of
11 the NGDCs operate and maintain a non-system energy
12 facility solely for the purpose of backup supply" -- "as
13 a backup supply resource." That's the position he took
14 there.

15 In his surrebuttal testimony, I am on lines
16 269 through 280 essentially, he takes a different
17 position. He says, "It is likely that none of the 45
18 percent of the LDCs with LNG facilities included in the
19 AGA survey utilize the LNG facilities solely as backup
20 resource."

21 So just one note there. He is -- in the
22 direct testimony, he is talking about the 40 LDCs that
23 he's familiar with in his direct testimony. In his
24 rebuttal test -- in his surrebuttal testimony, he is
25 talking about the AGA survey companies, which we

1 submitted an AGA survey testimony and -- and in
2 evidence.

3 And he goes on to say, let's see, on -- I am
4 at the top of page 12. He says, "None of the LDCs
5 identified in the AGA's survey with LNG facilities use
6 that facility solely as a backup supply" -- "solely as a
7 backup supply resource."

8 We ended up taking a new position he did not
9 take in his prior testimony, and Mr. Paskett is prepared
10 to address that claim, which we think is contrary to the
11 evidence we have submitted in this case, and that we
12 ought to be entitled to address that.

13 CHAIRMAN LEVAR: Thank you, Mr. Sabin.
14 Commissioner White or Commissioner Clark, any questions
15 for Mr. Sabin?

16 COMMISSIONER CLARK: No questions.

17 COMMISSIONER WHITE: No questions either.
18 Thank you.

19 CHAIRMAN LEVAR: Okay. I think what we'll do
20 is take a brief recess. I wish I could tell you exactly
21 how brief, but we'll try to keep it as brief as possible
22 in the interest of time.

23 I'll note that clock on the wall is set to
24 some other time zone. Those clocks are set to
25 automatically do daylight savings, and that's been

1 changed, I think, since the clock was manufactured, so
2 we're an hour later than that. But we'll try to keep
3 our recess as short as possible. Thank you.

4 (Recess from 9:13 a.m. to 9:15 a.m.)

5 CHAIRMAN LEVAR: Okay. We're back on the
6 record. I'll just comment first that this is a issue
7 similar to one that's been litigated in some recent
8 dockets in fronts of us, and our goal is to provide an
9 economical way to deal with written testimony, and also
10 allow for general principles of fairness, once we get
11 into the hearing room, based on what parties have
12 prepared for, and -- and the issues that are before us.

13 So it is a fact-specific, case-specific issue,
14 just to make sure there's not an impression that -- that
15 prior rulings and prior hearings have established hard
16 and fast rules. We recognize that our rules that deal
17 with scheduling orders and written testimony and hearing
18 practice do not absolutely provide complete clarity on
19 this issue.

20 So with that, our ruling is that we are -- we
21 are granting the motion to allow Dominion Energy Utah to
22 provide live testimony that is responsive to anything
23 that was new in surrebuttal. And we are reserving the
24 right for any party to challenge whether the testimony
25 in a specific instance is or is not responsive to new

1 surrebuttal testimony.

2 And we're also allowing any party to provide
3 live testimony in response to new testimony brought
4 forward by Dominion Energy Utah. And again, if
5 there's -- if there's disputes over whether it meets
6 that criteria, we can -- we can hear those as we move
7 forward. Any other preliminary matters before we move
8 into testimony?

9 MS. CLARK: Yes. Commissioner, we have one
10 other preliminary matter. At the outset of this
11 proceeding, the company filed a petition for highly
12 confidential treatment to protect largely the
13 confidential information of others, Magnum and some of
14 the other entities that provided data that the company
15 analyzed in determining the solution to its supply
16 reliability problem.

17 I don't believe the commission has ruled on
18 that, and that leaves us with two issues. And one is,
19 whether we could hear a ruling today. And the second
20 issue is how this hearing should proceed.

21 The company witnesses are prepared to offer
22 summaries that do not specifically state confidential
23 information, though they may reference it. I feel
24 confident that some of that information may be called
25 upon during cross-examination. So there may be times

1 when we need to ask Magnum to step out, and we need to
2 close the hearing.

3 So I wanted to raise that as an issue and seek
4 your guidance as to how you would like those two things
5 handled.

6 CHAIRMAN LEVAR: Okay. Well, to the -- the
7 first issue, I will just admit that if we have a pending
8 motion that we haven't ruled on, I think that has
9 slipped through our attention. So there was a motion
10 for -- are you asking for commission action on your
11 designation? I mean, we have -- we have the material
12 that you have designated as highly confidential.

13 MS. CLARK: Correct.

14 CHAIRMAN LEVAR: Are you asking for commission
15 action on that designation?

16 MS. CLARK: And I don't think the commission
17 has to act on it right now. The parties have been very
18 gracious in treating it as highly confidential. UAE
19 has -- has indicated that it did not want to receive
20 that information. Magnum has received highly
21 confidential information only related to its own
22 proposals. So I think the parties have all treated it
23 that way.

24 My concern today is that we treat it that way
25 during the course of the hearing, and then, of course,

1 the commission can take action on -- on the pending
2 motion when it is convenient.

3 CHAIRMAN LEVAR: Okay. Then with respect to
4 the second question, obviously, we have a process under
5 54-3-21 that -- that would allow us to make a public
6 interest finding if there's ever a need to. So
7 that's -- I think we, the three of us generally rely on
8 the attorneys in the room to -- to identify when we
9 might be about to move into an area and deal with a
10 motion.

11 Is it your position then there's not a need to
12 act on your -- on the pending motion for classification.

13 MS. CLARK: I think that there will be a need
14 for a complete record at some point. I don't think you
15 have to do it right now, provided that we are all in
16 agreement that we can -- we can move to close the
17 hearing when that issue -- if and when those matters are
18 the subject of testimony.

19 CHAIRMAN LEVAR: Thank you. Does anyone want
20 to comment further on -- on these issues? Mr. Jetter.

21 MR. JETTER: I don't have any further comment
22 other than -- than somewhat agreeing with counsel
23 that -- that the parties have treated a lot of the
24 highly confidential as highly confidential throughout.
25 So a -- a ruling now granting their motion for a

1 protective order on that would -- I don't think would --
2 would cause any harm to the parties.

3 We haven't done anything up until this point
4 that would need to be reversed, and I think we'll do our
5 best to stop before we go into those portions of the
6 hearing. And at that point we can address whether we
7 need to close it. And I guess I don't have any further
8 comments on that.

9 There's a lot of -- a little bit -- there is a
10 fair amount of highly confidential information here that
11 may warrant closing the hearing for periods of time.

12 CHAIRMAN LEVAR: Okay. Thank you, Mr. Jetter.
13 Mr. Snarr.

14 MR. SNARR: I don't believe that our witnesses
15 have referenced or will be focusing on any of the highly
16 confidential materials. We do have some focus on a
17 couple of items that have been marked as confidential,
18 but even there, I think our discussion, and my intended
19 cross-examination will probably be at a level that is
20 not touching on anything of a confidential nature.

21 CHAIRMAN LEVAR: Okay. Thank you, Mr. Snarr.
22 Mr. Dodge.

23 MR. DODGE: Thank you, Mr. Chairman. Much of
24 the confidential -- highly confidential information is
25 that of Magnum's. It supports the motion and would ask

1 you to grant the motion to treat it differently than --
2 than the first level of confidentiality.

3 If Magnum does not intend to use confidential
4 information in summaries, to the extent that information
5 comes out in cross-examination, we will be -- we will
6 watch carefully for that so we can let your Honor know
7 if we think it needs to be closed. And if confidential
8 information relating to any other party comes out, then
9 the Magnum witnesses and the UAE witnesses and I will
10 step out.

11 CHAIRMAN LEVAR: Thank you. Commissioner
12 White or Commissioner Clark, any questions for any of
13 the parties on this issue?

14 COMMISSIONER CLARK: No questions.

15 COMMISSIONER WHITE: No questions. Thanks.

16 CHAIRMAN LEVAR: I think what makes the most
17 sense is to -- to give a commitment to act in a -- in a
18 written order on the motion as soon as possible. But I
19 think we can go forward with the hearing today under the
20 understanding that everyone's articulated to deal with
21 the issues for the hearing as they come forward. Any
22 objection, Ms. Clark, to moving forward that way?

23 MS. CLARK: No. Thank you very much.

24 CHAIRMAN LEVAR: Okay. Any other preliminary
25 matters? Okay. Mr. Sabin or Ms. Clark.

1 MS. CLARK: Yes, thank you. The company calls
2 Kelly B. Mendenhall as its first witness.

3 CHAIRMAN LEVAR: Good morning, Mr. Mendenhall.
4 Do you swear to tell the truth?

5 THE WITNESS: I do.

6 CHAIRMAN LEVAR: Thank you.

7 KELLY B. MENDENHALL,
8 was called as a witness, and having been first duly
9 sworn to tell the truth, testified as follows:

10 DIRECT EXAMINATION

11 BY MS. CLARK:

12 Q. Good morning.

13 A. Good morning.

14 Q. Can you please state your name and business
15 address for the record.

16 A. My name is Kelly B. Mendenhall, and my address
17 is 333 South State Street, Salt Lake City, Utah.

18 Q. And what position do you hold with the
19 company?

20 A. I am the director of regulatory and pricing
21 for Dominion Energy Utah.

22 Q. Mr. Mendenhall, did you submit prefiled direct
23 testimony marked as DEU Exhibit 1.0 with attached
24 Exhibits 1.01 through 1.09?

25 A. Yes.

1 **Q. And did you also submit rebuttal testimony**
2 **marked as DEU Exhibit 1.0R with an attached Exhibit DEU**
3 **1.05U?**

4 A. Yes.

5 **Q. Do you have any corrections or changes to any**
6 **of those materials?**

7 A. No, I do not.

8 MS. CLARK: The company would move for the
9 admission of DEU Exhibits 1.0 and 1.R, along with the
10 attached Exhibits 1.1 through 1.9 and 1.5U.

11 CHAIRMAN LEVAR: I'll ask any party who has
12 any objection to that motion to indicate their
13 objection. And I am not seeing any. So the motion is
14 granted.

15 **Q. (By Ms. Clark) Thank you. Mr. Mendenhall,**
16 **have you prepared a summary of your testimony?**

17 A. I have.

18 **Q. Please proceed.**

19 A. Thank you. Good morning. There has been a
20 lot of testimony filed in this docket, but ultimately
21 the case comes down two main questions. First is, does
22 the company's analysis show that there is a supply
23 reliability need on the Dominion Energy Utah system.

24 Ms. Faust and Mr. Platt are uniquely situated
25 to understand the resiliency and weaknesses of the

1 Dominion Energy Utah system, and have provided
2 historical experience in modeling results that show that
3 there is a supply reliability risk on the system, and
4 that additional resources are needed to reduce the risk,
5 and to comply with the company's mandate to provide safe
6 and reliable service.

7 The second question that needs to be addressed
8 by the commission is whether an LNG facility is the best
9 resource to reduce the supply reliability risk on the
10 system. In reviewing an application for a voluntary
11 resource decision, Utah code 54-17-402 states that, "The
12 commission must consider among other things whether it
13 will most likely result in the lowest reasonable cost to
14 customers, the long-term and short-term impacts, risk,
15 reliability, financial impacts upon the utility and
16 other factors determined by the commission to be
17 relevant."

18 DEU Exhibit 1.02 of my direct testimony
19 provides a summary of these requirements and the
20 witnesses who address them. My testimony provides the
21 annual cost and customer impact for 21 different cost
22 calculations based on 8 different options.

23 The company's preferred option to build an LNG
24 facility is not the lowest cost option on the list.
25 When it comes to reliability and flexibility, however,

1 the LNG facility is the best option because it will be
2 located in the heart of the company's demand center, and
3 the company will have complete control over the
4 facility.

5 The LNG facility is also the best option when
6 considering risk factors, such as cold weather events,
7 landslides, earthquakes and MB scheduling. Ultimately,
8 the statute requires we balance cost, risk and
9 reliability to come up with, not with the lowest cost
10 option, but with the lowest reasonable cost option. In
11 this case the LNG facility is the best option when
12 considering all of the factors.

13 In my rebuttal testimony I addressed a number
14 of issue raised by other witnesses. Mr. Wheelwright and
15 Mr. Vastag suggest that the company's proposal to
16 construct this facility is driven by investor
17 expectations, not actual system needs. This is simply
18 not the case. The company's being as transparent as
19 possible with its investors as it -- as it has been with
20 regulators.

21 Mr. Holder has indicated in his direct and
22 surrebuttal testimony that the Magnum option could be
23 between six and a half to \$10 million less expensive
24 than the LNG option. There are two main areas in this
25 analysis. First, Mr. Holder has understated the

1 interconnection costs required for the Magnum option.
2 The DEU engineering group has estimated what these costs
3 would be, and Mr. Holder claims that Magnum could build
4 these interconnects at a lower cost, with no evidence to
5 support this statement.

6 Second, Mr. Holder's analysis overstates the
7 annual cost for the LNG option. My analysis on 10 --
8 DEU 105U, shows that the Magnum option and the LNG
9 option are much closer in costs.

10 One concern I have with the Magnum option is
11 that it doesn't seem to pencil out. It seems to be a
12 very aggressive proposal, not based on actual
13 construction costs. The latest Magnum proposal delivers
14 service to Bluffdale, which is 20 miles of additional
15 pipe, when compared to the Payson option. However, it's
16 a few million dollars less costly. This just doesn't
17 seem to make sense.

18 In contrast, the LNG facility costs provided
19 by Mr. Gill are more conservative. They're based on the
20 detailed engineering estimates of two different outside
21 consulting firms, and include a 15 percent contingency
22 and an inflation adjustment. My comparison on 105U is
23 comparing a very aggression Magnum option with a very
24 conservative LNG option.

25 In my rebuttal testimony I address other

1 issues raised by witnesses that are relevant or only
2 tangential to this proceeding. The company respectfully
3 requests that the commission find that the LNG facility
4 is in the public interest and approve the company's
5 application. That concludes my summary.

6 MS. CLARK: Mr. Mendenhall is now available
7 for cross-examination and for commission questions.

8 CHAIRMAN LEVAR: Thank you, Ms. Clark.
9 Mr. Jetter, do you have any questions for
10 Mr. Mendenhall?

11 MR. JETTER: I just have a few brief questions
12 for Mr. Mendenhall.

13 THE WITNESS: Sure.

14 MR. JETTER: And these questions are going to
15 at least address a little bit a confidential request for
16 a proposal. So I don't know if this is an appropriate
17 time to close the hearing.

18 MS. CLARK: Yeah. The company would move to
19 close the hearing for the purposes of discussing the
20 details of the division's referenced exhibits.

21 CHAIRMAN LEVAR: Okay. Does anyone have any
22 discussion or opposition to that motion? Mr. Jetter?

23 MR. JETTER: I would support the motion.

24 CHAIRMAN LEVAR: Okay. Mr. Snarr?

25 MR. SNARR: I have no problem with the motion.

1 CHAIRMAN LEVAR: Okay. Mr. Dodge?

2 MR. DODGE: Yeah, I have no objection to it.
3 I would just need to know whether this is something that
4 relates to Magnum, or if not, then Magnum people would
5 step out of the hearing. Intended exclusively to
6 Magnum -- not exclusively to Magnum, yeah. Okay. Yeah,
7 if the motion is granted, then we would step out.

8 CHAIRMAN LEVAR: Okay. Thank you.
9 Commissioner Clark, do you have any questions?

10 COMMISSIONER CLARK: No questions.

11 CHAIRMAN LEVAR: Commissioner White?

12 COMMISSIONER WHITE: No questions. Thanks.

13 CHAIRMAN LEVAR: Okay. Well, then pursuant to
14 Utah Code 54321, we determine that it is in the best
15 interests of the public to close the hearing for this
16 portion of the questioning. We will turn off the
17 streaming and the hearing loop system.

18 I don't know if, in terms of everyone who is
19 in the room, if the parties need a moment to make sure
20 they are comfortable, and if there needs to be -- if
21 there needs to be action from us on who should or
22 shouldn't be in the room, but if -- can parties just
23 take a minute or two and see if they are comfortable
24 with -- with who is and who isn't in the room?

25 I don't know if a formal recess is necessary

1 or if just a few moments are adequate.

2 MR. DODGE: We know our guys so...

3 MS. CLARK: And we know the rest.

4 CHAIRMAN LEVAR: Is there any concern from any
5 party in the room about who is and is not remaining in
6 the room?

7 MS. CLARK: No, sir.

8 CHAIRMAN LEVAR: That's a no from Dominion?

9 MS. CLARK: That's correct.

10 CHAIRMAN LEVAR: Okay. Mr. Jetter. Well,
11 first I am asking if there's any concern with who is
12 left in the room. Mr. Jetter or Mr. Snarr, any
13 concerns?

14 MR. SNARR: No concern.

15 MR. JETTER: I don't recognize everyone in the
16 room, but I don't recognize anyone I know shouldn't be
17 here either. So I guess I don't have any concerns.

18 THE FOLLOWING PORTION IS MARKED CONFIDENTIAL,
19 pages 33 to 35 inclusive:

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1 CHAIRMAN LEVAR: Okay. We will resume
2 steaming, and I don't know if we need to ask someone
3 to -- to invite the Magnum representatives back in.
4 Okay. We've got that covered.

5 Okay. I have been informed that some
6 listening to the stream are not hearing you very well.
7 I think your mic has been on, but maybe if you could
8 move it a little closer to you.

9 MR. SNARR: Sure. Is that better?

10 CHAIRMAN LEVAR: Sure. Thank you. If you
11 have cross-examination for Mr. Mendenhall, Mr. Snarr.

12 MR. SNARR: I have no cross-examination.

13 CHAIRMAN LEVAR: Okay. Thank you, Mr. Snarr.
14 Mr. Dodge?

15 MR. DODGE: I have no questions. Thank you.

16 CHAIRMAN LEVAR: For -- for either of your
17 clients at this point?

18 MR. DODGE: Correct.

19 CHAIRMAN LEVAR: Okay. Commissioner White, do
20 you have any questions for Mr. Mendenhall?

21 COMMISSIONER WHITE: No questions. Thank you.

22 CHAIRMAN LEVAR: Commissioner Clark?

23 COMMISSIONER CLARK: No questions. Thank you.

24 CHAIRMAN LEVAR: I don't either. Thank you
25 for your testimony this morning.

1 MR. SABIN: Mr. Chair, the company calls its
2 next witness, Ms. Faust, Tina Faust.

3 CHAIRMAN LEVAR: Good morning, Ms. Faust.

4 THE WITNESS: Good morning.

5 CHAIRMAN LEVAR: Do you swear to tell the
6 truth?

7 THE WITNESS: I do.

8 CHAIRMAN LEVAR: Thank you.

9 TINA M. FAUST,
10 was called as a witness, and having been first duly
11 sworn to tell the truth, testified as follows:

12 DIRECT EXAMINATION

13 BY MR. SABIN:

14 Q. Good morning, Ms. Faust. Could you please
15 state your full name for the record?

16 A. Tina M. Faust.

17 Q. And what is your current title with Dominion
18 Energy Utah?

19 A. Director of gas supply and commercial support.

20 Q. Can you give just a brief description of your
21 scope of your responsibilities in that capacity?

22 A. I can. I am currently, in addition to leading
23 the gas supply team, I also lead the energy efficiency,
24 the commercial support and the account and municipal
25 relation teams.

1 **Q. Thank you. Have you prepared testimony,**
2 **prefiled testimony and submitted it in this matter?**

3 A. I have.

4 **Q. I have that you have submitted direct**
5 **testimony, Exhibit DEU Exhibit 2.0, with Exhibits 2.01**
6 **through 2.14, and then rebuttal testimony marked 2.0R;**
7 **is that correct?**

8 A. That's correct.

9 **Q. And do you have any corrections at this time**
10 **to that testimony?**

11 A. I do not.

12 MR. SABIN: The company would move at this
13 point to have Exhibits 2.0 through 2.0R admitted into
14 the record.

15 CHAIRMAN LEVAR: If any party objects to that
16 motion, please indicate your objection to me.

17 MR. SABIN: I'm sorry. Let me correct one
18 thing. There's also -- I forgot.

19 **Q. (By Mr. Sabin) You -- you have also submitted**
20 **surrebuttal testimony marked 2.SR, correct?**

21 A. Yes.

22 MR. SABIN: With that, Mr. Chair, I apologize,
23 we would move for the admission of Exhibit 2.0 through
24 2.14, then 2.0R, then 2.0SR into the record.

25 CHAIRMAN LEVAR: Okay. Thank you. If anyone

1 objects to that motion, please indicate your objection
2 to me. I am not seeing any objection, so the motion is
3 granted.

4 Q. (By Mr. Sabin) Ms. Faust, have you prepare a
5 summary of your prefiled testimony in this matter?

6 A. I have.

7 Q. Would you please share that with the parties
8 and the commission?

9 A. Providing safe, reliable service for the
10 natural gas customers of Dominion Energy Utah, Wyoming
11 and Idaho is a responsibility I take very seriously.
12 Recently the company has seen supply shortfalls occur,
13 even on relatively mild days. In 2011 I witnessed other
14 LDCs in the western United States lose gas service to
15 more than 40,000 customers as a result of cold weather
16 and third party equipment outages.

17 DEU currently receives 100 percent of its gas
18 supply from off-system resources and depends entirely
19 upon third parties along the supply chain. This
20 includes well production facility, many miles of
21 gathering system piping, processing facilities, storage
22 facilities, compression facilities and hundreds of miles
23 of cross-country transmission pipelines and city gate
24 stations.

25 During periods of high demand, the company

1 experiences challenges related to replacing the supplied
2 shortfalls, not only due to nomination deadlines, but
3 also because of all the space -- all the space from
4 storage and upstream interstate pipelines is likely
5 already in use.

6 The vast majority of DEU's gas supply is
7 produced and processed in remote areas of Wyoming, where
8 temperatures are much colder than the urban gas demand
9 centers where our customers reside. When supplies
10 freeze off or processing facilities are impacted by cold
11 weather, the gas is not able to reach our customers as
12 planned.

13 Events like earthquakes, landslides, fires,
14 equipment failures and other unpredictable and
15 uncontrollable events can also impact gas reaching our
16 customers. Force majeure provisions and third party
17 transportation and storage service contracts place the
18 risk of these events, and the resulting supply
19 shortfalls, onto DE -- DEU and its customers.

20 Loss of service to DEU's customers not only
21 can result in a costly inconvenience for customers in
22 the regional economy, it could create a very serious
23 safety issue in our climates that depends on natural gas
24 for heating our homes and businesses during cold
25 winters.

1 The potential for these supply shortfalls
2 illustrates the need to find a long-term supply
3 reliability solution for our customers. In an effort to
4 identify a solution to this reliability problem, DEU
5 identified and evaluated many alternatives.

6 The first option considered was to continue to
7 use existing resources. Although this has worked in the
8 past, and will continue to be used by the company in the
9 short term, it's not an ideal solution. This option
10 relies on backup, off-system supplies and third party
11 storage and interstate pipelines to provide the
12 necessary supply. We have experienced issues relying
13 exclusively on these resources in the past, even on days
14 when the temperature did not reach design day levels.

15 Next, DEU considered two demand response
16 alternatives. The first requires large transportation
17 customers to have equipment that would allow DEU to
18 remotely shut off their gas service with little notice.
19 This option is not reliable, due to the fact that these
20 customers could potentially experience supply
21 reliabilities at the very same time the company would
22 need the gas to serve firm residential customers.

23 The second demand response option explored
24 relying on firm sales customers to voluntarily lower
25 their thermostats when the company is experiencing

1 shortfalls. Experience from another LDCs confirmed that
2 this is an unpredictable and very unreliable solution.

3 DEU also evaluated four alternatives that rely
4 on acquiring incremental, third party, off-system
5 storage and some form of upstream interstate
6 transportation to get replacement supplies to the
7 Wasatch Front. These alternatives are dependent on
8 interstate pipelines and their nomination schedules --
9 schedules, which are set by the North American Energy
10 Standards Board or NAESB.

11 Because supply shortfalls often occur after
12 the nominations have already been sent to the pipelines,
13 replacement supply and/or capacity on the pipelines may
14 not be available.

15 Company also evaluated storage services
16 proposed by Magnum Energy Midstream Holdings LLC.
17 Although DEU expects that Magnum will be able to provide
18 off-system storage services to the company's market area
19 in the future, it doesn't recommend any of these options
20 in this docket.

21 The details of these proposals are highly
22 confidential, but DEU has concluded that a
23 yet-to-be-constructed natural gas storage cavern and
24 interstate pipeline that is 80 to a hundred miles away
25 from the company's demand center, and operated by a

1 third party, is not the most reliable solution for the
2 need in this proceeding.

3 Unfortunately, for the last eight years, DEU
4 has had negative experiences with an unreliable
5 off-system underground storage facility that is operated
6 by a third party.

7 And since there are no known salt caverns or
8 depleted gas reservoirs on or near the company's
9 distribution system, DEU evaluated an on-system LNG
10 facility alternative. This option would provide an
11 instantaneous and reliable source of supply that would
12 be operated and dispatched by DEU in the event of a
13 supply disruption. The company found that on-system
14 storage provides the flexibility, diversity of supply
15 and level of reliability that the other options cannot.

16 Despite the claims of others that the company
17 should have conducted an RFP, DEU has provided abundant
18 evidence and/or best analysis of the available
19 alternatives. The company identified and considered
20 both off-system and on-system options for it to address
21 supply reliability.

22 Over the last two and a half years, the
23 company has repeatedly met with Magnum to understand
24 their proposals and to help refine their options to meet
25 DEU's needs. Although DEU finds value in continue --

1 continuing to evaluate and potentially contracting with
2 Magnum Storage for future storage needs, through this
3 analysis it has realized the drawbacks of any resource
4 that is not on system.

5 Despite their criticisms, no other party has
6 provided an option that was not assessed on any basis to
7 support a claim that any other alternative imposes less
8 risk, ensures greater reliability or has a similar
9 positive impact to DEU's system as the recommended
10 on-system LNG facility.

11 Some parties in this proceeding seem to not
12 believe that supply shortfalls will occur that will
13 threaten the safety of our customers. I really wish
14 they could guarantee they are correct. Just because our
15 short-term solutions have worked in the past, it does
16 not ensure that customers will have reliable service in
17 the future.

18 My experiences with supply shortfalls, even
19 during moderately cold temperatures, cause me great
20 concern. Seeing the potential for catastrophic outages
21 that could occur at design day temperatures made me
22 unwilling to take the risk of not recommending a
23 long-term solution.

24 Many other LDCs also use on-system LNG for
25 supply reliability. In fact, Southwest Gas is currently

1 building an on-system LNG facility for the exclusive
2 purpose of maintaining reliability to the customers --
3 to their customers that lost service in 2011.

4 DEU seeks to proactively find a reliability
5 solution before the company experiences a potentially
6 catastrophic -- catastrophic loss of service to its
7 customers. Only on-system LNG provides assurity of
8 supply that is needed. It provides flexibility, supply
9 independence and diversity that its customers need
10 during times when other resources are unreliable.

11 The company recommends and is seeking approval
12 from the Utah commission for an LNG facility to be built
13 in the middle of the DEU demand center for the purpose
14 of supply reliability.

15 MR. SABIN: Thank you, Ms. Faust. Ms. Faust
16 is now available for cross-examination.

17 CHAIRMAN LEVAR: Thank you. Mr. Jetter?

18 MR. JETTER: Thank you.

19 CROSS-EXAMINATION

20 BY MR. JETTER:

21 Q. Good morning, Ms. Faust.

22 A. Good morning.

23 Q. Maybe -- I'd like to just ask you a few brief
24 introductory questions about the history of this LNG
25 facility that's being proposed. Can you tell me when

1 the company began the engineering study for this
2 facility?

3 A. Not exactly sure about the engineering study.
4 That would probably be a better question for another
5 witness.

6 Q. Do you know, in your experience at Dominion
7 Energy, when the project internally was first proposed?

8 A. I can give kind of a timeline, if that helps.

9 Q. That would be great.

10 A. So initially we issued an RFP for peak hour
11 services, and I think it's probably good to talk a
12 little bit about that, just because it explores the
13 evolution of -- of where we are.

14 So when we were looking at peak hour and
15 supply reliability issues, we sent a peak hour RFP and
16 an LNG RFP out to customers on the same day -- or out to
17 potential suppliers on the same day. And through that
18 process, we vetted a lot of the same parties who would
19 be able to provide both, instantaneously supply.

20 The difference between peak hour and supply
21 reliability though, I think I should explain, is peak
22 hour is a timing issue. During the day our customers
23 use more gas in the morning than they do in the
24 afternoon or in -- in the evening potentially. They
25 don't use it evenly.

1 Supply reliability is when a supply source
2 doesn't show up. And so they are different in some
3 ways, and we found through the peak hour RFP that there
4 were parties that could take care of that piece of the
5 problem independently of the supply reliability problem,
6 at a much lower cost than an LNG facility.

7 So we, as you probably know in a previous
8 docket, contracted with those parties to solve the peak
9 hour solution. When we were originally looking at LNG
10 for both -- both problems, LNG was going to have to be
11 built at a lot larger scale. So that was downsized as
12 part of the timeline thinking of this.

13 So as we were informed, at least some of the
14 potential parties that might be able to supply -- to
15 solve supply reliability issue, that we realized in
16 January, and other times before, but especially in
17 January of 2017, a lot of these parties could do the
18 same, provide the same services. We continued talking
19 with those parties, and we realized that wasn't enough.
20 That wasn't robust enough.

21 So we also took, I think from the division,
22 brought up a lot of issues with potential demand
23 response, which doesn't lend itself, as you can probably
24 tell, to an RFP situation. We're not going to send an
25 RFP to all of our industrial customers or all of our

1 residential customers.

2 But we also included that in our decision
3 making in our analysis. We tried to include everything
4 that we could possibly -- that could possibly solve the
5 problem for supply reliability, both on and off system.
6 And we included all those things, the things that we
7 learned from the RFP to try to provide our analysis.

8 **Q. And -- and to clarify, when you say the RFP,**
9 **are you -- are you meaning the February 2016 RFP?**

10 A. There were two RFPs sent out on the same exact
11 day. One was for LNG prefeed. One was for peak hour
12 services. Lot of the same parties got both. What we
13 were striving to do is to get a creative solution, and I
14 think it might even say that, in at least one or both of
15 the RFPs, that we didn't -- we were looking for maybe
16 something outside of the box that we hadn't even
17 considered.

18 Unfortunately, we didn't get a lot of response
19 to the peak hour, but those that responded, we continued
20 discussions with, with regard to supply reliability.

21 **Q. And so is it a fair characterization then that**
22 **the original proposal that you had considered would have**
23 **met both needs, and that's been effectively split into**
24 **two -- two different sort of categories or projects?**

25 A. As we realized that the peak hour contracts

1 could solve the peak hour problem at a less cost to our
2 customers, lower cost to our customer, we moved on with
3 the supply reliability piece.

4 And as you might notice in that, I assume the
5 RFP you are speaking is the LNG RFP that you are
6 speaking to? I am not -- I haven't seen which RFP it
7 is, but assuming it's the LNG RFP, you will see that
8 there's a span of, I think it says 150 to 300,000, and
9 obviously, that's not what we are -- we're not talking
10 about 300,000 a day today.

11 **Q. Okay. I'd like to provide you now with a copy**
12 **of this RFP.**

13 MR. JETTER: And I think I would move at this
14 time to go into again into a closed hearing session.

15 CHAIRMAN LEVAR: Okay. We have a similar
16 motion to what we had before. Does any party want to
17 supplement their positions beyond what they said when
18 the similar motion was issued earlier? Okay. I am not
19 seeing any indication from parties. Commissioner White
20 or Commissioner Clark, any questions?

21 COMMISSIONER CLARK: I am just going to
22 suggest that maybe before we close it, we lay the
23 foundation to make sure that this witness has the
24 sufficient -- she's acquainted with it sufficiently
25 to -- to continue the cross-examination.

1 MR. JETTER: I think that would be
2 appropriate. May I approach the witness?

3 CHAIRMAN LEVAR: Yes.

4 Q. (By Mr. Jetter) Have you had time to briefly
5 identify the document I have provided you?

6 A. I have.

7 Q. And are you familiar with that document?

8 A. I am.

9 Q. Can you identify for the record what that is?

10 A. It's a request for proposal, Questar Gas
11 Company at the time, sent February 26, 2016.

12 Q. Thank you. And did you prepare or work with a
13 group of people preparing this?

14 A. I did.

15 MR. JETTER: I'd like to move now to go into
16 closed session.

17 CHAIRMAN LEVAR: Any further questions?

18 COMMISSIONER CLARK: No further questions, and
19 no objection. I mean, I am -- I agree.

20 CHAIRMAN LEVAR: Okay. Thank you.
21 Commissioner White as well.

22 COMMISSIONER WHITE: Nothing else. Thanks.

23 CHAIRMAN LEVAR: Okay. Thank you. Pursuant
24 to Utah Code 54-3-21, we have determined that it is in
25 the best interests of the public to close the hearing to

1 the public at this point.

2 THE FOLLOWING PORTION IS MARKED CONFIDENTIAL,
3 pages 52 to 78 inclusive:

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1 CHAIRMAN LEVAR: Okay. It looks like we're
2 ready to begin. So we will continue with Mr. Jetter's
3 cross-examination of Ms. Faust.

4 CONTINUED CROSS-EXAMINATION
5 BY MR. JETTER:

6 Q. I guess I would -- these questions may deal
7 somewhat with -- with the RFP process, but there won't
8 be any specifics that I think are confidential in moving
9 forward, and if -- if any of your responses you think
10 would go into that, we can probably move to close the
11 hearing again, but I'll do my best to stay away from --
12 from those types of questions.

13 And so I'd like to start again, you are asking
14 a little bit about the transportation customers. You
15 have mentioned that the transportation customers often
16 experience supply problems at the same time as Dominion
17 might experience off-system supply problems. Is that an
18 accurate paraphrasing?

19 A. Yes. Because they get their supplies from the
20 same sources that we do.

21 Q. Okay. And -- and generally is it accurate
22 that your supply is a first priority over their supplies
23 in most cases?

24 A. In whose? From whose perspective?

25 Q. If there -- if there is a supply shortfall,

1 would -- would Dominion typically have the first right
2 to the available supply?

3 A. It depends on how the gas flows through the
4 pipeline, upstream pipeline. So if they are on firm --
5 on a firm basis, that's what decides it.

6 Q. Then you would be on equal footing with them?

7 A. In theory, yes.

8 Q. Okay. And -- and would you typically, in the
9 scenario where a transportation customer and the
10 company, and by company I am referring to Dominion
11 Energy Utah, experience supply problems at the same
12 time, and there's existing capacity at the proposed LNG
13 facility, would you use that capacity to provide supply
14 for those transportation customers?

15 A. That's not the point of the LNG. The LNG is
16 for our firm sales customers. We are not building it
17 for transportation customers, and they won't be charged
18 for it. There's penalties that deal with their
19 shortfalls on those days.

20 Q. Well, that's -- the question I'm am asking is,
21 would -- would you use the capacity there to supply them
22 in that instance?

23 A. No.

24 Q. And so you would -- you would cut them off
25 while you have existing supply at the LNG facility?

1 A. Yes.

2 Q. How would you propose that you would actually
3 physically turn them off?

4 A. Well, the way the transportation customers,
5 the way our contract is with them -- and we're in the
6 midst of filing for a tariff change so I don't know how
7 much I should go into that. Probably shouldn't.

8 But in general we don't -- the way that it's
9 facilitated is through a penalty, or an incentive, for
10 them to burn the amount of gas they bring to the system.

11 Q. And you have testified earlier today that --
12 that third party suppliers of your gas may end up
13 breaching a contract if they don't have available
14 supply; is that correct? That they are not -- and the
15 question is, they are not guaranteeing your supply to
16 you in -- in as firm a sense as what would you get from
17 the LNG facility?

18 A. With our gas suppliers we have penalty
19 language. So when they don't show up with the gas, for
20 any reason, if they decide to sell it somewhere else, or
21 it fails because of equipment failure, we have penalties
22 for that to incent them to provide the gas in as many
23 circumstances as they can.

24 Q. Okay. And -- and you testified that that's
25 not sufficient to give you the confidence to rely on

1 **them for system reliability; is that correct?**

2 A. That's correct. Because it's -- I testified,
3 or it's my testimony, for example, on January 6th, those
4 suppliers with those contracts were not showing up, and
5 that didn't give me any comfort unless the weather
6 warmed up, which I had no control over, that the
7 supplies were going to be there for our customers.

8 And if temperatures would have been colder and
9 lasted for a longer period and the supplies remained off
10 and the power outage remained the way it was, that our
11 customers were not going to have supply, even with those
12 types of contracts.

13 **Q. And -- and can you explain to me why your lack**
14 **of confidence in those customers differs from your**
15 **confidence in -- in your transportation customers that**
16 **they will in fact curtail their use rather than pay the**
17 **penalty during the supply shortfall?**

18 A. I can't predict what people are going to do,
19 what transportation customers are going to do. I know
20 there's penalties in place, and I am not sure how to --
21 how I can predict what they are going to do on any given
22 date. I know we contact them. We have the physical
23 ability to be go out and shut them off. We haven't in
24 the past.

25 But in an emergency, I assume if they were not

1 adhering to our remedies, that they -- that we would go
2 out and shut them off physically, but it hasn't happened
3 in the past.

4 **Q. And are you testifying, is it correct that I**
5 **understand your testimony that you would turn them off**
6 **before you would exhaust your LNG facility to provide**
7 **them service if they declined to turn their gas service**
8 **off themselves?**

9 A. I can't predict exactly what's going to
10 happen. I can say in this docket, we are talking about
11 supply reliability and what we expect to do. I think
12 down the road things will be evaluated potentially like
13 we do through the IRP process and through other things.
14 We are always encountering new issues and new problems
15 we didn't expect. So if down the road it becomes an
16 issue, we will address it.

17 If down the road someone else wants to use the
18 LNG facility in a different way, we'll address it. I
19 can't speak at this point to what theoretically is going
20 to happen in the future, but we're not building it for
21 transportation customers' supply reliability.

22 **Q. It is correct though that -- that the excess**
23 **of what you -- you may need on a in -- on a given day**
24 **may be used to supply transportation customer shortfall;**
25 **is that correct?**

1 A. That's not the purpose of the LNG facility.

2 Q. I am not necessarily asking about the purpose,
3 but just factually, would that be a resource that the
4 company might use to serve those customers who maybe had
5 a call notice to shut off but declined to do that?

6 A. So you're asking would they ask us if they
7 could use the LNG facility because we weren't using all
8 of it, and we would say answer -- we would say yes? Is
9 that what you are saying?

10 Q. No. I'm -- I'm -- I'm asking, if you would in
11 fact use it to serve them rather than disconnecting them
12 or shutting off their gas in the event that their gas
13 supply did not show up and the LNG facility had
14 additional capacity beyond what Dominion Energy Utah
15 needed to serve its -- its own customers.

16 A. I don't see that we would use the LNG facility
17 that way, no.

18 Q. Okay. And so -- so then would it be your
19 testimony that you would go disconnect them, I guess,
20 manually in this case, before you exhausted the LNG
21 facility's capacity?

22 A. It depends on the circumstance. I would think
23 that if we were in the situation where we had to
24 disconnect customers, as you put it, we would be using
25 the facility for our purposes, because we would be in

1 that dire of a situation.

2 Transportation customers use excess gas that
3 we have every day potentially, one way or another, pack
4 or draft the system. If it's not causing a problem,
5 then there's not an issue. There's not even a call
6 notice. There's -- there's not even a penalty. They
7 can -- it just goes to an imbalance.

8 So if it was a peak day or a high load day
9 where we were reserving our facility for supply
10 shortfalls, it would not be a time we would be letting
11 those customers use any of our gas, let alone the LNG
12 facility.

13 Q. I think my hypothetical might be a little
14 different, and I'll try to explain it in a little more
15 detail.

16 A. Okay.

17 Q. So in my hypothetical, your supply is cut to
18 the point where you are using 10 percent of the LNG
19 facility's output for that day. You have a
20 transportation customer who has to either be
21 disconnected, cut off from the system, who will not
22 curtail their own use voluntarily, and they would draw
23 another, let's say 25 percent of the LNG's output. So
24 well within the full output of the LNG facility.

25 Would you recommend -- or would you -- would

1 **you cut that customer off manually, or would you provide**
2 **that gas out of the LNG facility on that day?**

3 A. First of all, it wouldn't be just up to me. I
4 want to clarify that. I mean, we're -- I think we have
5 in testimony or in data requests that it's not just me
6 deciding how it works.

7 But I would say we would not, and this is the
8 reason. Ten percent of supply is cut today, what's
9 going to happen tomorrow? I have lived through enough
10 events where it's, the check's in the mail. The supply
11 is coming on. It's ready for you. It will be there at
12 the next nomination cycle. And guess what? It's not.

13 And weather is warming up. It's going to be
14 10 degrees. Every -- the load's going -- we look at the
15 load, how that impacts the load. Guess what? The
16 weather doesn't warm up.

17 So in your hypothetical, if there were -- if
18 we were having issues at all, I would not support
19 supplying LNG -- gas from the LNG facility to
20 transportation customers who are not expected to pay
21 anything for that facility, when our customers down the
22 road, I don't know what tomorrow is going to be. And
23 you know what? I don't know what next week or the rest
24 of the winter is going to be.

25 So it would take -- you know, giving them some

1 of the LNG facility's gas is potentially going to harm
2 firm customers down the road. So I would not support
3 that.

4 Q. Okay. Thank you. I'm going to shift gears
5 just a little bit about -- to discuss some of the supply
6 shortfall issues that are -- that are, what I would, I
7 guess, describe as sort of low probability events, the
8 earthquake, the landslide, the cyber thing. The LNG
9 facility as proposed would not be able to supply the
10 entire system's gas; is that correct?

11 A. That's correct.

12 Q. And so if you had an earthquake, for example,
13 that knocked out one of the major interstate pipelines,
14 the LNG facility wouldn't keep the gas lines
15 pressurized; is that correct?

16 A. It depends on the earthquake and depends on
17 which gas lines were affected, but I guess I want to say
18 that there's no silver bullet for every single -- every
19 single problem or -- or the worst case scenarios of
20 everything happening at once.

21 I think what we're proposing is to have
22 something that could definitely help if there was
23 mechanical failure at one of our city gates. If there
24 was an earthquake that took out one -- one of our lines,
25 it's not going to solve everything, but it's definitely

1 better than we've got now, which is, you know, no
2 reliability that we can control.

3 MR. JETTER: Those are all of the questions
4 that I have. Thank you.

5 CHAIRMAN LEVAR: Mr. Snarr, do you have any
6 cross-examination?

7 MR. SNARR: Yes, I do. Thank you.

8 CROSS-EXAMINATION

9 BY MR. SNARR:

10 Q. Ms. Faust, first I'd like to direct your
11 attention to your surrebuttal testimony, recently filed
12 on September 20, 2018. As a preface to some questions,
13 I just want to focus on a couple of statements there.

14 At lines 37 through 40 you state, "No witness
15 has been able to identify a solution that the company
16 did not consider. No witness has been able to point to
17 any entity, let alone a list of entities, that would be
18 capable of responding to an RFP that the company did not
19 already consider."

20 Is that an accurate read of your testimony?

21 A. Yes.

22 Q. Further on that -- in that same testimony, at
23 lines 58 through 62, you state, "Mr. Vastag does not
24 identify any solution that was not assessed, does not
25 identify any counter party that an RFP should be sent

1 to, and does not provide any basis to support a claim
2 that any other option imposes less risk, ensures greater
3 reliability or has a similar positive impact on the
4 system as the proposed LNG facility."

5 Is that an accurate read of your testimony?

6 A. Yes.

7 Q. Isn't it true that Dominion is a regulated
8 utility and it must demonstrate the prudence of its
9 resource decisions to prove that its rates are just and
10 reasonable?

11 A. Yes.

12 Q. Isn't it true also that Dominion is the
13 applicant in this proceeding?

14 A. Yes.

15 Q. And as the applicant, Dominion bears the
16 burden of proof; isn't that correct?

17 A. Well, my understanding that under a voluntary
18 resource decision that an RFP isn't necessary -- isn't
19 required.

20 Q. And so you could have gone a different route
21 and just put the facility in place, and then again, in a
22 rate case where you are seeking to recover the costs,
23 you would have borne the burden of proof to demonstrate
24 that it was part of just and reasonable rates; isn't
25 that right?

1 A. Well, we did go a different route in that we
2 provided analysis regarding many, many options and
3 evaluated it for this purpose.

4 **Q. And -- but let's be clear who has the burden**
5 **of proof. Isn't it true that the Office of Consumer**
6 **Services bears no burden to disapprove or to counter the**
7 **claims that you are making as part of this proceeding as**
8 **the proponent?**

9 A. You may not have the burden of -- oh, sorry.

10 MR. SABIN: Sorry. I think this is a legal
11 question of this witness, and I'm not -- I don't know
12 whether she is prepared or knows the answer legally to
13 this. I think counsel knows the answer to this. I
14 think the commission knows the answer to this. I don't
15 know that it serves any purpose to have this witness
16 guess on that point, but...

17 CHAIRMAN LEVAR: Do you want to respond to the
18 objection, Mr. Snarr?

19 MR. SNARR: I acknowledge it's a legal point,
20 yes, but I think this witness should be prepared to
21 address this fundamental legal point as to who bears the
22 burden when it comes to presenting a proposal to this
23 commission that might be approved.

24 CHAIRMAN LEVAR: I think I am inclined to
25 grant the objection, unless you can point to something

1 in Ms. Faust -- Ms. Faust's testimony where she
2 addresses burden of proof. I don't -- recall that.

3 MR. SNARR: I attempted to do so in my
4 preliminary questions where she said that Mr. Vastag
5 does not identify any solution that was not assessed,
6 etc., and where previously she said no witness has been
7 able to identify a solution the company didn't consider.

8 The point is, the company can consider 12 or
9 20 different things. It's not the -- it doesn't mean
10 that they have satisfied the burden of proof unless they
11 really have satisfied the burden of proof. And there is
12 no obligation upon the office to come up with three
13 other things that they didn't think of if they still
14 haven't borne the burden of proof.

15 MR. SABIN: Mr. Chairman, can I respond to
16 that?

17 CHAIRMAN LEVAR: Yes.

18 MR. SABIN: So I think while that may be one
19 interpretation of Ms. Faust's testimony, I -- I think an
20 equally and probably more likely interpretation is that
21 she went out and identified all the companies she could
22 find or she could identify. And she was simply pointing
23 out to Mr. Vastag's testimony, or in response to it,
24 that he doesn't raise or identify anybody else beyond
25 what she's done.

1 It's not a burden-of-proof question. It's a
2 question about -- she is not calling him and saying,
3 this office has the burden of proof. She is saying, I
4 have identified what I can, and you aren't showing me
5 anybody else. So an RFP doesn't serve any purpose.

6 I believe that's what we have to be careful
7 about. He is assuming she is trying to put the burden,
8 and I don't see anything in her testimony that says she
9 is trying to shift the burden to Mr. Vastag or the
10 office.

11 CHAIRMAN LEVAR: Do you want one -- do you
12 want to add any more, Mr. Snarr?

13 MR. SNARR: I have nothing more to add.

14 CHAIRMAN LEVAR: Okay. I think I -- when I
15 look at that testimony you are referring to from -- from
16 Ms. Faust, she's addressing Mr. Vastag's testimony. She
17 is making observations on it. I don't -- I don't
18 personally see that she is addressing the burden of
19 proof of what -- whether -- whether -- whether
20 Mr. Vastag would or would not have been required to do
21 so under some burden. So I think I am not inclined to
22 require her to answer a question with respect to burden
23 of proof.

24 MR. SNARR: Very well.

25 CHAIRMAN LEVAR: So do you have other

1 questions?

2 MR. SNARR: Yes, I do.

3 CHAIRMAN LEVAR: Okay. Thank you.

4 Q. (By Mr. Snarr) Let's discuss the known
5 outages that have occurred for Dominion. In response to
6 a division data request, Dominion identified five
7 outages as having occurred during the past 20 years; is
8 that correct?

9 A. I believe so.

10 Q. Isn't it true that for four of these
11 outages -- I am talking about Coalville, Glendale,
12 Saratoga and Ogden Valley -- isn't it true that there
13 was some sort of facility or procedural failure within
14 Dominion Energy Utah and its system that caused those
15 failures?

16 A. I wouldn't say within, because the failures
17 were based on, with the two that I am thinking of,
18 Coalville and Monticello, were caused by upstream
19 failures.

20 Q. I -- I haven't identified Monticello as being
21 one of those four that we are talking about. I
22 mentioned Coalville --

23 A. Okay.

24 Q. Glendale, Saratoga and Ogden Valley.

25 A. So the one I am familiar with, I'll talk about

1 Coalville, it was based -- it was due to a malfunction
2 of some equipment on the upstream pipeline side. So I
3 think it does prove the point that it's a third party
4 issue.

5 We were trying to come up with examples of
6 issues that -- that prove the point that upstream and
7 off-system problems lead to supply shortfalls. And like
8 I said earlier, LNG can't solve everything. No, it
9 wouldn't have solved the Coalville issue, but if
10 Coalville were to happen at another major city gate, it
11 totally would have solved it because of instantaneous
12 supply it could have provided.

13 **Q. May I have -- just ask your indulgence for**
14 **just a minute, please?**

15 A. Sure.

16 **Q. So your testimony is that the Coalville**
17 **situation was a situation where there was a tap,**
18 **including a rotary meter for measurements off of**
19 **Questar's main line; is that right?**

20 A. Yes.

21 **Q. And is that tap part of Questar's -- Questar**
22 **Pipeline or part of Dominion Energy?**

23 A. It's the transfer of custody between a
24 Quest -- between a pipeline and our LDCs, like a city
25 gate is.

1 **Q. Okay. How does that -- how did that get**
2 **resolved for future concerns?**

3 A. I am probably not the expert on that, but I
4 understand they replaced the mechanical part. Again,
5 all I know is it's been addressed.

6 **Q. With a new facility, right?**

7 A. No, with a new piece of equipment.

8 **Q. New piece of equipment. All right. I was**
9 **thinking facility in a broad sense of the word. Okay.**
10 **Is there just that single tap into the Coalville area?**

11 A. Yes.

12 **Q. Now let's focus on the Monticello situation.**
13 **Is there a single tap supplying the town of Monticello?**

14 A. Yes.

15 **Q. And that's off of Williams Northwest Pipeline;**
16 **is that correct?**

17 A. Yes.

18 **Q. And it was a Northwest pipeline facility**
19 **associated with that interconnection that failed in that**
20 **situation; isn't that correct?**

21 A. No. The facility did not fail. It was --
22 someone was performing maintenance and didn't leave the
23 pipeline open after they finished maintenance, and so
24 the town ran out of gas.

25 **Q. All right. And with respect to that, how was**

1 **that one resolved then?**

2 A. We spoke with Northwest Williams Pipeline.
3 They took measures to hope that it never happens again.
4 But I feel like it makes my point, that there's
5 vulnerabilities to upstream pipelines. There still is
6 possibility that there's going to be human error on
7 facilities upstream.

8 **Q. And what if you had looped meters or**
9 **facilities at that interconnection, both for Monticello**
10 **and Coalville? Would that have resolved the particular**
11 **problems with facilities or meters that took place that**
12 **caused those outages?**

13 A. It depends what it was looped to and how it
14 was designed.

15 **Q. Isn't it true that the proposed LNG facility**
16 **would not have presented a solution to any of these five**
17 **actual outages?**

18 A. No. Luckily, we haven't had a outage at one
19 of our main city gates, or it would have helped. It was
20 supposed to be illustrative to show that something
21 happening in the Wasatch Front would have been helped,
22 but it would not solve the problem that we have seen
23 other places. Luckily, it hasn't happened at the
24 Wasatch Front to date.

25 **Q. Well, let's discuss gas supply shortfalls**

1 and -- and other situations. In connection with this
2 proceeding, Dominion held a technical conference on June
3 19th; is that correct?

4 A. I believe so.

5 Q. And at the technical conference, various
6 slides were presented as part of the slide presentation;
7 is that correct?

8 A. Yes.

9 Q. I have a copy of slide 11 of that
10 presentation. I'd like to use that as a hearing exhibit
11 if I might.

12 MR. SABIN: Do we have a copy of the full
13 slide presentation someplace that you can use?

14 MR. SNARR: I am -- I'll ask Jennifer to see
15 if she has it in there. If it is, then we can use that
16 as a reference rather than cloud it with duplicate
17 exhibits.

18 MR. SABIN: Give us one second and I'll see if
19 we can find that.

20 MR. SNARR: Sure.

21 MR. SABIN: Can I see the slide so we can look
22 and see if -- I think this one is in there someplace.

23 MR. SNARR: I had looked for it and couldn't
24 find it, but I'm not sure that my look was exhaustive.
25 May I just proceed with this one page from the slide

1 presentation?

2 CHAIRMAN LEVAR: Is there any objection?

3 MR. SABIN: I think we are fine to go ahead.
4 I would prefer to have the whole thing in, but that's
5 okay.

6 Q. (By Mr. Snarr) I'd like to draw your
7 attention to that slide that's entitled, Probability of
8 Supply Shortfalls on Cold Days; is that correct?

9 A. That's correct.

10 Q. And for clarification, that slide presents
11 supply shortfalls occurring over a seven year period
12 2011 through 2017. Also comparing shortfalls to mean
13 temperatures; is that correct?

14 A. Yes.

15 Q. Dominion also provided follow-up information
16 concerning this slide in response to both division and
17 office data requests, including OCS data request No.
18 216. Do you happen to have a copy of that or could I
19 provide that to you?

20 A. You can provide it. Thank you.

21 MR. SNARR: Now, for clarification of the
22 record, could we have slide 11 marked as OCS Hearing
23 Exhibit No. 1? And OCS data request response No. 216,
24 could we have that marked as OCS Hearing Exhibit No. 2?

25 CHAIRMAN LEVAR: And just to clarify, you are

1 not at this point moving for admission of either
2 exhibit, just labelling at this point.

3 MR. SNARR: Just labeling it, but I do intend
4 to move for their admission.

5 CHAIRMAN LEVAR: Thank you.

6 (OCS Hearing Exhibit Nos. 1 and 2 were
7 marked.)

8 Q. (By Mr. Snarr) Now, isn't it true that slide
9 11 captures circumstances you call supply shortfalls
10 that occurred on 95 occasions during that seven year --
11 seven year period?

12 A. Yes.

13 Q. And isn't it true for the 95 instances of gas
14 supply shortfall, as you call them, that the median
15 temperature of all the daily means that occurred for
16 these listed events is 36 degrees?

17 A. I am not sure, but it seems reasonable.

18 Q. Isn't it also true that for the six events
19 that occurred with a 14 degree mean day or lower, that
20 there are also six events that occurred with a 77 degree
21 mean day or higher?

22 A. Yes. But we're not concerned about supply
23 shortfalls on warm days. We have other assets, other
24 ways to do it, and people aren't going to end up having
25 their safety at risk.

1 **Q. But the incidence of possible shortfall events**
2 **seem to fall, irrespective of the particular coldness or**
3 **warmness of the day; is that correct?**

4 MR. SABIN: Objection. I don't think there's
5 a basis for that. I don't know that he has asked her
6 for a basis for that. It seems to me that that assumes
7 facts that we have not discussed.

8 MR. SNARR: The facts are part of the exhibits
9 I have presented, if we just look at them there. I'm
10 just asking her to agree or disagree with that
11 conclusion.

12 CHAIRMAN LEVAR: Would you repeat the
13 question?

14 **Q. (By Mr. Snarr) I am not sure I can. Isn't it**
15 **true that for the seven year historic period, there**
16 **appears to be no correlation between the probability of**
17 **short supplies with the colder mean temperatures?**

18 MR. SABIN: I'm going to renew my objection.
19 I don't think this witness has testified -- testified
20 about the correlation. I think this could be asked of
21 other witnesses, but I don't think this witness has
22 provided any testimony along those lines.

23 MR. SNARR: Are you familiar with -- may I
24 just ask some foundational questions?

25 CHAIRMAN LEVAR: Yes, if that's what you would

1 like to do, yes.

2 Q. (By Mr. Snarr) Are you familiar with the
3 slide presentation that was made as part of the
4 technical conference?

5 A. Yes.

6 Q. And are you familiar with slide 11?

7 A. Yes.

8 Q. And are you familiar with the data that was
9 used to generate slide 11?

10 A. Somewhat, yes.

11 Q. And you are aware that the title of slide 11
12 says, Probability of Supply Shortfalls on Cold Days; is
13 that correct? You see that's the title, right?

14 A. I see that now, and there's more than cold
15 days that are addressed on the graph, which is why I
16 believe the OCS did it, you know, submitted a data
17 request asking for the 20 days with the coldest mean
18 temperatures, because that's what seems to be relevant.
19 We are talking about supply shortfalls in this docket.

20 Q. Do you see any correlation with the
21 probability of gas supply shortfalls in the information
22 presented by the company and the mean temperatures that
23 were experienced on those 95 days?

24 MR. SABIN: So let me just clarify where I am
25 getting at. Just because temperature appears on this,

1 doesn't mean that temperature is the cause. There were
2 multiple factors that go into a supply shortfall, and
3 he's trying to say, because I have temperature on the
4 bottom and I have cuts on the top, that that's the only
5 factor that is being considered.

6 That is not true. So to say that there's a
7 correlation based upon a dot on a page, you would have
8 to know, was temperature the only factor that was being
9 considered. I don't think that's true.

10 CHAIRMAN LEVAR: I think -- I think the
11 question is -- is an appropriate one. I think that you
12 will have a chance on redirect to address those
13 concerns, but I think I am going to allow the question
14 to be answered.

15 Q. (By Mr. Snarr) Would you like me to repeat
16 it?

17 A. Yes, please.

18 Q. Isn't it true that for the seven year historic
19 period, there appears to be no correlation between the
20 probability of gas supply shortfalls on days with colder
21 mean temperatures?

22 A. There may not be a correlation on this slide,
23 but I think --

24 Q. Thank you.

25 A. Can I finish or --

1 MR. SABIN: Go ahead and finish.

2 Q. (By Mr. Snarr) Go ahead.

3 A. I think it's intuitive that the problem --
4 freeze-offs and other issues, other issues may happen on
5 warm days. Freeze-offs typically happen on cold days,
6 and cold days are when we are concerned about serving
7 our customers.

8 Q. (By Mr. Snarr) Okay. Thank you. I believe
9 one of the dates indicated there is January 6th of 2017;
10 is that right?

11 A. Yes.

12 Q. And you offered some separate testimony
13 concerning the January 6th event, did -- did you not?

14 A. I did.

15 Q. What was the nature of the shortfall on
16 January 6th of 2017?

17 A. There were a few different contributing
18 factors. Mostly, at least initially, we were having
19 freeze-offs at well heads, and processing facilities
20 were having problems because of cold weather. In
21 addition, we had a power outage.

22 And I guess I just would like to look -- have
23 everyone look at it from my perspective on that day. As
24 I have probably mentioned earlier, I am on call 24/7,
25 even in the summertime if we have outages. It's an

1 issue. But in the winter when it's cold weather, and we
2 are seeing more and more supply cuts from early in the
3 morning until later in the day, I am involved in it.

4 On January 6th we were looking at an
5 escalating situation or a series of unfortunate events,
6 as you might look at it in hindsight, and we had no way
7 of knowing if it was going to improve or not. In
8 hindsight you can say, it warmed up. Supplies
9 eventually -- issues got resolved.

10 But looking forward, I didn't have that
11 knowledge. Hindsight can't appreciate what's going
12 through, I guess, my mind and the mind of others when
13 you're looking at down the road, this could be a serious
14 problem.

15 **Q. But we can learn from history, can't we?**

16 **A. Absolutely.**

17 **Q. What were the specific events? You said**
18 **things were mounting up. What were the specifics events**
19 **that were occurring on this January 6th day? I think**
20 **you listed some of them.**

21 **A. Processing facilities were not flowing gas**
22 **through them, or they weren't flowing gas at the full**
23 **amount that we needed. Power outage at Opal. Gas**
24 **supplies upstream at the well head were freezing off.**

25 **Q. And power outage at Opal, did that affect**

1 **deliveries into the Dominion Energy Questar Pipeline?**

2 A. In hindsight it did not, but we were being
3 prepared by Kern River that they expected it would.

4 **Q. So Kern River had communicated that to you?**

5 A. Right. But the other thing I want to mention
6 is January 6th was not even close to a peak day. It
7 didn't even approach it. It was 6 degree mean. We were
8 preparing for a minus 5. So I guess it's intuitive that
9 you would expect these things to be much worse on a day
10 when the temperature was much worse, and Kern wouldn't
11 have been able to recover and be able to make us whole
12 in hindsight. I just don't think hindsight appreciates
13 the gravity of the situation.

14 **Q. How many times in the last two years has Kern
15 River told you they got power outages at Opal?**

16 A. That one that I recall.

17 **Q. Okay. And how did you manage through the day
18 with all of these critical needs tripping up on your gas
19 supply?**

20 A. We attempted to buy backup supplies, and we
21 were successful to some extent with that. We --

22 **Q. How did those supplies get delivered to
23 Dominion Energy Utah?**

24 A. From upstream pipelines. But again, it wasn't
25 a peak day. It wasn't even close to a peak day. The --

1 the capacity on the pipelines weren't being allocated.
2 The capacity at the storage facility, as I recall,
3 wasn't being allocated. So we had ways to remedy it, or
4 try to remedy and hope for the best.

5 Q. You accessed other supplies than the ones that
6 were being frozen off, or the ones that were being
7 affected by Opal?

8 A. Right. But just because we were able to do
9 it, I don't feel means we could do it again, especially
10 at lower temperatures.

11 Q. Now, isn't it true for the period that's
12 portrayed in slide 11, 2011 through 2016, except for the
13 possible events of January 6th, that that information
14 has been given to you and is a presentation of Dominion
15 Energy Questar Pipeline? Is that true?

16 A. I believe so.

17 Q. And you don't provide in the testimony here
18 today, or as part of your presentation, any kind of
19 similar characterization of gas supply events that were
20 transpiring on the Kern River gas transmission during
21 that period; isn't that true?

22 A. I believe so.

23 Q. Okay. In your direct testimony you also --
24 also discuss one more recent supply shortfall event
25 occurring in February of 2018; is that correct?

1 A. Yes.

2 Q. And as to that event, isn't it true that
3 Dominion has been able to manage through the threatened
4 supply disruption by purchasing additional gas supplies
5 or use -- using available gas storage?

6 A. As I recall, we purchased gas for that day for
7 \$9, in February when it wasn't even very cold because of
8 the situation. But we were able to do it under those
9 circumstances. I don't feel like those circumstances
10 are something you should base the future on when you
11 have a responsibility to be reliable.

12 Q. Okay. In your rebuttal testimony at lines 85
13 through 119, I'll give you a minute to find that.

14 A. Yes. Okay.

15 Q. You suggest that some gas supply shortfall
16 events are not of limited duration, and give that 1990
17 circumstance as an example; is that correct?

18 A. Yes.

19 Q. You also note that the events of 1990 occurred
20 prior to FERC's order No. 636, which mandated unbundling
21 for pipelines and pipeline rates; isn't that correct?

22 A. Yes.

23 Q. With respect to the unbundling of rates, that
24 really only affects the upstream federally regulated
25 entities providing a bundled gas supply and

1 **transportation service, or a bundled gas storage service**
2 **to the downstream LDCs; isn't that correct?**

3 A. Only if you are not a downstream LDC. Because
4 before they were providing all of that service bundled,
5 and now as a downstream LDC, we're responsible for doing
6 that ourselves. We can't rely on the flexibility of
7 upstream pipelines to bundle the services.

8 **Q. Isn't it true that those unbundled entities**
9 **still provide essential services to downstream LDCs?**

10 A. Yes.

11 **Q. And isn't it also true as monopolies regulated**
12 **by federal authorities, they still have an obligation to**
13 **serve the public interest and do the same kinds of**
14 **things to provide service assurance that Dominion does**
15 **to ensure the State of Utah that they are going to**
16 **deliver to their customers?**

17 A. I am not going to speak for pipelines,
18 upstream pipelines. They have an obligation to their
19 customers, which is a company, LDC. Their customers,
20 they don't have contracts. They don't have
21 responsibilities directly with residential customers.

22 **Q. I understand that distinction, but you do**
23 **understand, don't you, that the federally regulated --**
24 **federally regulated pipelines have a certificate of**
25 **public service and necessity, and they must meet -- meet**

1 **the public interests in connection with the services**
2 **they provide?**

3 A. I also understand they have force majeure --
4 force majeure language that exempts them providing
5 service when they have issues.

6 Q. **And does the LDC have force majeure that**
7 **sometimes applies to the customers they serve?**

8 A. I don't have contracts with my customers. I
9 have an obligation to serve them under mandate.

10 Q. **Do you have force majeure within in your**
11 **tariff?**

12 A. I believe so, but that doesn't matter to me.
13 What matters to me is that customers get service.

14 Q. **Thank you. In your testimony you note several**
15 **circumstances that would suggest that Dominion is in a**
16 **different position today with respect to responding to**
17 **events like those experienced in 1990; isn't that right?**

18 A. Yes.

19 Q. **Isn't it true that the interstate pipe --**
20 **pipeline systems have changed somewhat since 1990, and**
21 **some have been constructed since that point in time?**

22 MR. SABIN: Counsel, do you mean generally or
23 do you mean the pipelines we're talking about here?

24 MR. SNARR: Let me ask specifically.

25 Q. **(By Mr. Snarr) Isn't it true that Kern River**

1 gas transmission is a pipeline that has been constructed
2 since 1990?

3 A. Yes.

4 Q. And isn't it true that you have two
5 interconnections with Kern River gas transmission that
6 aid in serving the Wasatch Front?

7 A. Yes.

8 Q. Isn't it also true that you have plans to add
9 an additional interconnection with Kern River in the
10 Rose Park area in the immediate future?

11 A. Yes.

12 Q. That would also serve the Wasatch Front
13 distribution system you maintain, right?

14 A. Part of it, yes.

15 Q. Has Dominion considered establishing an
16 interconnection with Ruby Pipeline, which transverses --
17 transverses the northern part of the state of Utah?

18 A. I believe there is property in Brigham City
19 that contemplates that down the road.

20 Q. And with an interconnection to Ruby Pipeline
21 at Brigham City, would that not also aid in helping
22 supply gas supplies to the Wasatch Front distribution
23 system?

24 A. That gas probably would never make it to the
25 Wasatch Front the way it's configured. That's probably

1 an engineering question, but redundancy and options are
2 always good.

3 Q. Let me now turn to the AGA survey, which has
4 been prepared and submitted as part of your testimony,
5 and admitted into evidence at this point. I have some
6 questions about that.

7 I believe that my questions are summary in
8 nature and will probably not trigger an issue of
9 confidentiality, but let me proceed, and I am prepared
10 to deal with it either way.

11 A. Can you refer me to where you are?

12 Q. It's Exhibit 2.04 as your exhibit. I'd like
13 you first to find the first survey question, and we'll
14 focus on that.

15 A. Okay.

16 Q. Okay. Directing your attention to the first
17 survey question. Isn't it true that in the past 10
18 years, of the 50 LDCs that responded to the question,
19 only 4 or 8 percent of the respondents had experienced a
20 failure to deliver natural gas to customers due to gas
21 supply disruptions, either upstream or at the city gate
22 during that period?

23 A. That is true. But we also had answered no to
24 that, and we hope we will always answer no to that.

25 Q. As one of your customers, I hope that's right.

1 Now, directing your attention to the second survey
2 question, regarding tools used to maintain system
3 reliability. Isn't it true that of the 44 LDCs that
4 responded to this question, that 31 LDCs, or 70 percent
5 of the respondents, indicated they have some sort of
6 short-term supply contracts in place to ensure city gate
7 deliveries?

8 A. Yes.

9 Q. And right next to that one, isn't it also true
10 that there were 34 LDCs, or 77 percent of the
11 respondents to that question, indicated they have
12 alternative upstream transportation contracts, such as
13 enhanced transportation, no-notice service or hourly
14 services in place to ensure city gate deliveries?

15 A. Yes. But I think it's important to point out
16 that it was, check all that applies.

17 Q. Sure.

18 A. So you are taking it a little bit out of
19 context I feel.

20 Q. I'm -- I appreciate your clarification, and
21 it's within the context that you have clarified that I
22 am pursuing this.

23 A. Okay.

24 Q. Isn't it also true that 44 of the respondents
25 responded -- or out of 44 that responded to that

1 question, that 37, or 84 percent of them, indicated they
2 had upstream storage facilities that they can access to
3 ensure city gate deliveries?

4 A. Yes. You are listing all the tools of
5 which --

6 Q. A particular LDC might have -- might use all
7 three of those tools I have summarized; isn't that true?

8 A. Well, like Dominion Energy Utah does, yes.

9 Q. Okay. Thank you for that clarification. Now,
10 let's focus on Dominion's alternate upstream
11 transportation contracts. Isn't it true that Dominion
12 Energy Questar Pipeline offers no-notice transportation
13 service?

14 A. That's true.

15 Q. Next questions, I have a copy of the Dominion
16 Energy Questar Pipeline no-notice transportation service
17 rate schedule. I'd like to have it marked as OCS
18 Hearing Exhibit No. 3.

19 (OCS Hearing Exhibit No. 3 was marked.)

20 Q. (By Mr. Snarr) I have provided you a copy of
21 what is labeled rate schedule NNT, No Notice
22 Transportation Services as part of the Dominion Energy
23 Questar pipeline's FERC gas tariff; is that correct?

24 A. Yes.

25 Q. Now, pursuant to that particular tariff, isn't

1 it true that Dominion Energy Utah has entered into a
2 contract with DEQP pipeline for such services?

3 A. For no-notice transportation service, yes.

4 Q. Let me direct your attention to Section 1 of
5 the pipeline's no-notice transportation tariff. Isn't
6 it true that firm transportation service can be provided
7 under an NNT service agreement from sources that are
8 designated under the NNT service agreement for up to an
9 amount that coincides with the maximum firm service that
10 has been contracted for under the customer's rate
11 schedule T1 service agreement?

12 A. I don't believe it's saying that it's
13 available. That's the upper limit, I think is what it's
14 saying. Can I also clarify that Questar is Questar
15 Pipeline. I assuming everyone knows that. It might be
16 confusing.

17 Q. Sure. Can we call it Questar pipeline?

18 A. Uh-huh.

19 Q. But the NNT tariff indicates that firm service
20 can be provided up to the levels of firm service that
21 the customers had contracted for under their primary
22 rate schedule T1 service agreement; isn't that right?

23 A. Well, the way I read it is, if you requested
24 more than your contract, they wouldn't allow it. I
25 don't think it's guaranteeing that you can get up to

1 your amount. I think it's on a case-by-case basis.

2 **Q. Where do you see it on a case-by-case basis?**

3 A. Well, I guess you would have to contact
4 someone at Dominion Energy Questar Pipeline, but they
5 are not guaranteeing. There is very few parties that
6 actually have it, and it would have to be approved by
7 them.

8 **Q. And if the service was denied when it's being**
9 **offered, wouldn't there be a complaint filed at FERC?**

10 A. Well, the thing that's different about Questar
11 Pipeline that maybe would be helpful to talk about at
12 this point is, they have hundreds of receipt points.
13 And I don't know where it is in here, but I believe
14 somewhere it says you have to have a point that is
15 flexible enough to be able to have -- provide supply up
16 and down on any given day.

17 Not every one of their shippers have that type
18 of capability. The LDC does. So you have to have a
19 source of supply, not just a well somewhere, not just a
20 processing facility. You have to have an ability to
21 change your flow of gas instantaneously basically on
22 their pipeline, and it's got caveats that aren't just
23 described in that first section.

24 **Q. Let's -- let's go through the caveats that are**
25 **described in the subsequent sections.**

1 A. Uh-huh.

2 Q. I'll lead you through, okay?

3 A. Okay.

4 Q. Now, looking at the conditions of service
5 outlined in that tariff, Section 3C, I'd like to direct
6 your attention there. It does say that that service
7 will be provided on demand, irrespective of shipper's
8 daily nomination; isn't that correct?

9 A. Once a contract is in place?

10 Q. Right. And you do have a contract in place
11 for service under the NNT tariff; isn't that right?

12 A. Right. So we're just talking about Dominion
13 Energy Utah at this point when you are talking about
14 shipper?

15 Q. Right.

16 A. Okay.

17 Q. And isn't it also true that the request for
18 service, under the NNT tariff for on-demand service, can
19 be responded to and implemented by Questar without
20 regard to nomination cycles otherwise required by FERC
21 or NEASB?

22 A. Well, I think you skipped one part, and that
23 was A, under conditions of service. They will not
24 purchase or provide gas. So the other caveat is that
25 Dominion Energy Utah has to have a gas supply available

1 for it to work.

2 Q. I'll work to that. You are getting ahead to
3 me, but work in your sequence.

4 A. Sorry. I was going backwards, I thought.
5 Okay.

6 Q. Referring you to Section 3E of the NNT tariff,
7 it indicates that the shipper, that would be Dominion
8 Energy Utah, would have the opportunity to provide a
9 list of all primary receipt and delivery points, and
10 quantities of gas to be assigned to each receipt and
11 delivery point for NNT service; isn't that correct?

12 A. That's what it says.

13 Q. All right. Isn't it true that Dominion Energy
14 Utah has designated all primary and alternate receipt
15 points used in its rate schedule T1 service agreement as
16 receipt and delivery points under this NNT service
17 agreement?

18 A. I believe so.

19 Q. That would allow Dominion Energy Utah to
20 designate any of the usual gas supplies being
21 transported under its rate schedule T1 service
22 agreement, as gas supplies for use under the NNT service
23 agreement, as provided for in Section 3B; isn't that
24 correct?

25 A. On paper that may be correct, but practically

1 speaking, Dominion Energy Utah doesn't have control at
2 the wellhead of all of its supplies to be able to do
3 this. And maybe in an emergency it could. Maybe as a
4 backup it could. But storage is what is typically used
5 by the parties that I am aware of that have no-notice
6 service.

7 **Q. Isn't it true that up to this point in time,**
8 **NNT service on Questar has only been used by Dominion**
9 **Energy to access gas supply storage?**

10 A. Are you asking are we the only shipper that
11 has no notice or --

12 **Q. I am asking whether or not Dominion Energy**
13 **Utah has limited its use of NNT service on Questar to**
14 **where it can access gas storage facilities?**

15 A. Most recently, that's how we practically do
16 it. In the past that is not the case. In the past we
17 have had a list of wells that we have used. But
18 currently that's what we use. We use storage because
19 it's the most predictable, easy, large amount of gas
20 that can come on and off.

21 **Q. So you indicate that in the past that Dominion**
22 **Energy has had a list of wells that could be used for**
23 **NNT service on Questar Pipeline?**

24 A. Potentially in some point way in the past
25 that's what we would supply, if there was an issue. But

1 the list, I think, always started with storage and
2 continues to be at storage, because that's the way we
3 can manage our no-notice.

4 **Q. Who acts as the confirming party on the**
5 **counter supplies when the NNT tariff is used?**

6 A. At what point?

7 **Q. Well, at the point of accessing storage**
8 **supplies.**

9 A. So a confirming party is into our system?

10 **Q. Yes.**

11 A. Dominion Energy Utah is the confirming party
12 for gas that flows onto its system. Questar Pipeline is
13 the confirming party on their system.

14 **Q. Isn't it true that pursuant to Section 3G**
15 **Dominion Energy has authorized Questar to act on its**
16 **behalf to nominate quantities of gas required from**
17 **receipt sources designated by Dominion for the NNT**
18 **service?**

19 A. I am not sure what that is referring to as far
20 as may authorizing is. May authorize Questar to act on
21 its behalf to nominate. Is that where you are?

22 **Q. I am. I believe you --**

23 A. That it may. I am not sure that we authorized
24 them to nominate, because a nomination doesn't
25 necessarily happen until after the fact on any given day

1 when they see how much gas has been used.

2 **Q. Would you accept, subject to check, or subject**
3 **to me finding the right data request that you have done**
4 **that?**

5 A. Okay.

6 **Q. Who acts as the confirming counter party for**
7 **the transportation of Wexpro cost-of-service gas when it**
8 **is provided to Dominion Energy Questar Pipeline --**
9 **excuse me, when the Wexpro supplies are provided to**
10 **Questar Pipeline for transportation?**

11 A. So there's two nominations that have to
12 happen. First of all, it's from the wellhead to the
13 interstate pipeline, and that's a gathering company. So
14 that's not Questar Pipeline or Dominion Energy Utah, who
15 confirms that is the gathering company that actually
16 moves it to the pipeline.

17 **Q. And is that gathering company sometimes called**
18 **Wexpro?**

19 A. No, it is not.

20 **Q. Always a different gathering company?**

21 A. There's different gathering companies. There
22 are a few wells that Wexpro gathers, a few areas that
23 Wexpro gathers, but the majority is gathered by third
24 parties. Then it's confirmed again, when it moves from
25 gathering to transportation. The gathering company

1 confirms delivery. The interstate pipeline confirms
2 receipt. And then again when the gas flows to the city
3 gate, Dominion Energy confirms receipt, and Questar
4 Pipeline confirms delivery. I know that's confusing.

5 Q. Looking at subsection 3H of the NNT tariff,
6 that provides that the pipeline may issue operational
7 flow orders requiring shippers to provide gas supplies
8 to take any other necessary action for Questar to meet
9 the NNT requirements; isn't that right?

10 A. Yes.

11 Q. And do you share a gas control facility with
12 Questar?

13 A. We share gas control function with Questar
14 Pipeline, yes.

15 Q. And in reality do the confirmations to gas
16 control for Dominion Energy take place in that shared --
17 shared facility?

18 A. They do not.

19 MR. SNARR: I wonder if I could have just a
20 short break to organize one or two more exhibits in
21 connection with cross-examination.

22 CHAIRMAN LEVAR: Are you suggesting a break
23 where we should take a recess or just a moment?

24 MR. SNARR: Well, I am suggesting a recess.
25 How about that?

1 CHAIRMAN LEVAR: Okay. Sure. It's probably a
2 little early to break for lunch. So five minute recess?

3 MR. SNARR: That will be fine. Okay.

4 (Recess from 11:40 a.m. to 11:48 a.m.)

5 CHAIRMAN LEVAR: Okay. We'll be back on the
6 record, and Mr. Snarr you may continue.

7 Q. (By Mr. Snarr) I have two additional exhibits
8 that I'd like to use in connection with this line of
9 cross-examination. We may have covered this, but I want
10 to put the exhibits into evidence, but let me provide
11 them so that we can cover it with the witness.

12 A. Thank you.

13 CHAIRMAN LEVAR: And I don't mean to be
14 obsessive on the issue, but when you're speaking when
15 you're away from your microphone, it doesn't pick up the
16 streaming. And I don't know how many people are relying
17 on the stream today. So to the extent we can do most of
18 our speaking into the microphone.

19 Q. (By Mr. Snarr) Back to the microphone for a
20 minute. I have provided you a copy of what we received
21 as a response from the company and OCS data request No.
22 3.04. Have you had a chance to review that?

23 A. Yes.

24 Q. And doesn't that response in fact indicate
25 that the company has provided that all receipts and

1 delivery points are the same as held by shipper, or
2 Dominion, under its firm transportation agreement,
3 MT241, in connection with the NNT service? Is that
4 right?

5 A. Yes. Technically the contract states that.
6 On a -- as a practical matter, all these points, all
7 these wells that are interconnected with Questar
8 Pipeline are not able to be increased or decreased on a
9 daily basis on a practical matter, so we use storage for
10 no-notice supply.

11 Q. And for what reason are they not able to be
12 decreased or increased?

13 A. Because they are flowing at maximum typically.
14 And physically to -- we have hundreds of wells.
15 Physically to, on any given day or for any given half a
16 day, to be able to deploy 200 people out to turn
17 wrenches on wells is not a practical matter, when you
18 have storage that can be easily used for that purpose.

19 Q. Is it your testimony that on a -- on a -- on a
20 day when you're going to suffer a gas supply reliability
21 issue, that may not be a peak -- peak day, that all your
22 wells are flowing and you won't be able to access NNT
23 service, except for through storage?

24 A. That's the likely scenario. All of our
25 supplies are on and everything we purchased is on. The

1 problem is not that there's something in -- other than
2 peaking gas that might be available that's not our
3 supply points, where we have Wexpro gas as you
4 mentioned, those gas -- those supplies are on. The
5 problem is getting more of them. We can't just ask them
6 to produce twice what they can produce. They are
7 already producing.

8 **Q. That's a gas supply contracting problem, isn't**
9 **it?**

10 A. It's a physical problem with the well that it
11 can only produce what it's producing, and the wells
12 decline over time.

13 **Q. And -- and is Dominion therefore constrained**
14 **as to what kind of gas it can access through its**
15 **physical system, when the system needs it on a critical**
16 **design day?**

17 A. It can't create more gas where no gas exists
18 at the well level.

19 **Q. Have you focused on accessing other wells and**
20 **other interconnections so that this would not be the**
21 **case?**

22 A. On a design day, the pipeline is completely
23 full. We know that based on the amount of capacity that
24 they have and the amount of capacity we need. All of
25 our supplies are on that we have contracted for.

1 Contracting more, I mean, I guess you are suggesting
2 having Wexpro go drill more wells on a level that -- so
3 we could get more gas to have as backup.

4 I mean, we are purchasing as efficiently and
5 optimally as we can. We can't just go to supply and
6 say, "We need double today because this person over here
7 is short." Our -- our shortages are on potentially
8 hundred, 150,000 a day levels. Wells are producing 50
9 to a hundred a day.

10 **Q. What about the gas supplies you access through**
11 **Kern River?**

12 A. They are also from multiple suppliers. So you
13 are saying, buy more gas at some place upstream and have
14 that gas not flow every single day except for when we
15 might call for it and need it, and then we are also
16 constrained currently at the Kern River gates. Kern
17 River doesn't provide -- can't provide a hundred percent
18 of our need on the Wasatch Front.

19 **Q. And what about Ruby? What kind of gas**
20 **supplies do they access?**

21 A. Ruby, if it ever is connected to our system in
22 Brigham City, isn't connected to the load. There's very
23 small amount of gas that could flow there. It would
24 help Brigham City if there was a problem in theory, but
25 building our system so we could then buy extra gas on

1 Ruby is too far away from the demand center to make a
2 difference.

3 Q. Have you talked to gas suppliers about this
4 who want to sell their gas?

5 A. I talk to gas suppliers almost every day.

6 MR. SNARR: This exhibit I have passed around,
7 I'd like to identify -- to be identified as OCS hearing
8 Exhibit No. 4. I have an additional one that I will
9 circulate now, which I would like to have identified as
10 OCS Exhibit No. 5. I have just a few questions after I
11 pass that around.

12 (OCS Hearing Exhibit Nos. 4 and 5 were
13 marked.)

14 A. Thank you.

15 Q. (By Mr. Snarr) Ms. Faust, I have handed you
16 what is labeled OCS data request No. 307, or, I guess,
17 more appropriately the response to that data request
18 provided by Dominion. Is that correct?

19 A. Yes.

20 Q. And isn't it true that that states that
21 Dominion has authorized Questar to make nomination
22 changes at its storage facilities to utilize the cut and
23 boost list as necessary to provide NNT service?

24 A. I'd like to clarify, if I may.

25 Q. Sure.

1 A. So when we use the word "nomination," it's an
2 order. You know, the nonpipeline way of talking is, you
3 order quantities to be delivered, and the parties have
4 to agree. And so when you say nominate quantities, the
5 only nomination changes DEQP makes are in the last cycle
6 after -- at the gas day end, to true up the accounting
7 of it.

8 They are not going in during the day and
9 making nomination changes on our behalf. They are just
10 at the end of the day making an entry saying how much
11 storage we used, either injected or withdrew, to balance
12 out our system on that day.

13 **Q. And that's the way they do the paperwork to**
14 **satisfy the on-demand service that is described in the**
15 **NNT service -- the NNT tariff; is that right?**

16 A. Say that again.

17 **Q. You are telling me how they document what has**
18 **transpired as they bring storage gas out and supply to**
19 **the system for your benefit.**

20 A. That's the nomination change that it's
21 referring to.

22 **Q. Okay. And what I am want -- asking you to**
23 **verify is, is that that's the process that takes place**
24 **to document or justify the service being provided by**
25 **Questar on a on-demand basis; is that correct?**

1 A. That's how we know how much gas comes out so
2 we know how much gas is left in storage on any given
3 day.

4 **Q. But it's being provided on an on-demand basis**
5 **because that's what their tariff says?**

6 A. Throughout the day, yes.

7 **Q. All right. Thank you. Move to another area**
8 **of discussion now. Isn't it true that the facilities**
9 **upstream of your distribution system provide Dominion**
10 **the ability to access gas supplies produced in various**
11 **fields generally located in the Green River and Uintah**
12 **Basin production areas?**

13 A. The gas that we're purchasing, or gas that's
14 Wexpro? I mean, our gas comes from Wyoming typically,
15 and some in Utah.

16 **Q. All right. I'll accept your answer.**

17 A. Okay.

18 **Q. It covers all those things. We'll get into**
19 **some details.**

20 Let me share with you another exhibit. This
21 is the response to Office of Consumer Services' data
22 request No. 218. We'll call this Hearing Exhibit No. 6.

23 (OCS Hearing Exhibit No. 6 was marked.)

24 A. Thank you.

25 **Q. (By Mr. Snarr) Have you had a chance to look**

1 at this particular data request? The response?

2 A. Yes, uh-huh.

3 Q. And this particular response is directed to
4 Dominion's access of -- access to Wexpro cost-of-service
5 gas supplies; isn't that true?

6 A. Yes.

7 Q. And isn't it true that there are 33 different
8 fields identified that are associated with wells that
9 provide such cost-of-service gas to Dominion?

10 A. It appears to be about that.

11 Q. And isn't it true also that much of the
12 cost-of-service gas is processed in plants prior to its
13 delivery into the interstate pipeline systems?

14 A. Some of it is, yes.

15 Q. Isn't it true that there are six different
16 plants that have been identified by the company where
17 Wexpro cost-of-service gas may be processed?

18 A. Yes.

19 Q. Isn't it also true that with respect to the
20 delivery of gas supplies to serve Dominion's Wasatch
21 Front distribution system, there are currently two
22 interconnections with Kern River gas transmission and
23 five interconnections with its -- with Questar Pipeline?

24 A. Well, the Kern River ones are not all Wasatch
25 Front. So no.

1 Q. Aren't there two that serve the Wasatch Front?

2 A. Yes. Is that what you asked?

3 Q. Yes.

4 A. Oh, sorry. Yes.

5 Q. You have additional Kern River

6 interconnections that go to other more isolated points?

7 A. That's correct.

8 Q. That's right. Now, isn't it true also that
9 gas supplies that you purchased from others, and there's
10 been some data request responses on this, but I think we
11 can just summarize it here.

12 If you are purchasing gas supplies from other
13 suppliers, isn't it true that many of the same fields
14 are accessed in terms of the purchases that you make
15 from others, independent third party suppliers, much the
16 same as what is portrayed there in the response to the
17 Wexpro-related answer?

18 A. I would say no. I think I am just --
19 eyeballing it, I would guess only a few are the same.

20 Q. All right. I -- I do have another exhibit,
21 but it's not going to be coming in until Mr. Mierzwa's
22 testimony. Maybe I can identify that and ask some
23 questions, if I can get a copy in front of the witness
24 here. Could you give me just a minute, please.

25 Let me just proceed with some questions. In

1 connection with the gas supplies you purchased from
2 others, not the Wexpro cost-of-service gas --

3 A. Yes.

4 Q. -- are there various purchase points on the
5 system where you normally acquire that gas?

6 A. Yes.

7 Q. And isn't it true that it's oftentimes at the
8 outlet of a plant?

9 A. Sometimes, yes.

10 Q. And sometimes it could be the same plants that
11 the Wexpro gas uses for its processing; isn't that true?

12 A. I think there's two that I saw on there, but
13 the rest, no.

14 Q. And so they would be other plants that would
15 supply gas to -- to the system; is that correct?

16 A. Yes.

17 Q. All right. Would you agree, subject to check,
18 when considering gas supplies that are purchased from
19 others and gas supplies that are produced as
20 cost-of-service gas, there are at least 13 different
21 plants that provide processing services to gas supplies
22 that are destined for Dominion and its Wasatch Front
23 system?

24 A. I am not sure -- sure about 13. I know these
25 six we use to some degree, some more than others.

1 Pioneer and Skull Creek, I mean, the volume -- I guess
2 it's a matter of degree. There might be a small amount
3 of gas coming from some of them, but the majority come
4 from a few big ones.

5 **Q. Let me ask some specific questions about other**
6 **plants. You receive gas from a point identified as**
7 **Altamont?**

8 A. I believe a small amount of gas.

9 **Q. And is that a processing plant?**

10 A. I'm not sure.

11 **Q. What about Blue Forest Tap?**

12 A. Yes.

13 **Q. What about the CO2 plant outlet?**

14 A. We used to get quite a bit of gas there, but
15 it's declined significantly. So very, very small amount
16 of gas from there.

17 **Q. What about gas supplies coming from the payor**
18 **pool?**

19 A. Not sure about that.

20 **Q. What about Red Wash Fiddler?**

21 A. Very little. It's on the southern system.
22 Very small amount of gas. It's not -- in fact January
23 6th, interestingly enough, we didn't have any gas coming
24 from that plant, but a lot of transportation customers
25 did when it was short supply.

1 Q. What about Shoe Creek?

2 A. Yes.

3 Q. What about the Wild Cap Tap C4?

4 A. Not familiar.

5 Q. Isn't it true that in addition to the sources
6 of gas supply that we've discussed, depending on the
7 demands of a given day, you have gas supplies that can
8 be drawn from five different storage facilities; Clay
9 Basin, Leroy storage, Rykman, Chalk Creek and Coalville?

10 A. On any given day, is that what you said?

11 Q. Yes.

12 A. I can't remember the first part the question.
13 That's true, as long as it's a certain time of year when
14 they are on withdrawal and they are not under
15 maintenance, or there's not some other issue.

16 Q. Okay. Now, the AGA service we discussed,
17 indicated that 70 percent of the responding LDCs rely
18 upon short-term supply contracts to provide gas supplies
19 at the city gate. You have, in particular recently,
20 engaged in executing some of those short-term gas supply
21 contracts; isn't that correct?

22 A. Yes.

23 Q. It also indicates that many of the LDCs, 77
24 percent, rely upon upstream transportation, enhanced
25 transportation, no-notice or similar types of

1 **specialized upstream pipeline services. And has**
2 **Dominion considered a more expanded use of its NNT**
3 **service agreement with its sister pipeline?**

4 A. The problem with expanding it is, we don't
5 have any more supplies that are of that caliber or that
6 capability than we currently have. So if we did that,
7 we would have to expand -- contract for more storage
8 with Dominion Energy Questar Pipeline.

9 Q. **Wouldn't it also be possible for you to secure**
10 **gas supplies that might be able to respond and -- and be**
11 **provided into the Dominion -- to Questar Pipeline even,**
12 **not -- notwithstanding the storage services?**

13 A. Well, I think it would have to be another
14 storage facility. So I guess we could build a storage
15 facility off system and attach it to a no-notice
16 agreement or drill some wells and not use them except
17 when we needed to use them. No-notice, I guess
18 anything's possible.

19 Q. **Or purchase gas supplies where somebody would**
20 **be willing to provide it on an on-demand basis?**

21 A. That's not the way purchase agreements work.
22 You have a certain contract amount. That's what they
23 are obligated. They are not obligated to replace the
24 gas or double the amount when you need it.

25 We have peaking supplies already, to a certain

1 extent, that we can call on, but that's not -- you can't
2 double down and get extra when you are short somewhere
3 else. And usually the amounts are much lower than what
4 you need when there's a supply shortfall.

5 Q. Now, referring to your recently filed
6 surrebuttal testimony, I'd like to direct you just a
7 line or two there.

8 A. Okay.

9 Q. At lines 24 to 25.

10 A. Okay.

11 Q. There you state, "The Office of Consumer
12 Services appears to be willing to ignore the likelihood
13 of supply shortfalls and continue rolling the dice in
14 perpetuity." Did I read your testimony correctly?

15 A. Yes.

16 Q. Isn't it true that your history has shown that
17 no Wasatch Front gas supply related outages, or no gas
18 supply shortfalls have ever affected service to the
19 Wasatch Front to this point in time?

20 A. To this point.

21 Q. Thank you.

22 A. Did I turn it off accidentally? No, but I want
23 to -- can I continue? I don't want it to happen. I
24 think that's the whole purpose. Just because it hasn't
25 happened in the past --

1 MR. SABIN: I don't know that her mic is on.

2 A. Just because it hasn't happened in the past
3 doesn't give me comfort that it's not going to happen in
4 the future, and that's what they seem to be relying on
5 in their testimony.

6 Q. (By Mr. Snarr) But through the systems you
7 have, through the multiple wells, through the various
8 processing plants that you use, through the various
9 pipelines and pipeline interconnections you use, you
10 have been able to avoid a Wasatch Front outage to this
11 point in time; isn't that correct?

12 A. That's correct, but we have not had a peak
13 day, not even anything close.

14 MR. SNARR: I would have no further questions,
15 but I would ask that Hearing Exhibits 1, 2, 3, 4, 5, and
16 6 be admitted into evidence.

17 CHAIRMAN LEVAR: Okay. If any party objects
18 to that motion, please indicate to me.

19 MR. SABIN: Give me one second.

20 CHAIRMAN LEVAR: Sure.

21 MR. SABIN: That's fine. We have no
22 objection.

23 CHAIRMAN LEVAR: I am not seeing any objection
24 from anyone else, so the motion is granted. Thank you.

25 MR. SNARR: And that would conclude my cross

1 of Ms. Faust.

2 CHAIRMAN LEVAR: Okay. Why don't we take
3 about an hour and five minute lunch recess, and we will
4 return at 1:15. And we'll move -- at that point, we'll
5 see if there's any cross-examination from --

6 MR. DODGE: We have none.

7 CHAIRMAN LEVAR: There's not going to be?
8 Okay. Then we'll go straight to -- to redirect when we
9 return. Thank you.

10 (Recess from 12:10 p.m. to 1:16 p.m.)

11 CHAIRMAN LEVAR: Okay. Good afternoon. We'll
12 be back on the record, and Ms. Faust, you are still
13 under oath, and we will go to any redirect from
14 Dominion.

15 MR. SABIN: Thank you, Mr. Chairman.

16 REDIRECT EXAMINATION

17 BY MR. SABIN:

18 Q. Ms. Faust, I just have a couple of, you know,
19 three or four questions here.

20 First, you were asked earlier about the events
21 in -- you were given a list of four or five different
22 events that resulted in some degree of supply shortfall
23 on the system, and -- and you were given some examples,
24 and you started talking about Coalville and Monticello.

25 Can you just talk about why did the company

1 give the examples in its testimony supporting its
2 application? Why did it highlight these instances that
3 have happened in recent years in the testimony?

4 A. I think they highlighted it because there is a
5 growing awareness of the gravity of the situation. In
6 2011 -- 2011, with Southwest Gas, I think people, myself
7 included, were horrified with what happened and how it
8 was handled and how it hasn't been addressed. And as
9 time went on, we started noticing shortfalls and the
10 vulnerabilities we had on our own system with having a
11 hundred percent of our resources being off system.

12 Q. You were asked about the Dominion Energy
13 Questar Pipeline no-notice service that the company has
14 signed up with. You were asked a number of questions
15 about -- about that service. Does that service address
16 the concern or the problem that is at issue in this
17 proceeding?

18 A. It does not. On Questar Pipeline, Dominion
19 Energy Questar Pipeline, the no-notice transportation
20 service is a transportation service. It doesn't come
21 with any associated supply, and not having a supply,
22 which is really the issue at this case, doesn't help you
23 regardless of how much no-notice service you have.

24 Q. And you -- you will recall that Mr. Snarr
25 spent a long time talking about different supply sources

1 that are out and potentially available to the company.

2 Do you recall that questioning?

3 A. I do.

4 Q. Are there any of those sources that he was
5 highlighting that you don't already subscribe to through
6 the current supply stack the company operates under?

7 A. No.

8 Q. And have you, as part of your analysis in this
9 proceeding, considered, as one of the options, to go
10 acquire more supply from the same sources you are
11 currently using?

12 A. Yes. That was one of the options to continue
13 basically with the status quo, and the witness,
14 Mr. Mierzwa, also talked about backup supply. We hadn't
15 evaluated that, and that's exactly what we have done for
16 Option 1, to continue to find -- try to find ways to
17 have backup supply.

18 The problem with that is, the supply sources
19 that we use don't have the ability to increase the
20 amount of gas they provide to us. They are already at
21 maximum. And only a storage facility really has the
22 ability, on a given day, to go up and down. It's not
23 analogous to electricity, where you might be able to
24 adjust up a large amount in case there was a problem.
25 Natural gas doesn't have that luxury.

1 **Q. So in contrast to those options, how does the**
2 **LNG facility, in your mind, address the problem you are**
3 **trying to address in this docket?**

4 A. So the problem I am trying to address is
5 supply reliability, and the fact that there are times,
6 either cold periods or times when there's things that
7 could happen outside of our control that I think we
8 should be prepared for.

9 And in order to get supplies to our system and
10 to our customers instantaneously, to avoid catastrophic
11 events from happening, it only seems like an on-system
12 LNG that we own and control is a proper solution and
13 relevant in this case.

14 **Q. Thank you.**

15 MR. SABIN: I have no further questions.

16 CHAIRMAN LEVAR: Thank you, Mr. Sabin.

17 Mr. Jetter, anything on recross?

18 MR. JETTER: No, thank you.

19 CHAIRMAN LEVAR: Mr. Snarr, any recross?

20 MR. SNARR: Just a couple questions.

21 RE CROSS-EXAMINATION

22 BY MR. SNARR:

23 **Q. Ms. Faust, the Questar Pipeline can access**
24 **supplies coming out of the Opal plant; is that right?**

25 A. Questar Pipeline? Does -- is it connected to

1 Opal?

2 Q. Yes.

3 A. I believe it is. I don't think a lot of gas
4 flows from Opal to Questar Pipeline but...

5 Q. Isn't Opal a kind of major market hub in the
6 Rocky Mountain area?

7 A. It is for other pipelines especially, yeah.

8 Q. And isn't it true that Kern River also can
9 access the Opal?

10 A. Absolutely.

11 Q. And also, I believe Ruby accesses a
12 significant amount of supplies at Opal; is that right?

13 A. I believe so.

14 Q. Are the amount of gas supplies that are
15 produced at the Opal plant, just for an example, have
16 those supplies been tapped out? Is it on a design day,
17 or is there no more gas coming, that is possibly subject
18 to contract that would be coming out of Opal?

19 A. The plant operates at capacity, you know,
20 unless there's an issue. And all of those supplies are
21 deployed already. A lot of the gas goes to California.
22 A lot of the gas goes to Las Vegas. They are under
23 contract as well. Just because we are on the way to
24 those points doesn't mean that we can commandeer the gas
25 supply on the way as it goes past, nor do we have the

1 actual physical capability to take more gas than our
2 meters can take.

3 But the problem is, we -- that gas is sent,
4 you know, is destined for other people, who also might
5 be having issues but...

6 **Q. Isn't there a vibrant spot market, the daily**
7 **kind of spot market there at Opal?**

8 A. It's pretty liquid as far as the market goes.
9 But again, those supplies are sold ahead of time, and if
10 the problem happens during the day, or even after the
11 nomination deadline, which is all prior to the issue,
12 it's not like you can take the spot gas away from
13 someone else who has got it under contract.

14 MR. SNARR: I have no further questions.

15 CHAIRMAN LEVAR: Okay. Thank you, Mr. Snarr.
16 Commissioner White, do you have any questions for Ms.
17 Faust?

18 COMMISSIONER WHITE: Yeah. One -- one concept
19 I wanted to explore with you at the moment is this
20 docket a month or so ago. We ended up examining these
21 peak hour contracts to address one set of challenges,
22 and then now we're, you know, addressing LNG that, from
23 what I understand from your testimony, it's intended to
24 address another set of challenges.

25 Can you kind of explore that with me, what --

1 what those two distinct problems are? Because what I am
2 really wondering, I guess, as part of that question is,
3 if the LNG facility were to be approved, would that in
4 any way make moot the need for those contracts that have
5 been approved thus far?

6 THE WITNESS: Okay. So first of all, I think
7 we talked about kind of the evolution of our thinking
8 when we realized there were issues, and unfortunately
9 there's always issues. But we had -- we had a peak hour
10 issue that was brought to our attention that took the
11 forefront. At the time the supply reliability existed;
12 we didn't call it that separately, but we tried to solve
13 the problem, and actually even explored solving the
14 problem with a larger LNG facility.

15 Because the proposals for peak hour services
16 were so much less expensive, we went with that for that
17 piece of it. That left us with still a supply
18 reliability issue. I don't know if this is answering
19 your question.

20 So we went forward with the supply reliability
21 evaluation, as you know. It's very possible, because of
22 the nature of the service, that it could be used for
23 that in the future, and I think we can evaluate that in
24 the future when another issue for another peak hour,
25 when those contracts are no longer in place. Right now

1 we're looking at the current contract portfolio and
2 saying it's covered by peak hour, but in the future, I
3 think it's something that would need to be evaluated
4 because this -- it could serve as peak hour.

5 The problem is sizing. And so we wouldn't be
6 able to use it for peak hour and also guarantee that we
7 would have that type of supply reliability in our pocket
8 for that long and that -- that amount of volume. But --
9 does that make sense.

10 COMMISSIONER WHITE: Yeah. No, that's
11 helpful, thanks. The other question I had is, I think
12 you mentioned in your initial, it was sometime ago, your
13 initial summary, you alluded to problems or challenges
14 with third party storage arrangements. Help me
15 understand those problems. Are those just those kind of
16 force majeure type of problems? In other words
17 delivery, or is it just actual management of that
18 service? What I am really getting at, is it something
19 where you are talking about control, Dominion Energy
20 Utah needs to actually control the actual management of
21 that service? Or help me understand what that means I
22 guess.

23 THE WITNESS: Okay. I think what I was
24 referring to is Rykman, and I don't know how much you
25 were involved or understood the history with Rykman, but

1 I believe in 2010 they came out with a storage service.
2 And three parties, including Questar Gas, at the time
3 signed up for firm storage service. And they had a FERC
4 certificate.

5 They were asked to -- I think within four
6 years they expected it to be, you know, sooner than
7 that, within two years of having service to the firm
8 customers, of which we are one. It's off system. It's
9 about a hundred miles away, by Evanston.

10 And they had a series of unfortunate events, I
11 will say, that involved force majeure. Some of it, I
12 think looking back, was management issues. Some of it
13 was construction issues. Some of it was a fire after
14 their NRU plant. It goes on and on, but over time they
15 never were able to really provide the service. And
16 we're still under contract with them at this point in
17 time.

18 They filed bankruptcy. They have been
19 purchased out of bankruptcy by a company called Spire
20 Storage, who by all accounts is attempting to redeem it
21 and actually expand to a different storage facility in
22 the west as well. Spire doesn't have any experience
23 here. They are I think from St. Louis. But it appears,
24 from the people I have spoken to at Spire, that they are
25 making a good faith effort to redeem it.

1 But the point was, it's been eight years, and
2 we are hoping in the next month, or maybe this weekend
3 when it gets cold, that we are going to try to withdraw
4 some gas out of the -- the storage field that we have
5 put in just in the last couple months. We felt more
6 secure about using it so...

7 COMMISSIONER WHITE: So I guess it's part of
8 the control, your -- it's your testimony that it's not
9 just the control in the sense that it needs to be within
10 the local area control. It actually needs to be
11 ownership structure management control in -- as part of
12 that too, to, I guess, bolster or provide the
13 reliability you are expecting?

14 THE WITNESS: That's right. Because it seems
15 like that's the ultimate reliability. And obviously, we
16 rely on a lot of third parties every day for a lot of
17 things. We just don't have any diversity. And so this
18 is a good answer in my mind for supply reliability,
19 where we would have ultimate responsibility to cover for
20 some of those other parties, like that and others, that
21 may or may not show up on a given day.

22 COMMISSIONER WHITE: Thank you. That's all
23 the questions I have.

24 CHAIRMAN LEVAR: Commissioner Clark.

25 COMMISSIONER CLARK: Good afternoon,

1 Ms. Faust.

2 THE WITNESS: Good afternoon.

3 COMMISSIONER CLARK: I want to visit with you
4 and understand your thinking a little better about the
5 vulnerabilities to supply that you described. I am
6 going to put them I think in two categories, well
7 freeze-offs, and other, I guess, very cold weather
8 related consequences. And then the other kinds of force
9 majeure events that you talked about, cyber attack,
10 fire, earthquake, those kinds of natural disasters
11 that -- that could disrupt the supply.

12 And what I am wondering is, to what extent
13 would the LNG facility be vulnerable to those same kinds
14 of events, just in a different location maybe?

15 THE WITNESS: Uh-huh.

16 COMMISSIONER CLARK: Your major sources of
17 gas. And so let's first take the -- the well
18 freeze-offs. Does extreme weather, either cold or heat,
19 present any threat to the operation of an LNG facility?

20 THE WITNESS: I am probably not the expert on
21 LNG facility, but my understanding is that it does not,
22 and that we have redundancies built in. I mean, I think
23 there's going to be a lot of discussion on the details
24 of what we're required and, you know, to do for safety
25 and for productivity purposes for the LNG. But I'm not

1 the expert on that.

2 COMMISSIONER CLARK: Okay. And how about with
3 respect to fire in Magna, for example, or an earthquake
4 there or cyber attack on the operating systems of the
5 LNG facility. Are those vulnerabilities that exist and
6 are they real?

7 THE WITNESS: I think they exist, but I think
8 there are measures taken to counter them, and that will
9 be discussed, I believe, later.

10 One thing to me is intuitive that just the
11 more distance there is between a need and a demand and
12 otherwise -- and where the source is, the more chances
13 there are of these things to happen; third party
14 tear-outs or, you know, natural disasters as you -- as
15 you say.

16 COMMISSIONER CLARK: I also think I heard in
17 your responses to Commissioner White, that you just have
18 a greater degree of comfort when you're operating
19 whatever the facility is, as opposed to relying on the
20 operations of a third party?

21 THE WITNESS: That's correct.

22 COMMISSIONER CLARK: Do I understand that
23 correctly?

24 THE WITNESS: Uh-huh.

25 COMMISSIONER CLARK: Okay. Thank you. That

1 concludes my questions.

2 CHAIRMAN LEVAR: Okay. Thank you. Mr. Snarr
3 was asking you about the force majeure language in
4 Dominion Energy Utah's tariff with its customers.

5 THE WITNESS: Uh-huh.

6 CHAIRMAN LEVAR: I don't think that was
7 discussed much in your testimony, but can -- do you have
8 any -- enough knowledge of that to discuss how that
9 tariff language operates generally?

10 THE WITNESS: I'm not a tariff expert, sorry.

11 CHAIRMAN LEVAR: Thank you. I wanted to ask
12 one or two questions about your Exhibit 2.04, that I
13 believe Mr. Snarr was also discussing with you. I
14 noticed this is a confidential exhibit. We were
15 discussing it pretty openly in an open hearing before,
16 so let me clarify, because my questions probably aren't
17 worth closing the hearing for, but if -- my questions
18 are about the second box on page 2 of 3 of that.

19 So let me just ask you or your attorneys to
20 take a moment, and if -- I think those are the numbers
21 we were discussing this morning, but if there's any
22 confidentiality about -- about that box, I'd like to
23 know before I --

24 MS. CLARK: I'm sorry, which box?

25 CHAIRMAN LEVAR: The second box on page 2.

1 MR. SABIN: Yeah, that's fine.

2 CHAIRMAN LEVAR: I presume I know the answer
3 to this question, but in terms of the correlation
4 between the answers, since the question was a select all
5 that apply question, identify the facilities, third
6 party services used to maintain system reliability, of
7 the 20 that selected on-system LNG storage, there
8 wouldn't be a way to know how many of those were the
9 ones that did or did not select the next three
10 categories below that.

11 THE WITNESS: I don't believe so.

12 CHAIRMAN LEVAR: So for example, 37 selected
13 use of upstream storage facilities, which means about --
14 which means seven did not select that. There wouldn't
15 be any way to know whether zero to seven of those did or
16 didn't select on-system LNG storage?

17 THE WITNESS: Not from this information, I
18 don't think.

19 CHAIRMAN LEVAR: Okay. That's all my
20 questions for you. Thank you. Thank you for your
21 testimony this morning and this afternoon. Ms. Clark or
22 Mr. Sabin?

23 MR. SABIN: Can I raise one issue just before
24 we jump to our next witness? So we -- during the lunch
25 hour, we printed a copy of the entirety of the slides

1 from the technical conference presentation presented by
2 the company. If -- if nobody objects, we would
3 recommend that that supply reliability technical
4 conference slide presentation be put in its entirety,
5 just so we that don't have an isolated slide.

6 It's related to the other material that's
7 around it, and that's part of the reason I was hoping to
8 have the entirety of it earlier. I don't think it
9 should present any problem. We're happy to mark it as
10 our Exhibit 12, and have that go in.

11 CHAIRMAN LEVAR: Okay. Any objection? Oh,
12 I'm sorry.

13 MR. SABIN: No.

14 CHAIRMAN LEVAR: If any party objects to that,
15 please indicate to me. Okay. So I'm not seeing any
16 objection so that motion is granted.

17 MR. SABIN: Can I approach and just give
18 everybody a copy?

19 CHAIRMAN LEVAR: Yes. And then while you are
20 doing that, I kind of -- this is simply -- I meant to
21 ask Mr. Mendenhall a question and forgot to do so. Is
22 there any objection at this point if I ask him one
23 additional question?

24 MR. SABIN: No objection.

25 CHAIRMAN LEVAR: From any party? Okay. You

1 can stay at the table.

2 MR. MENDENHALL: Okay.

3 CHAIRMAN LEVAR: And you are still under oath.
4 And it's related to Mr. Wheelwright's direct testimony.
5 I don't know if you have that at your table.

6 MR. MENDENHALL: Yeah, I think I do.

7 CHAIRMAN LEVAR: This is going to page -- his
8 direct testimony on page 8, and let me ask this question
9 again. This -- this testimony is all confidential.
10 I'll be talking about the lines 197 through 200. I
11 don't see them as highlighted. Is there -- is there
12 anything confidential about those four lines?

13 MR. MENDENHALL: I don't think so.

14 CHAIRMAN LEVAR: If anyone thinks there is,
15 indicate to me. It didn't seem so.

16 In -- in your rebuttal testimony, you gave
17 your reasons why those -- those costs you believe should
18 not be part of the consideration in this docket, but my
19 question is, do you dispute the accuracy of
20 Mr. Wheelwright's estimates of costs to liquefy and
21 costs to use gas that's stored in -- in the facility?

22 MR. MENDENHALL: No. Actually, these -- these
23 costs were calculated by the company and given to
24 Mr. Wheelwright in a data request, so I don't dispute
25 them.

1 CHAIRMAN LEVAR: Okay. Thank you. That's the
2 only question I have.

3 MR. MENDENHALL: Okay.

4 CHAIRMAN LEVAR: Okay. Thank you. So you can
5 call your next witness.

6 MS. CLARK: Thank you. The company calls
7 Michael L. Platt.

8 CHAIRMAN LEVAR: Mr. Platt, do you swear to
9 tell the truth?

10 THE WITNESS: I do.

11 CHAIRMAN LEVAR: Thank you.

12 MICHAEL L. PLATT,
13 was called as a witness, and having been first duly
14 sworn to tell the truth, testified as follows:

15 DIRECT EXAMINATION

16 BY MS. CLARK:

17 Q. Thank you. Mr. Platt, please state your full
18 name for the record and your business address.

19 A. Michael L. Platt, 1140 West 200 South, Salt
20 Lake City, Utah, 84104.

21 Q. And can you also please identify your employer
22 and what position you hold with that company?

23 A. I work at Dominion Energy Utah as a manager of
24 engineering systems.

25 Q. Did you submit in this docket prefiled direct

1 testimony, marked Exhibit DEU 3.0, with attached
2 exhibits 3.01 through 3.06?

3 A. I did.

4 Q. And did you also submit in this docket
5 rebuttal testimony identified as DEU Exhibit 3.0R, with
6 attached exhibits 3.08R -- oh, I'm sorry. 3.07R to
7 3.12R. Oh, I'm sorry. Let me -- for the sake of
8 clarity, did you also submit with your direct testimony
9 an exhibit identified as 3.07?

10 A. I did.

11 Q. And then did you also submit rebuttal
12 testimony 3.0R, with attached Exhibits, 3.08R through
13 3.12R?

14 A. I did.

15 Q. Do you have any corrections to any of those
16 documents?

17 A. I do not.

18 Q. Do you adopt them as your testimony today?

19 A. I do.

20 MS. CLARK: The company would move to admit
21 DEU Exhibit 3.0, with attached Exhibits 3.01 through
22 3.07, and DEU Exhibit 3.0R, with attached Exhibits 3.08R
23 through 3.12R.

24 CHAIRMAN LEVAR: Okay. If any party objects
25 to that motion, please indicate to me. I am not seeing

1 any objections. So the motion is granted.

2 MS. CLARK: Thank you.

3 Q. (By Ms. Clark) Mr. Platt, did you prepare a
4 summary of your testimony?

5 A. I did.

6 Q. Please proceed.

7 A. Every time temperatures are excessively low in
8 Utah and Wyoming, well head freeze-offs result in supply
9 shortfalls for DEU. Historically this occurs at around
10 10 degrees mean.

11 A supply disruption that affects customers
12 will occur at least once every 14 years. This
13 probability coincides with a 3 degree mean temperature.
14 At this point the company will not have any more options
15 left in the supply stack in the event of a supply
16 disruption. While the proposed on-system LNG facility
17 will be required at least once every 14 years, it will
18 also be used every -- every year for other purposes.

19 The system analysis that I provided in my
20 testimony is thorough and wholly sufficient. The
21 Division of Public Utilities expert, Allen Neale,
22 concluded that the proposed on-system LNG facility
23 prevents the type of supply shortfall that the company
24 is preparing for.

25 I have provided unrefuted analysis that shows

1 that the proposed on-system LNG prevents any loss of
2 service if the company experiences supply shortfalls
3 that total 150,000 decatherms per day on a design peak
4 day. No other witness can test this.

5 I have provided unrefuted analysis that shows
6 without a resource designated specifically for supply
7 reliability, a shortfall of 150,000 decatherms per day
8 on a design peak day could result in the loss of 650,000
9 customers. Restoring service to these customers could
10 take as long as 51 days and cost the rate payers as much
11 as a hundred million dollars. No other witness has
12 argued with this fact.

13 In my testimony, I summarized a conclusive
14 analysis, provided by the Kem C. Gardner Policy
15 Institute, that estimates the loss of service to
16 customers would cost the state up to 2.4 billion dollars
17 in gross state products. No other witness has responded
18 to this evidence.

19 At the request of the Division of Public
20 Utilities, I provided unrefuted analysis that shows
21 on-system LNG prevents loss of service to customers if
22 there is an outage on a cold winter day at any single
23 gate attached to the Dominion Energy Utah, Wyoming and
24 Idaho high pressure system that feeds into the Wasatch
25 Front. No other witness has contested this fact.

1 In my testimony, I assert that third party
2 damage, landslides, fires, flooding, human error,
3 earthquakes, facility design inadequacy and maintenance,
4 cyber attacks can also result in a supply shortfall,
5 which would increase the probability of occurrence. No
6 other witness suggests that these additional risks do
7 not increase the probability of a shortfall occurring.
8 I believe that firm service is just that, firm.

9 The company should not plan to interrupt firm
10 customers on the coldest day during heating season as a
11 mitigation for supply shortfalls. Solely planning on
12 interrupting firm customers to solve a supply shortfall
13 scenario is irresponsible. The on-system storage would
14 allow the company to respond to the vast majority of
15 supply shortfall scenarios by bringing company
16 controlled supply directly onto its system at the demand
17 center.

18 As discussed in my testimony, and the
19 testimony of others from the company, off-system
20 reliability solutions are inferior to on-system storage
21 and do not appropriately mitigate all the risks
22 presented in DEU Exhibit 2.12.

23 Design peak day temperatures have a recurrence
24 interval of 20 years. The number of occurrences in
25 recent history does not change the probability.

1 Temperature to probability must be calculated using the
2 distribution of temperature and -- and occurrences, not
3 only whether a threshold temperature has been reached or
4 not.

5 Many local distribution companies already have
6 an on-system LNG for the purposes of supply reliability.
7 Stating otherwise ignores both the responses to the
8 AGA's survey, which is DEU Exhibit 2.04, and Mr.
9 Mierzwa's review of distribution company's supply
10 portfolios, DEU Exhibit 3.12R. Many more local
11 distribution companies have some other form of on-system
12 storage.

13 According to Mr. Mierzwa, other companies are
14 also planning contingency into their supply portfolios.
15 Dominion Energy is not pioneering a new methodology or
16 technology for the purpose that no other company has.

17 Proximity matters in terms of whether or not
18 storage is considered on system. Storage located --
19 located 60 miles away, connected by a third party owned
20 pipeline, is not on-system storage.

21 Magnum's proposed storage option is off
22 system, and therefore subject to additional risks that
23 on-system storage is not. Magnum claims that being
24 farther away is better. This argument is ridiculous.
25 Every added mile of pipe increases the risk that the

1 reliability option will not be available when needed.

2 An on-system LNG facility is the best option to provide
3 the supply reliability that Dominion Energy is required
4 to provide for its customers.

5 Now, I've prepared some demonstrative slides
6 to explain some of my exhibits attached to my testimony.
7 If I could set that up.

8 MS. CLARK: I have paper copies if anybody
9 would like to see them. The company does not intend to
10 offer them into evidence. They are largely a
11 compilation of documents that are attached to
12 Mr. Platt's testimony.

13 MR. HOLDER: Excuse me, could we have that
14 angled and a little bit more?

15 CHAIRMAN LEVAR: This room is not set up
16 wonderfully for audiovisual purposes.

17 MR. HOLDER: Don't worry about it.

18 MS. CLARK: Sure.

19 MR. HOLDER: We can see.

20 COURT REPORTER: What is your name, sir?

21 MR. HOLDER: Kevin Holder.

22 THE WITNESS: All right. So this exhibit,
23 which you can't really see from here, is Exhibit 3.04,
24 without the customer locations on it. But basically
25 what will we see here is the high pressure system that

1 feeds the Wasatch Front. That is from Payson to
2 Preston, Idaho, and from Alta out to just on the other
3 side of the -- the Great Salt Lake.

4 You can see all the black lines are our high
5 pressure system, but there are a number of different sub
6 systems that we are not talking about today. It's come
7 up a number of times, but basically our demand center is
8 right in the -- the heart of the valley in Salt Lake.
9 So, you know, Salt Lake County, anyway.

10 Our high pressure system is fed by the
11 Dominion Energy Questar Pipeline, which you can see in
12 blue, and the Kern River Gas transmission pipeline,
13 which you can see in light green. And the light green
14 didn't show up very well, but it runs from the northeast
15 corner of the map and then heads downward past Delta on
16 this -- on this visual.

17 So in my -- in my testimony, Exhibit 3.03 on
18 page 11, this -- this is what the system looks like on a
19 design peak day at 9:00 a.m., if we have a supply
20 shortfall of 150 decatherms. And the important thing to
21 note here is, all of these pressures, which the -- I'm
22 going to apologize, the laser doesn't work on this
23 screen.

24 All these pressures are less than 125 pounds,
25 and the reason why that matters is that the way our

1 system is designed, we require 125 pounds of pressure
2 feeding into our regulator stations in order to get the
3 capacity out of them. So basically all of these
4 locations are not feeding their intermediate high
5 pressure systems the capacity that's required.

6 And what that results in is less than -- less
7 pressure than we require to feed our customers on the
8 intermediate high pressure system. So basically,
9 everything from Provo to Brigham City, we would be
10 losing all of these customers, and that's about 650,000.

11 Now, we estimate that just the restoration,
12 shutting them off, relighting them, would cost up to a
13 hundred million dollars, and that would take about 51
14 days to -- to get everybody processed through. I
15 referred to the Kem C. Gardner Policy Institute gross
16 state product estimate of 2.4 billion, but the most
17 important thing here is, 51 days is a long time for
18 anyone to go without gas, especially in the coldest part
19 of the winter. So there are safety and -- and life
20 issues, and that's not including property damage to
21 people's homes either.

22 So the joint operations agreement and the
23 analysis that accompanies that came up on a number of
24 occasions in my testimony and the testimony of others.
25 The purpose of this analysis is to ensure that we can

1 meet the design peak day. And in that, we assume that
2 all gas supply reaches the intended gate station.

3 The only information that is shared between
4 Dominion Energy Utah and Dominion Energy Questar
5 Pipeline are the volumes and pressures at each gate
6 station. We are not sharing our minimum pressures. We
7 are not sharing how other resources are being used.
8 That information doesn't transfer between companies, and
9 mostly because it's not necessary for their analysis.
10 They care about the points where their pipeline ends and
11 our pipelines begin, because that's what's critical to
12 the function.

13 So the reason why we -- we do this analysis is
14 because the system is tight, and you can look at a map
15 and you can say, oh, we've got gate stations all along
16 the Wasatch Front. And if I look at them, I got nine
17 gate stations.

18 What you don't see on this map are the
19 capacities of those gate stations, the -- the capacities
20 or the sizes of those pipelines, or the pressures that
21 they are operating at, and you can't see the valves
22 where things are separated.

23 The reason why these two gate stations on the
24 lower part off of Kern, which are the Saratoga and Eagle
25 Mountain taps, are shown in gray is, there's a valve

1 that separates them from the rest of the system. We
2 can't use them. They are -- they are at a different
3 operating pressure, and they don't -- they don't feed
4 into the Wasatch Front system.

5 So MAOP is important here. If you look at the
6 north part, north of North Temple, that MAOP, maximum
7 allowable operating pressure, MAOP, sorry for those of
8 you who weren't aware, that all operates as 471.

9 The main system, which I'll say from Provo up,
10 and again, I'm sorry that this doesn't work, but if you
11 look at the south-most gate station, Payson, and you
12 follow that line up until it curves and bends over,
13 everything between there and North Temple, which is --
14 if you look at where the two gate stations are in line
15 as you come down, that's Little Mountain and Hunter
16 Park. That's all 354 pounds, and then we have a -- a
17 720 pound line that feeds from Payson to that part where
18 it bends over.

19 So the reason why I'm -- I'm going through
20 this is, it's been suggested that there is sufficient
21 redundancy in the system, and I'm telling you there --
22 there isn't. We wouldn't do this analysis if it were
23 easy to solve what happens on a peak day. We wouldn't
24 do it, because it would be a waste of time.

25 If we have an outage at the Little Mountain

1 gate station, other gate stations can't pick up that gas
2 supply and move it, even if there is, or happens to be,
3 volume on the pipeline pipes capacity available, which
4 there isn't.

5 The reason why we do this analysis is because
6 the delivery volume and the delivery pressure are
7 impacted, and the reason why we did a rate through it,
8 is that usually the -- the volume that is required by
9 Dominion Energy Utah results in pressures that are
10 unworkable from Dominion Energy Questar Pipeline, and so
11 we'll iterate through until we have a solution that
12 works for both companies.

13 So the idea that you can just switch on a
14 design peak day from one gate station to another and
15 pick up redundancies from a physical and system analysis
16 standpoint, it doesn't work. And -- and yes, we have a
17 contingency analysis where we talk about this, but
18 that's assuming that it can be done.

19 And every action in that contingency analysis,
20 is -- is interruptible. It's a -- I say interruptible.
21 It's not firm. It's something that could physically
22 happen at a 30 or 20 degree day but could not happen at
23 a colder temperature. It -- it's just an impossibility.

24 So we -- we looked at what would happen in the
25 same demand scenario. So this is the baseline.

1 Everything is functioning, all of our assumptions, this
2 is figure 3.08R, figure 1, page 1, figure 2 and figure
3 3, both on page 2. So you have the gate station volumes
4 in the top, and then you have the pressure at different
5 locations in the system on the bottom two graphs here.
6 So everything is above 125 pounds, everything is
7 operating the way that it's designed to operate and
8 that's great.

9 Now, with -- with on-system LNG, could we
10 account for a loss of 150,000 decatherms per day
11 upstream of Little Mountain? That -- that is what this
12 exhibit that I have provided is talking about, and the
13 answer is, yes.

14 So if we lost 150,000 decatherms per day, and
15 we had an on-system LNG, on-system LNG comes on, it
16 feeds into the system. And pressures throughout the
17 system all remain above 125, and they actually look
18 awfully similar. And that's because it's -- it's right
19 at the demand center. It's right where it needs to be,
20 and it comes on when it needs to come on.

21 So I -- I was also asked by the Division of
22 Public Utilities to look at a cold winter date, and so I
23 looked at what would happen if we lost any gate station
24 on a cold January day, two standard deviations colder
25 than the mean, which is 13 degrees mean day. This is

1 the baseline for that. This is what the gate stations
2 would look like and the resulting pressures.

3 And then if we lost Hunter Park, -- well, if
4 we lost Hunter Park, the LNG comes on and runs right up
5 to the -- the capacity that we're designing it at, and
6 all the pressures in the system stay above 125.

7 I -- I did this analysis at every gate station
8 in -- in the Wasatch Front system. So Hyrum, even
9 though it's extended out on the north end of the system
10 and there is a single pipeline that feeds from that, if
11 we had an outage at the -- or a disruption at that gate
12 station, LNG can come on and prevent loss of service to
13 any customer in that scenario too. We can see that
14 pressures drop a little bit more in both the north and
15 the central part of the system, but we're well above the
16 125.

17 So in DEU Exhibit 3.07 on page 5, I compared
18 how the off-system Magnum storage option compares to the
19 on-system LNG option. The reason why this -- and I -- I
20 would say stop and ask, or I guess ask me a little bit,
21 if you have questions about this, but this is a
22 complicated graph chart map. I understand that.

23 But the important thing is, is this red that
24 you see north of North Temple up heading up towards
25 Hyrum, that -- that's the model saying LNG performs

1 better than Magnum does. And the reason why that's
2 important is this is a very strung out part of the
3 system.

4 So could we -- could we lose customers out
5 here if we don't have as good as pressures in that area?
6 Yeah, absolutely. Would that be a problem if we're
7 paying for reliability and it doesn't actually field the
8 service? I think so. I don't -- anyway. Sorry.

9 And -- and as I spoke about MAOPs earlier,
10 you -- you can't flow from a lower pressure to a higher
11 pressure. So in this scenario, LNG located near Magna,
12 Utah, is closer to that MAOP break, and can push volumes
13 north, where the Magnum option doesn't tie in at the
14 same location. So it -- it's a different location, more
15 south, and you have different pressures than north --
16 that northern MAOP area.

17 So there -- there was a claim made that the
18 location of the Magnum salt cavern protects against
19 earthquakes, and -- and I am not saying that it crosses
20 the Wasatch fault, but I -- I pulled up the map. This
21 is in my rebuttal testimony, figure 1, page 10. I
22 pulled up the map of the Utah quaternary fault lines and
23 fold map, which are identified as the most likely
24 sources of earthquakes in the future.

25 And assuming that the Magnum line goes to --

1 to Goshen, which I am assuming it will, it has to be
2 pretty creative to avoid these fault lines. I haven't
3 seen that alignment and I -- maybe they -- they do, but
4 I have a hard time believing that their location makes
5 them impervious or immune to -- to earth movement. We
6 have it all over the state.

7 So I realize that this can sound weird. I
8 work for the gas company, and I am saying pipelines have
9 risks, but we -- we have risks on our pipelines. And
10 what I am telling you is that this -- this line from
11 Delta, Utah, to the location where Magnum Energy would
12 tie in to get to our demand center, that is a single
13 point of failure, 100 miles long, that runs across fault
14 lines, or likely runs across fault lines and through the
15 fastest growing city in the state.

16 So I -- I think that that's introducing risks
17 that you wouldn't have with on-system LNG that's located
18 on the Wasatch Front system, not away from it. And I --
19 I believe that on-system LNG is the best option to solve
20 our supply rely -- reliability problem.

21 **Q. Does that conclude your summary?**

22 **A.** It does.

23 MS. CLARK: Mr. Platt is available for
24 cross-examination and commission questions.

25 CHAIRMAN LEVAR: Thank you. Mr. Jetter?

1 CROSS-EXAMINATION

2 BY MR. JETTER:

3 Q. Hi. Good afternoon.

4 A. Good afternoon.

5 Q. Well, let me ask you this first question. Is
6 it correct that LNG facilities fail from time to time?

7 A. I -- I think that any single component on any
8 system could fail at some time, and let me take this a
9 little bit further. The way I understand the design of
10 this LNG facility is that every component will be --
11 there will be an extra of each. So could a system fail?
12 Yes, but total failure is pretty unlikely.

13 Q. Okay. But -- but it could fail, and they do
14 fail in other gas utilities from time to time?

15 A. From time to time, every system fails from
16 time to time.

17 Q. Okay. And -- and is it -- is it a fair
18 characterization that it's a more complex process to
19 liquefy natural gas and then revaporize it than it is to
20 compress it into a still gas state storage facility?

21 A. I think that the compression that is used to
22 compress into storage and the compression that's used to
23 liquefy are the same compressor. Characterizing the
24 process as more complex -- I -- I don't know, I'm not --
25 I'm -- I'm far from an LNG design expert. I can't -- I

1 can't really speak to that, but it seems like you have a
2 lot of similar components. I don't think it's that
3 complicated a process honestly.

4 **Q. Thank you. With respect to the map, I don't**
5 **know if you have the ability to -- to -- I think we can**
6 **do it just going back with one slide on your**
7 **presentation.**

8 A. I think that would be okay.

9 **Q. Okay. Great. If the Kern River Pipeline were**
10 **to be severed in an earthquake, would the LNG facility**
11 **be able to maintain system pressures?**

12 A. What's the temperature?

13 **Q. On a design peak day.**

14 A. How much of the customer base are you willing
15 to lose? I -- I mean, the -- the question that you are
16 asking -- I mean, let's ask another question. If -- if
17 we lost all of the Dominion Energy Questar Pipelines,
18 would LNG, I mean, how big do you want it? Would LNG
19 keep pressures in the system? I don't think so.

20 So let's -- let's put your -- your first
21 question into context. The amount of capacity that
22 feeds through the two Kern River gate stations that are
23 pertinent to this is about 600 million cubic feet per
24 day. Could 150,000 decatherms make up that difference?
25 No.

1 Q. Okay. And that -- that's my question. And --
2 and so my follow-up question is, if that's the case, and
3 that -- that is a -- separating that pipeline from an
4 earthquake would -- would cause a system pressure
5 failure, would it matter if your backup system were
6 running in the same -- along the same route or --
7 because a failure of one pipe would likely mean a
8 failure of the other?

9 A. Are you talking about a hypothetical supply
10 reliability option off of off system that's connected to
11 Kern River?

12 Q. The question I had is, it appears to me on the
13 map that the Magnum Energy route follows largely the
14 same route as the Kern River Pipeline, and if -- if a
15 earthquake knocking out the Kern River Pipeline causes a
16 failure, irrespective of whether the LNG plant exists or
17 not, I am curious why that's an issue with the Magnum
18 pipeline project, because it would seem like that's a
19 failure regardless.

20 A. I -- I would -- I mean, I would have to agree.
21 If -- if Magnum Energy were the supply reliability
22 option chosen, and it's running along the same --
23 through the same fault lines, and that fault line went
24 and caused complete and utter rupture of those
25 pipelines, it would make no difference.

1 **Q. And similarly, if -- if Magnum Energy project**
2 **was not there, the LNG facility was in place and that**
3 **same pipeline is ruptured, the result would be largely**
4 **the same, would it not?**

5 **A. Well, let -- let's talk about the direction of**
6 **flow, just -- I mean, just for -- for me right now. So**
7 **if we're looking at the Goshen interconnect, that's**
8 **where the blue line and that yellow line and the green**
9 **line all coincide right there, just west of the yellow**
10 **dot that is Payson.**

11 **If the fault lines south of there severed the**
12 **Kern River Pipeline, I think that most of our gas supply**
13 **is coming from Wyoming, and automatic shutoff valves**
14 **would close, and our customers would actually be okay.**

15 **Q. And anywhere north of that point?**

16 **A. So if -- if we're talking about the Wasatch**
17 **Fault, I -- I think that would be a much bigger problem**
18 **if it severed the -- the pipeline.**

19 **Q. Thank you for that. I'd like to ask another**
20 **question that -- that just arose in -- in terms of this**
21 **presentation. The map that -- I believe it's DEU**
22 **Exhibit 3.07, which -- which is the color coded**
23 **comparison where you have described the red color as**
24 **being a -- a demonstration of LNG facility being better.**
25 **What does perform better mean?**

1 A. Well, I think -- I think that it's subjective,
2 and in this case we're talking about system pressures
3 and model results, right? So in -- in my opinion
4 interpreting these results, I interpret this as LNG
5 solving more problems.

6 Q. Okay. And one other question I had was, we
7 have heard that from other witnesses that one of the
8 requirements for this project would be on system, and I
9 guess, company owned or completely controlled by the
10 company. Is that your understanding also?

11 A. That's my understanding of what Ms. Faust
12 said.

13 Q. Okay. And -- and if that's the case, then --
14 then no other projects that could meet this need would
15 be worth discussing at all; is that correct? If -- the
16 they are not meeting the requirements?

17 A. I -- I think that when -- when we're
18 evaluating options, we're evaluating all options. I
19 don't think we're -- I think that on-system,
20 company-controlled is -- is a valuable thing, because
21 we're in -- we don't have the risk of a Rykman situation
22 occurring, right? But we're -- we're looking at all the
23 options. Saying that we just discount other options, I
24 don't think that's fair.

25 Q. Were you in the -- the room this morning when

1 **Mr. Mendenhall testified that this was not the lowest**
2 **cost project?**

3 A. I was in the room.

4 Q. Okay. And so this may not be the correct
5 question for you, but do you know what value the company
6 puts on that to decide which project which is not the
7 lowest cost option is still the preferable option
8 because it's giving the company complete control?

9 A. Let's -- let's talk about something different
10 that I am more of an expert on. Sizing pipelines.
11 Okay. We -- we size pipelines in system planning and
12 analysis to -- to meet a specific need. So if we're
13 reinforcing the system, the lowest cost reinforcement
14 might be a two inch.

15 Should we have two inch reinforcements on our
16 high pressure system? No. Because it won't last the
17 test of time. Demands are going up. All of our -- all
18 of our historical experience is that demand is going up,
19 and we have to meet the -- the future needs of the
20 system and our customers. So -- so the lowest cost --
21 cost options isn't the only consideration, it never has
22 been. The best cost option is what we're after, and LNG
23 is that.

24 Q. So just hypothetically, if there were a
25 facility that could deliver more decatherms per day for

1 a longer period of time in the same instances, design
2 peak day and supply disruption, wouldn't that give you
3 more cushion going into the future?

4 A. I think that the -- if we have a larger LNG or
5 on-system option, that all else being equal, no
6 additional risks, would more be better and cover more
7 scenarios, the -- the answer is yes. But all things are
8 not equal in this case.

9 MR. JETTER: Thank you. Those are all of my
10 questions. Thank you.

11 CHAIRMAN LEVAR: Thank you, Mr. Jetter.

12 Mr. Snarr?

13 MR. SNARR: Thank you.

14 CROSS-EXAMINATION

15 BY MR. SNARR:

16 Q. In your summary you discussed a summary of
17 your -- your testimony and indicated that no other
18 witnesses have presented other alternatives or options
19 that you might consider any better than the one you are
20 proposing; is that right?

21 A. I -- I don't believe that anywhere I talked
22 about anyone saying that -- I -- I don't think that's in
23 my summary, no.

24 Q. I didn't have a chance to write it down, but
25 didn't you say that no other witness has presented

1 **evidence that --**

2 A. I said that an on-system LNG prevents any loss
3 of service, if the company experiences shortfalls of
4 150,000 decatherms per day on a design peak day, and no
5 one has said anything about that not being the case.
6 LNG solves the problem.

7 Q. Okay. Thank you. Is there any witness in
8 this proceeding that has suggested that the -- or has
9 documented a gas supply failure resulting in an outage
10 to the Wasatch Front system in the history of Dominion's
11 service?

12 A. A supply shortfall of any type? Has anyone
13 documented a --

14 Q. A supply shortfall resulting in an outage to
15 the Wasatch Front distribution system?

16 A. I think -- what was -- what was Ms. Faust's
17 testimony about the 1990s? Didn't we have an
18 interruption, widespread and without these -- I mean, as
19 far as it resulting in a loss of service to customers, I
20 don't think that's been documented. No, but we haven't
21 had --

22 Q. Thank you.

23 A. -- temperatures that were peak day. We
24 haven't had negative 5 mean temperatures.

25 Q. But you are suggesting there is some

1 **significance if no witness has presented a counter**
2 **argument or challenge to what you are presenting?**

3 A. Well, I am the only one in this room who has a
4 design peak day system model to calculate what will
5 happen on a peak day. Has --

6 Q. **Let's -- let's discuss that model.**

7 A. Okay. Let's do that.

8 Q. **When you talk about a peak day, the last peak**
9 **day that occurred was in 1963; is that right?**

10 A. If you tell me so, I guess you are correct.

11 Q. **And you also speak about the odds. You give**
12 **us an example of flipping coins, which is 50-50 odds,**
13 **right?**

14 A. I like probabilities.

15 Q. **Sure. What's the probability of one peak day**
16 **occurring in 55 years?**

17 A. The probability is --

18 Q. **Is one out of 20,000 plus, right?**

19 A. Is one out of 20 years. One day out of 20
20 years.

21 Q. **No, no, wait a minute. It's one day out of 20**
22 **years, and if you count the number of days in 20 years,**
23 **what's the number?**

24 A. What is the number?

25 Q. **Well, I calculated it based on 55 years**

1 **because that's the last time one occurred.**

2 A. Right.

3 **Q. I can give you that.**

4 A. Mr. Snarr, I think -- I think that the
5 difference we are having here is you're talking about
6 historical occurrences, and I'm talking about
7 probability. Now, probability, you have to have a
8 distribution of temperatures and occurrences. You
9 can't -- temperature isn't the same as -- as flipping a
10 coin, and it's not as obvious to everyone what it is,
11 because you have an occurrence and how often and what
12 that temperature is.

13 So if you tell me that it hasn't occurred
14 since 1963, well, what if we had a negative 4 degree?
15 Where does that impact what the probability is? We are
16 not talking about thresholds. I am talking about
17 probabilities, and -- and not how often it's occurred.

18 **Q. You -- well, you -- you have mentioned in your**
19 **testimony just now 20 years.**

20 A. Twenty years is the recurrence interval for a
21 negative 5 mean day, which is the definition of our
22 design peak day temperature.

23 **Q. And even though you have defined that and**
24 **suggested 20 years, the event of that design day has not**
25 **occurred for the last 55 years; isn't that true?**

1 A. That is true.

2 Q. You also suggested something about once every
3 14 years. What was that?

4 A. That is the probability of being at 3 degrees
5 mean, or colder, based on the probabilities of
6 temperatures occurring.

7 Q. And would you agree, subject to check, that if
8 we're talking about a 14 year probability of that day
9 you just described, that it's a one out of over 5,000
10 possibilities or probabilities?

11 A. It's one occurrence in 14 years.

12 Q. And that means one occurrence out of 5,110
13 days; isn't that correct? Is my math -- math correct,
14 or are you saying --

15 A. I'm not a human calculator. I can't calculate
16 that in my head. It's once every 14 years.

17 Q. On your second slide on the presentation today
18 in the hearing in here, you show the -- and if you want
19 to bring it up, that's fine. You -- you talk about the
20 Wasatch Front system, and you describe it as Payson to
21 Preston; is that right?

22 A. That's what I described it as, correct.

23 Q. And that includes the city of Brigham City;
24 isn't that right?

25 A. It does.

1 Q. And on slide 3 you talked about how Kern River
2 feeds the Wasatch Front. You also talked about the
3 significance of the system from Provo to Brigham City;
4 is that right?

5 A. Right.

6 Q. And all the black lines of the
7 interconnections you maintain as high pressure system
8 within the Wasatch Front; is that right?

9 A. They are the high pressure system that is
10 Dominion Energy Utah, yeah.

11 Q. What is typical of the pressures that you are
12 running through the Dominion high pressure systems that
13 are portrayed in black?

14 A. As I -- as I described, the area north of
15 North Temple, the maximum allowable operating pressure
16 is 471 pounds, and it typically operates at about 400 --
17 between 420 and 440 in the -- in the winter. That's
18 normal winter.

19 The -- from North Temple down to, I think it's
20 8th North in Orem, that's the 354 pound MAOP area, and
21 it operates around 310, 315 most of the time in the
22 winter. Feeder line 26, which is just that line from --
23 from Payson north, operates at 700 pounds all the time,
24 and the MAOP is 720 pounds.

25 Q. Thank you. What is the operating pressure of

1 **Kern River gas transmission at or near the Hunter Park**
2 **interconnection with -- with your system?**

3 A. The Kern River MAOP that I am aware is 1,333
4 pounds.

5 Q. **And with the delivery from Kern River, you**
6 **benefit from the pressure on their system to kind of**
7 **keep the pressure full in the immediate vicinity of the**
8 **Wasatch Front system you are operating; isn't that true?**

9 A. Actually, I -- I think that it's hard to say,
10 because -- so let me back up. Let me compose myself.

11 The Kern River gate stations feed into the 354
12 pound system, and one of the factors in how much gas we
13 can take from a gate station is what the downstream MAOP
14 is and the take away capacity. So do we benefit from
15 that pressure? Yes, but to a point. You can't -- you
16 can't operate them at 354 pounds all the time, even
17 though the maximum is 354.

18 You can't operate those gate stations higher
19 because, one, you would be breaking the law exceeding
20 MAOP, and two, it's unsafe for a variety of reasons,
21 based on the design of the system. So do we benefit?
22 Yes, to a point we benefit.

23 Q. **Let me ask another question related to that.**

24 A. Okay.

25 Q. **Isn't it true that at or near the**

1 interconnection with Kern River in both of those
2 locations, that you, the distribution company, has not
3 had -- has not have to -- had to add any additional
4 compression to support your system in light of the fact
5 that Kern River is supplying gas at a greater pressure
6 at those points?

7 A. We have not had to add compression at either
8 of those, or any of the Dominion Energy Questar Pipeline
9 gate stations, and the only gate station that we
10 currently have compression at is the central compressor
11 station central cap feeding into southern Utah.

12 Q. Thank you. How close is the Hunter Park Kern
13 River interconnection to the proposed location for the
14 Magna LNG facility?

15 A. It's close. I don't know the measurement.

16 Q. All right. Thank you. And how close is the
17 proposed Rose Park interconnection with Kern River to
18 Hunter Park?

19 A. How close is it to Hunter Park? It's -- it's
20 not -- I -- I don't know the mileage. It's probably 15
21 to 20 miles as the crow flies. I am not sure. I'd have
22 to measure it.

23 Q. Would a Rose Park interconnection with Kern
24 River substantially serve the same pressure requirements
25 or needs as Hunter Park already serves for you?

1 A. I think that the pressures would be similar.

2 Q. Thank you. And you indicated that you are
3 connected up through Brigham City. Would a Brigham City
4 or an interconnection with the Ruby Pipeline aid to some
5 of the pressure issues you might face in the northern
6 portion of your Wasatch Front distribution system?

7 A. I'm glad that you brought up that, because the
8 Ruby Pipeline interconnect point is my most favorite
9 thing to shoot down. I do not think that it's a point
10 of interest and won't be for a while, and let me tell
11 you why.

12 The only system failure or upstream failure
13 that that would remediate is something at Hunter -- or
14 at -- at the Hyrum gate station. We're talking about
15 Hunter, and I have got my mind locked. But the Hyrum
16 gate station.

17 And the reason why is, if you look at this
18 map, you have got a single line feeding from north to
19 south, and that capacity is taken up with gas from the
20 Hyrum gate station. So if you put another gate station
21 in that area, yeah, it will help if Hyrum goes out, but
22 nothing else.

23 Q. Now, which is the Hyrum gate station?

24 A. It is the yellow dot on the northeast end of
25 the system. So if you see the -- the little -- the

1 high -- the highest lateral blue line coming in, that's
2 Dominion Energy Questar Pipeline into Hyrum. That
3 yellow dot is the Hyrum gate station.

4 **Q. And so really anything north of the Hyrum gate**
5 **station is -- is fed primarily by the Hyrum gate station**
6 **and the pressures that it provides; is that right?**

7 A. That's pretty much what I am telling you.

8 **Q. And where would your -- would a proposed**
9 **interconnection with Ruby be fixed on this map?**

10 A. So it -- if you look at the map where -- if
11 you follow Hyrum -- the Hyrum line out and then south,
12 it ties into another feeder line that heads north and
13 west. The Ruby Pipeline crosses at about that location
14 where those two pipelines meet.

15 **Q. So if you had an interconnection with Ruby,**
16 **would it feed through your feeder lines kind of east,**
17 **north and east further to the points higher than --**
18 **further north than Hyrum is on this map?**

19 A. If there were a Ruby Pipeline and there were
20 competitive transportation contracts or free supplies
21 that we chose to purchase on it and use in our design of
22 the peak day, that would back off the Hyrum gate
23 stations, assuming that it was functioning properly, and
24 those two gate stations would feed that northern area
25 together.

1 Q. And if you had both those connected as we're
2 talking, wouldn't they also possibly feed southward on
3 that line that goes right to the east of the Great Salt
4 Lake there?

5 A. One or the other of them would feed southward,
6 but there's not additional capacity in that line to take
7 extra gas from a new gate station at that location.

8 Q. So you are saying there is some limitations on
9 the interconnections of your high -- high pressure
10 feeder lines within the Wasatch Front system?

11 A. I'm saying we would need a much bigger
12 pipeline than what is there or designed to be there or
13 being replaced there.

14 Q. Let's flip back one slide, or closer to the
15 beginning, okay?

16 A. This is as far beginning as we can get.

17 Q. I'm sorry. Let's go forward to the point
18 where you have identified Eagle Mountain and Saratoga in
19 gray. Okay. The gray spots are Eagle Mountain and
20 Saratoga interconnections with Kern River; is that
21 right?

22 A. Correct.

23 Q. And I believe you have indicated in responses
24 to data requests that these two interconnections are --
25 I'm not sure what you said. Interconnected or the MAOPs

1 **wouldn't allow them to feed the rest of your Wasatch**
2 **system. Is that somewhat accurate?**

3 A. There -- there aren't facilities there.
4 There's not a pipeline. The capacity -- so if we are
5 looking at this, the -- the capacity of the Eagle
6 Mountain gate station, which is furthest from the
7 Wasatch Front system, has a capacity of about 25 million
8 cubic feet per day.

9 And the Saratoga tap, which is the northern
10 gate station, has a capacity that's around 200. I'm not
11 sure exactly what it is, but basically all of the
12 capacity for that gate station feeds the Lakeside power
13 plant.

14 **Q. Has the company issued any RFPs to consider**
15 **what it would cost to upgrade the MOP interconnections**
16 **between these two Kern River interconnects and the main**
17 **part of your feeder system?**

18 A. So I -- I'm not the expert when it comes to
19 RFPs, but let me tell you what I have done. I have
20 looked at this part of the system, and I have looked at
21 how much we could feed through the 12 inch line that the
22 Saratoga tap is tied to. It's called feeder line 85,
23 and it ties back into the Wasatch Front area.

24 I have looked at, if we put a regulating
25 station at that location, how much gas could we feed

1 into the rest of the system? And if there were gate
2 capacity, we could only feed another 30 million, which
3 sounds like another 30 million.

4 But that's assuming that that capacity isn't
5 taken by the -- the power plant already, which, I mean,
6 this was a hypothetical scenario, and it's not a really
7 good one. We would have to replace that whole feeder
8 line and that gate station if we wanted to get more
9 capacity there.

10 **Q. What's the length of that line between the**
11 **interconnection with Kern River and your main feeder**
12 **system?**

13 A. Is this a test? I don't remember the length
14 of every feeder line in the system, and I think I have
15 done pretty good so far, but that's not one I can -- can
16 recall off the top of my head.

17 **Q. I'd like to direct your attention to your**
18 **rebuttal testimony filed on September 6th.**

19 A. Okay.

20 **Q. At lines 34 through 39 you state, "The office**
21 **had access to the same data in this docket, and other**
22 **than making a cursory statement of deficiency, has**
23 **failed to identify any additional system analysis or**
24 **information that is required."**

25 **Is that an accurate read of your testimony?**

1 A. It looks right to me.

2 Q. And without belaboring the point, Dominion is
3 the applicant in this proceeding; is that right?

4 A. Yes.

5 Q. And isn't it true that the Office of Consumer
6 Services could choose to participate or not, and still
7 leave the decisions as to the adequacy of Dominion's
8 application to this commission to decide?

9 A. I am not sure what the office's
10 responsibilities are or not -- or not.

11 Q. Are you sure what Dominion's responsibilities
12 are as the applicant in this proceeding?

13 MS. CLARK: I'm going to object to the extent
14 that it calls for Mr. Platt to speak to legal
15 requirements or legal conclusions.

16 MR. JETTER: I'll withdraw the question.

17 Q. (By Mr. Jetter) Let's look at some of the gas
18 supply shortfall issues. Are you familiar with slide 11
19 that has been presented as an exhibit today that was
20 part of your -- the Dominion technical conference?

21 A. I have seen it.

22 Q. And isn't it true that for the 95 events that
23 are captured on that slide, that there was not really an
24 actual outage in customer service?

25 A. I think you have already established that we

1 haven't had a loss of customers.

2 Q. All right. Now, in connection with your
3 Exhibit 3.09R, you provided analysis of various
4 different scenarios related to possible gate -- city
5 gate failures of how the LNG proposed facility would
6 respond; is that right?

7 A. I believe you are correct.

8 Q. Now, in response to a DPU data request, the
9 company has also provided similar studies conducted in
10 February of 2018 as part of this contingency planning
11 and analysis and process. Are you familiar with those
12 studies?

13 A. I am very familiar with the contingency
14 analysis.

15 Q. I'd like to have this next exhibit marked as
16 Exhibit Number, I believe it's 7, if my count is right
17 with the next one.

18 A. I think it's already attached to Mr. Mierzwa's
19 testimony.

20 Q. You're right. But rather than bring his
21 testimony out before I have admitted it, I'd like to at
22 least get it admitted, or have you discuss that with me.

23 A. Fair enough.

24 (OCS Hearing Exhibit No. 7 was marked.)

25 Q. (By Mr. Snarr) Now, for the studies that have

1 **been included as part of this contingency planning**
2 **exhibit, isn't it true that the mean temperatures of 30**
3 **degrees and 20 degrees Fahrenheit were used as**
4 **assumptions for this contingency plan?**

5 A. Right. So I want to talk about this
6 contingency plan for a minute. The analysis is
7 completed at 30 and 20 degrees, and the reason why those
8 temperatures were chosen in 2009 when we started this
9 analysis was that at colder temperatures, there were no
10 actions that could be taken to remediate these kind of
11 outages, these kind of disruptions at the gate station.

12 **Q. The particular disruptions you are talking**
13 **about here, though, are -- so you -- you are saying you**
14 **have a contingency plan as described in this exhibit,**
15 **but only for the 20 or 30 degree scenarios; is that**
16 **right?**

17 A. So have you ever planned for any type of
18 event? Have you ever had a contingency plan?

19 **Q. I have, but I think I'll let your counsel ask**
20 **me about that later.**

21 A. I think that the -- the purpose of contingency
22 plan is so that we have some actions that we can take,
23 because a gate station disruption is a horrible thing.
24 And if it happened, I'd like to have a set of actions
25 that could be taken at certain points to indicate what

1 actions might be helpful.

2 Now, I'll note, as you brought it up, that
3 every action in this appendix for all of these are not
4 firm. The -- these actions are not firm. We're -- we
5 would be requesting an out-of-cycle adjustment at Hunter
6 Park without any known notice to increase the volumes.

7 This -- this is an engineering analysis about
8 what would be required in order to keep the system
9 whole. It's -- and what upstream pipelines would or
10 wouldn't be willing to do, this isn't about that. This
11 is about how our system would respond to different
12 actions if they did happen.

13 **Q. Okay. Now, isn't it true that report says,**
14 **"Contingency analysis indicates that in most cases if a**
15 **gate station outage occurs, gas supply can be**
16 **reallocated to nearby stations to maintain system**
17 **pressures"? Isn't that correct?**

18 A. That is what it says.

19 **Q. Thank you.**

20 A. The analysis focuses on the Dominion Energy
21 Utah system, not what happens upstream. This isn't a
22 joint analysis. This is an analysis of what's required.

23 **Q. I appreciate your clarification. So you are**
24 **not focusing on any failures of gas supply or upstream**
25 **pipelines when you do this analysis; isn't that right?**

1 A. This is, I think that the introduction talks
2 about what it is and what it is not.

3 Q. Well, you just said that it is an analysis of
4 your system and not what would happen on the Kern River
5 system or any upstream facilities?

6 A. Right.

7 Q. And certainly not as it relates to any
8 upstream processing plants or -- or freeze-offs.

9 A. But anything that results in a disruption at
10 one of the gate stations. So it could be a supply
11 shortfall.

12 Q. Well, okay. But you indicate if there's a --
13 the point of dysfunctionality here, that you have
14 identified in your analysis, is a gate station; isn't
15 that right?

16 A. I think that's what it says in the text.

17 Q. Thank you. And you haven't described
18 specifically whether that's a supply shortfall or a
19 severance of the pipe or an earthquake or a cyber
20 attack. That says, "What if my gate station doesn't
21 work, what would I do?" Is that right?

22 A. I think that's fair.

23 Q. And you say and you conclude that in most
24 cases there can be a relocation of gas supplies from
25 nearby stations that are functioning to make it all

1 **work?**

2 A. Physically at 20 or 30 degrees, based on the
3 context of this analysis, at 20 or 30 degrees, the
4 system, if supplies and transportation and everything
5 else lined up, and we were so lucky to have any of these
6 actions occur, then yes, it could be.

7 **Q. And these conclusions were reached without any**
8 **resort to the proposed LNG facility, right?**

9 A. Right.

10 **Q. Okay. Now, these conclusions were also**
11 **reached without any resort -- resort to any additional**
12 **or new pipeline interconnections; isn't that right?**

13 A. There -- this is system as it exists today.

14 **Q. Right. And it doesn't include the proposed**
15 **new interconnection you have in mind with Rose Park with**
16 **Kern River; isn't that right?**

17 A. I think we have lost your mic. But I heard
18 you say --

19 **Q. I'm sorry.**

20 A. -- it doesn't include the new Rose Park gate
21 station, and I would say, one, that is correct, and two,
22 if the new Rose Park gate station were installed, the --
23 the results of this analysis might be similar, but it is
24 still relying on non-firm services or adjustments that
25 may or may not happen.

1 **Q. Doesn't Kern River provide firm transportation**
2 **service?**

3 A. What does it matter if there's no supply
4 behind it? I mean --

5 **Q. No. The -- the non-firm service would be**
6 **associated with the gate station that fails; is that**
7 **right?**

8 A. If a gate station fails --

9 **Q. Then you are saying that's the service that**
10 **you are saying is non-firm?**

11 A. Well, is it in the same path? Is it the same
12 point? It's not. So it's not firm, is it?

13 **Q. I am sorry. You have lost me there, but --**

14 A. I am not the gas supply expert. I -- I know
15 that all the actions in this are -- are, if it happened,
16 would the system balance and maintain pressures? And --
17 and what I understand about all the actions that are in
18 here, with or without a Rose Park gate, would be not
19 firm. The only thing that would be firm is if we had a
20 supply reliability option that we can turn on at a
21 moment's notice.

22 **Q. Let me just suggest something then. What if**
23 **you ran these studies, but you assumed, just for study**
24 **purposes, that the Kern River system was functioning**
25 **live and well; that it had its normal pressures**

1 servicing at least as far south as Bluffdale, Utah; that
2 any disruption to Kern River, if there was one, would
3 have been south of Bluffdale, and they could terminate
4 or shut the valves off so that they were maintaining
5 pressure to a new Rose Park interconnection, and that
6 you subscribe to firm transportation service on Kern
7 River.

8 Are you suggesting that that wouldn't help or
9 help resolve the gate station failure at Hyrum or Little
10 Mountain?

11 A. What I am telling you is that if there's firm
12 transportation on the Kern River Pipeline, the way --
13 the way I understand it, if there were enough firm
14 transportation and we had an outage at Little Mountain,
15 and then we wanted to increase flows from zero or
16 whatever they were at, at that new station, to make up
17 the difference, that would not flow on a firm basis
18 because it would not have been nominated prior to the --
19 why would we nominate what we're not going to flow?

20 You are -- you're assuming that this --
21 maybe -- maybe I am not understanding the question
22 properly, but the way I understand it is that we have
23 some mechanical failure at Little Mountain. Unless that
24 coincides with your nomination schedule, that's not
25 going to flow on a firm basis. And I'm really not the

1 expert, so I --

2 Q. So you're suggesting, though, that there is a
3 nomination issue that might get in the way?

4 A. From what I understand there -- there are a
5 number of issues with flowing unscheduled quantities to
6 a gate station, right. I mean, many issues.

7 Q. And without repeating, you have been in the
8 room while we've talked about NNT service, and you're
9 aware that there's at least on-demand service offered in
10 the Questar tariff through that NNT service?

11 A. I am aware of no-notice transportation.

12 Q. Thank you. Now let's talk about earthquakes a
13 bit. On one of the slides, it might be one of the last
14 slides you presented today, you have portrayed certain
15 fault lines in central and southern Utah; is that right?

16 And --

17 A. It looks like it.

18 Q. It's what, the east Tintic Mountain fault
19 line?

20 A. I think it's Tintic.

21 Q. You are suggesting that if there was an
22 earthquake in this area, it might affect Magnum and/or
23 Kern River; is that right?

24 A. I don't think I made that suggestion, but I
25 think that if Kern River's pipeline goes over this, it

1 could be affected. It depends on how they design the
2 pipe.

3 Q. And you are also familiar with the Wasatch
4 fault line; is that right?

5 A. I am.

6 Q. And Kern River and other pipeline feeds --
7 cross that fault line?

8 A. Right.

9 Q. And have you ever had -- has Dominion ever
10 experienced an earthquake such that one of the feeder
11 pipelines has lost service?

12 A. Not that I am aware of.

13 Q. And do you know the probability of earthquakes
14 happening -- so that would say that the Wasatch Front
15 fault line is a -- as much as we all fear the big one,
16 it hasn't happened yet, right?

17 A. I -- I believe you are correct, that it hasn't
18 happened yet. But doesn't mean that we shouldn't
19 prepare for it.

20 Q. Right. And at the same time, we need to
21 prepare for the big one that's going to hit the east
22 Tintic Mountain fault as well, right?

23 A. I don't -- I don't think that -- I think it's
24 about a reduction of risk. The reason why I have this
25 is -- is -- this is additional risk that can be avoided.

1 Q. Let me -- let me put it this way. If Magnum
2 and Kern River were operational and were feeding -- had
3 the potential, either individually or together, to feed
4 gas into the Wasatch Front system, crossing the east
5 Tintic Mountain fault, and there was an earthquake that
6 disrupted the northern portion, or the northern feed of
7 Kern River into the Wasatch Front, isn't it true that
8 with the gas supplies it might be acquired or used from
9 Magnum, that the southern portion of your system could
10 still be functional and supply the Wasatch Front?

11 A. I am not an earthquake expert, but I can tell
12 you that it's -- it's possible. Lots of things are
13 possible.

14 Q. Let's switch it the other way now. Let's
15 assume that there's an earthquake in the Tintic
16 Mountains, and it disrupts Magnum and Kern River and
17 perhaps any flows they were making northward to your
18 system. But on this occasion, the Wasatch Front didn't
19 fail or didn't have its earthquake. Isn't it true that
20 the flows from Opal that feed Kern River could still
21 feed the main interconnections to the Wasatch Front
22 system?

23 A. In this scenario, I believe so.

24 Q. Okay. Just a few more questions. Let me have
25 you now turn to your rebuttal testimony at lines 138

1 through 146. Are you there?

2 A. Yep.

3 Q. There you take issue with the office's
4 contention that there are differences between the
5 upstream gas supply support facilities serving Southwest
6 Gas and the upstream gas supply support facilities that
7 serve Dominion Energy Utah; isn't that correct?

8 A. That is correct.

9 Q. Let me now have you turn, if you would, to
10 Dominion's Exhibit No. 2.08. It may have been provided
11 by Ms. Faust.

12 A. I actually don't have that one with me. I was
13 trying not to print this mountain of evidence.

14 MS. CLARK: May I approach?

15 A. Thank you. I am here.

16 Q. (By Mr. Snarr) Okay. So Exhibit 2.08, I'll
17 ask you to turn to page 32 of 41 of that exhibit. It's
18 not my exhibit, but it's been presented and offered into
19 evidence by Dominion. My understanding of this is it's
20 -- a transcript of some of the proceedings that took
21 place in Arizona relating to the Southwest Gas outage
22 and the request they made to seek authorization to put
23 in a LNG facility.

24 As I make that representation to you, if -- if
25 I am wrong, I'm sure counsel or someone will point that

1 out. But I'd like to direct your attention -- let me
2 further represent that Mr. Brown, who is quoted on this
3 page, is a representative of Southwest Gas.

4 At lines 8 through 19 of Dominion's exhibit,
5 it states as follows: And with respect to the way our
6 systems is laid out and what feeds the Tucson area, it's
7 only the El Paso transportation system that feeds into
8 the area. So when we are going out to our suppliers to
9 get gas to bring it into that system, there is really
10 only one way to get it in on that one pipeline.

11 So when you are talking about other suppliers,
12 we couldn't go, you know, north into the Rockies or into
13 Canada. There are different -- the way the system is
14 laid out, there's really only one way into the southern
15 Arizona territory. So we can only seek supplies along
16 that distribution or transportation system.

17 Did I read that correctly?

18 A. I believe you did.

19 MR. SNARR: Thank you. I have no other
20 questions.

21 CHAIRMAN LEVAR: Thank you. Why don't we take
22 a short recess until three o'clock, and then we'll go to
23 cross-examination from UAE or Magnum.

24 (Recess from 2:47 p.m. to 3:00 p.m.)

25 CHAIRMAN LEVAR: Okay. Any cross-examination

1 for Mr. Platt from either Magnum or Utah Association of
2 Energy?

3 MR. DODGE: I have no questions, thank you.

4 CHAIRMAN LEVAR: Okay.

5 MR. RUSSELL: And on behalf of UAE, we have no
6 questions either.

7 CHAIRMAN LEVAR: Okay. Thank you. Any
8 redirect?

9 MS. CLARK: Just a few, yes, thank you.

10 REDIRECT EXAMINATION

11 BY MS. CLARK:

12 Q. Mr. Platt, you spent some time speaking with
13 Mr. Snarr about hypothetical situations in which one or
14 another gate station were lost, if supply were to shift
15 to one or another gate station or one or another of the
16 company's feeder lines, and you expressed skepticism
17 about the capacity on the company's system to permit
18 that. Do you remember that discussion?

19 A. I do.

20 Q. Was there any part of that discussion that
21 suggests that supply would be available in any of those
22 hypothetical circumstances?

23 A. No. There is no reason to believe that there
24 was supply in any of those hypotheticals.

25 Q. Does that cause you any concern?

1 A. Yes. It basically means that none of them are
2 feasible.

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

5 CHAIRMAN LEVAR: Okay. Thank you. I have
6 one. You have given us some extensive comparison
7 between the proposed LNG facility and the -- the Magnum
8 proposal, or the discussions that are in Magnum's
9 testimony at least. Would -- would that comparison be
10 improved or enhanced by the result of a single RFP where
11 with an on-system LNG were compared against an
12 off-system salt cavern storage with -- with identical
13 scoring criteria?

14 THE WITNESS: I don't -- I don't think that --
15 I think -- I think that my analysis is really about how
16 the system performs. So where things are and what
17 pressure is really what the result is based on, if there
18 are other off-system options that tied into the same
19 location that Magnum Energy would be tying into, it
20 would be no different, if that makes sense.

21 CHAIRMAN LEVAR: Yeah. Did you want to add
22 anything else to the answer?

23 THE WITNESS: Just, no.

24 CHAIRMAN LEVAR: Okay. Thank you.
25 Commissioner White, do you have any questions?

1 COMMISSIONER WHITE: Yeah. I was just
2 curious, you know, and I apologize. I know I am always
3 relying back on the electric side because that's kind of
4 where my background is, but are there reliability
5 standards, either on the wholesale transmission side or
6 the pipeline side or the distribution side that -- that
7 you are basing recommendations on sizing and in kind of
8 design components on?

9 I guess, I am just wondering if -- in the
10 electric world there's, you know, the -- you know, NERC,
11 and there's NEC code. Is there something akin to that
12 in the -- in the gas distribution or FERC world, I
13 guess?

14 THE WITNESS: So let me be clear first. I --
15 I do not design FERC pipelines. I don't -- I don't know
16 what their regulation details are. I'm vaguely aware.
17 But as far as distribution goes, not that I am aware of.
18 I mean, when we size a pipeline, for instance, we size
19 it based off of the design temperatures, and we look at
20 future demand growth. We have master planning models of
21 5 and 25 years.

22 We look at all the scenarios, and -- and
23 sometimes -- I mean, sometimes we'll get a request from
24 a customer, and they'll have an initial phase and a full
25 build-out. And we'll look at all of those different

1 permutations and see what the best diameter pipeline is,
2 but as far as reliability, I mean, historically, we kind
3 of have to assume that supply shows up. And that's
4 concerning when you have history that it -- it doesn't
5 always show up.

6 COMMISSIONER WHITE: Were you involved at
7 all -- at all in the design or the general RFP process
8 for this -- to address this specific issue that's been
9 identified?

10 THE WITNESS: So when in 2016, when the RFPs
11 went out, I was involved in some of the preliminary
12 system analysis, and I was also involved in the
13 evaluation of the prefeed RFP and the different
14 companies that responded to that.

15 COMMISSIONER WHITE: There is some testimony
16 you provided, you know, essentially addressing some
17 potential challenges or feasibility of, I guess we'll
18 call it the Magnum solution that they proposed. Is
19 that -- is it fair to say that that was not an iterative
20 process, meaning that, I guess -- let me -- let me back
21 up here.

22 Was it the kind of RFP where there was --
23 there was a specific challenge identified that Magnum
24 could come to the table with a proposed solution? Or
25 was it, I mean, I just want to make sure there was

1 not -- I am wondering, was it a back and forth in terms
2 of we can't do this, but you can -- can you do this?

3 THE WITNESS: So -- so as far as that, the
4 other RFP goes, I -- I wasn't that involved, and when I
5 say I did a preliminary analysis, what I mean is, Tina
6 and Will called me up and said, you know, where would be
7 the best possible locations for these types of
8 facilities? How much? And I looked at how the system
9 would respond.

10 So as far as the discussion goes, I think
11 that's a -- a Tina question. I'm sorry.

12 COMMISSIONER WHITE: Okay. The last question
13 I had I guess, there's a lot of discussion right now
14 both in the gas and electric world about, you know,
15 reliability issues, whether it's cyber security,
16 physical security -- physical security, weather
17 fluctuations, natural disasters, et cetera.

18 To me, I am doing -- and I recognize there's
19 been some evidence presented about some really
20 potentially grave consequences, whether it's economic or
21 health and safety and et cetera. In terms of looking at
22 this like almost like an insurance policy, is -- is
23 there an incremental step in between addressing the
24 risks you have identified -- identified between a status
25 quo scenario and the LNG?

1 And beyond that, is there something -- can we
2 guarantee, if we are going to manage risk even beyond
3 that, is there something even beyond an LNG?

4 THE WITNESS: Yeah, I think that's a really
5 difficult question to answer.

6 COURT REPORTER: And sir, can you get your
7 microphone a little closer, please?

8 THE WITNESS: I'm very sorry. It's a --
9 that's a pretty difficult question to answer, and the
10 reason why I say that is, you know, on January 6th of
11 2017, the amount that I recall being short during the
12 morning pull was 136,000 decatherms. And so a small
13 buffer of 14,000 decatherms, I think that that is a very
14 real scenario.

15 So what -- what could we do in between that?
16 I don't know. I haven't looked at every incident
17 possibility, but I have a feeling that if -- if we're
18 short, and we're looking for a step up, we -- we would
19 still have loss of service to some customers in -- in
20 realistic shortfall scenarios.

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

23 CHAIRMAN LEVAR: Commissioner Clark.

24 COMMISSIONER CLARK: Good afternoon. I asked
25 Ms. Faust about some supply vulnerabilities that she

1 discussed in her testimony and with respect to the
2 proposed LNG facility. Are -- are you the right witness
3 to ask about the LNG's response in those con --
4 conditions, or would it be other witnesses, Mr. Paskett
5 and Mr. Gill?

6 THE WITNESS: Are you talking about the -- the
7 facility? I -- I can't recall. I mean --

8 COMMISSIONER CLARK: But so, one -- one
9 question related to extreme cold or extreme hot
10 temperatures, and, you know, at least on the cold side,
11 looking at a well freeze-off type of scenario, does --
12 does that affect LNG operation at all? And the other
13 set of questions related to its vulnerability to the
14 fires, earthquakes, other kinds of natural disasters or
15 cyber attack?

16 THE WITNESS: Right. Mike -- Mike Gill is
17 really the expert when it comes to design. I -- I will
18 say that if we're comparing the -- the on-system LNG
19 to -- to other options, it's about a reduction of risk,
20 right? The components inside the LNG facility are
21 all -- and -- and Mike will talk about this, I'm sure, N
22 plus one. So if one fails, it will continue operating
23 and not skip a beat.

24 And then there's a mile long pipeline that
25 would be subject to the same risks as every other

1 pipeline. But it's a mile long, and it's -- it is not
2 exactly in a high growth area of the valley. I mean,
3 it's -- it's, I would say a much lower risk than a lot
4 of other pipelines.

5 And -- and so, yeah, it's at obviously
6 still -- still would be subject to cyber attacks and
7 other risks like that. But as far as physical risks --
8 risks, that's pretty isolated from a lot of the other
9 possibilities that we identified.

10 COMMISSIONER CLARK: And then with respect to
11 the question that your counsel asked you about the
12 scenarios, the hypothetical scenarios that Mr. Snarr was
13 discussing with you, I want to make sure I understand
14 your answer. And I don't think his scenarios
15 necessarily addressed the availability of supply, but
16 were you saying that -- that whether or not the system
17 would -- would accommodate and would remain operational
18 in part depends on the availability of supplies? Is
19 that -- is that what you are trying to -- is that what
20 you were telling us in that answer?

21 THE WITNESS: Right. So -- so if you have an
22 empty pipeline that's connected to a gate station with
23 huge capacity, if there's no gas in it, it's not going
24 to matter. And -- and that's basically what we're
25 saying is, you can you be fully subscribed to a

1 pipeline, but if there's no production at the other end
2 or storage or anything, putting gas into that, you --
3 you don't have a solution. This is about supply
4 reliability not transportation.

5 COMMISSIONER CLARK: Is diversity in -- of
6 transportation, gas coming from various locations on
7 various pipelines, does -- does that diversity
8 contribute at all to reliability, supply reliability in
9 your mind, or are they unrelated? Because that's
10 what -- that's what I understood your answer to be,
11 basically there's no relationship, and that's what I am
12 testing. Are you saying there's no relationship?

13 THE WITNESS: I -- I think that regardless of
14 temperature, if there's no gas to replace the gas that's
15 lost, it's irrelevant.

16 COMMISSIONER CLARK: Right. But what I am
17 asking is, does the diversity of supply and the
18 diversity of transportation of that supply affect the
19 probabilities that be there will be no gas? In other
20 words, isn't it -- isn't it -- is it -- is it less or
21 more probable if I have got one source of supply or
22 four?

23 THE WITNESS: Well, I think -- so I think what
24 you are getting at is, we -- I mean, if you look at this
25 figure here, we -- we have a production in a lot of

1 locations. Does the fact that there are more than one
2 production field add to reliability? And I can say
3 generally diversity, I mean, supply diversity -- having
4 a diverse supply portfolio, yes. But if you don't
5 purchase additional that you don't intend on using, when
6 you have some go missing, there's nothing there to
7 replace it.

8 And so I -- I think that in the sense that if
9 we're looking at this map, do we expect everything to --
10 to go out in Rock Springs, Kemmerer, Wamsutter, and all
11 the other production all on the same day? No, that
12 would be catastrophic. But I think that if you have 150
13 missing from a single location, and you don't have a way
14 of replacing it, it's still a problem from our system,
15 how it's going to operate at that standpoint.

16 COMMISSIONER CLARK: And if you do have a way
17 of replacing it, then it's not a problem. Is the
18 converse true as well?

19 THE WITNESS: If you do have a way of
20 replacing it, and you have a way of transporting it and
21 you have capacity, both take away and it's located in
22 a -- in a situation, then you would prevent loss of
23 service.

24 COMMISSIONER CLARK: Okay. Thank you. That
25 concludes my questions.

1 CHAIRMAN LEVAR: Okay. Thank you, Mr. Platt.

2 We appreciate your testimony today.

3 THE WITNESS: Thank you.

4 MR. SABIN: Thank you. The company calls
5 Mr. Bruce Paskett as our next witness.

6 CHAIRMAN LEVAR: Mr. Paskett, do you swear to
7 tell the truth?

8 THE WITNESS: I do.

9 CHAIRMAN LEVAR: Thank you.

10 BRUCE PASKETT,
11 was called as a witness, and having been first duly
12 sworn to tell the truth, testified as follows:

13 DIRECT EXAMINATION

14 BY MR. SABIN:

15 Q. You will probably want to move that mic just a
16 little closer to your face, because it doesn't pick up
17 very well after about 12 inches.

18 A. Thank you. My face is going to be facing that
19 way.

20 Q. Okay. All right.

21 A. Thank you.

22 Q. Mr. Paskett, could you please state your full
23 name for the commission.

24 A. My name is Bruce Paskett.

25 Q. And Mr. Paskett, for whom do you currently

1 work?

2 A. I currently work for Structural Integrity
3 Associates.

4 Q. Mr. Paskett, I have in my records that you
5 have submitted direct testimony marked as Exhibit 4.0,
6 with one Exhibit of -- marked 4.01. And then that you
7 have also submitted rebuttal testimony marked as Exhibit
8 4.0R; is that correct?

9 A. That is correct.

10 Q. Do you have any corrections at this point to
11 that testimony?

12 A. I do not.

13 Q. Do you adopt that testimony as your testimony
14 today?

15 A. I do.

16 Q. Did -- have you prepared a summary of --

17 MR. SABIN: Oh, I guess I should at this
18 point, we would move to admit Exhibits 4.0 to 4.01 and
19 then 4.0R as Mr. Paskett's testimony and exhibits in
20 this matter.

21 CHAIRMAN LEVAR: If any party objects to that
22 motion, please indicate to me. I am not seeing any
23 objections, so the motion is granted.

24 Q. (By Mr. Sabin) Mr. Paskett, have you prepared
25 today a summary for the -- for the parties and the

1 **commission of -- of your direct and rebuttal testimony?**

2 A. I have.

3 **Q. Would you go ahead and share that with the**
4 **parties and the commission right now?**

5 A. I would like to. Thank you very much. Good
6 afternoon, Mr. Chair and Commissioners. My name is
7 Bruce Paskett. I am a senior associate and chief
8 regulatory engineer with Structural Integrity
9 Associates. I appreciate the opportunity to testify
10 before the commission today in this proceeding.

11 Since this is my first time testifying before
12 this commission, I'd like to take the opportunity to
13 provide a brief -- brief overview of my background and
14 experience. I have been a registered professional
15 engineer in the state of Oregon since 1987, with over 35
16 years of experience in the natural gas industry.

17 I was employed for 31 years at Northwest
18 Natural Gas with headquarters in Portland, Oregon. In
19 case you are unaware, Northwest Natural is a local
20 distribution company about the same size as Dominion
21 Energy Utah and has transmission distribution, on-system
22 underground storage and on-system LNG plants.

23 During my tenure with Northwest Natural, I
24 held a number of different management positions,
25 including system design engineer, supervising engineer

1 of the design section, supervising engineer of the field
2 section, manager of engineering, manager of corporate
3 security, chief engineer, manager of code compliance and
4 principal compliance engineer.

5 At various times I had the direct
6 responsibilities or is involved in the design,
7 construction, operations, maintenance, integrity
8 management and regulatory compliance for Northwest
9 Natural's transmissions and distribution systems.

10 In addition, I was involved with supporting
11 the company's underground storage facility and two
12 on-system LNG plants where the company liquefied and
13 vaporized LNGs.

14 On numerous occasions I was also involved as a
15 member of the company's emergency operations committee,
16 or EOC, that responded to various natural gas
17 emergencies. While at Northwest Natural, I also had the
18 opportunity for significant involvement in natural gas
19 professional associations, regulatory workshops,
20 including PHMSA safety workshops and NARO conferences
21 and pipeline safety regulatory compliance rule making
22 initiatives.

23 I participated in American Gas Association or
24 AGA operations committees for nearly 35 years. If you
25 are not aware, AGA represents the 200 largest LDCs in

1 the nation.

2 In addition, from 2009 to 2013, I was a loaned
3 executive to the AGA during the time period following a
4 significant number of serious pipeline accidents,
5 including the San Bruno tragedy. During my tenure as a
6 loaned executive, I supported AGA during the 2011
7 congressional pipeline safety reauthorization and
8 numerous PHMSA pipeline safety rule makings.

9 In 2014 I joined Structural Integrity
10 Associates as chief regulatory engineer. In my current
11 practice I provide engineering consulting for LDCs
12 across the nation regarding regulatory compliance, best
13 practices on a broad range of natural gas design,
14 construction operations, maintenance and integrity
15 management matters.

16 Based on my 35 years of industry experience,
17 participation in AGA operations committees, my tenure as
18 an AGA loaned executive, and my practice with Structural
19 Integrity Associates, I have acquired extensive
20 knowledge and experience related to natural gas LDCs
21 across this nation.

22 Dominion Energy Utah retained me to provide an
23 expert review and assessment of the company's
24 reliability needs for the DEU system and the company's
25 evaluation of available supply reliability options. In

1 this capacity I assessed the issues driving the
2 company's desire for supply reliability solution and the
3 resources that could be reasonably added to the
4 company's gas supply portfolio to improve the safety and
5 reliability of service to sales customers during cold
6 weather and design peak day conditions.

7 Historically and recently DEU has experienced
8 disruptions of contracted gas supplies during cold
9 weather events, when temperatures were warmer than a
10 design peak day. Since a hundred percent of DEU's gas
11 supply portfolio comes from off-system sources, which
12 are outside the company's piping system, the supply
13 shortfalls occur due to events that are outside the
14 company's control.

15 Based on the frequency and nature of these
16 supply disruptions, DEU is justifiably concerned that it
17 will be unable to provide safe and reliable service to
18 sales customers during winter cold weather conditions.
19 In my experience, supply disruptions are a very real and
20 serious threat to LDCs. In DEU's case it is concluded
21 that the types of upstream events it has experienced, if
22 replicated during colder weather conditions, have the
23 potential to cause significant gas supply problems and
24 result in a significant loss of service.

25 The company's unchallenged system network

1 modeling shows that a supply disruption to the command
2 center could result in a loss of service of up to
3 650,000 residential, commercial and industrial sales
4 customers that rely on natural gas for heating and other
5 needs. This interruption of service could also
6 result -- result in serious threats to life, safety and
7 substantial property damage.

8 Based on my discussions with DEU personnel and
9 my review of company information, the company is serious
10 about providing safe and reliable service to its
11 customers and is driven about its legislative mandate to
12 provide safe and reliable gas service to customers.

13 Under this mandate, the company conducted a
14 supply reliability evaluation, which is DEU Exhibit
15 2.11, to identify a safe, reliable additional supply
16 source to maintain system safety, reliability, and
17 adequate system pressures during periods of supply
18 disruption.

19 In the supply reliability evaluation, the
20 company summarized the analyses conducted for a wide
21 range of options that were considered. In addition to a
22 supply reliability evaluation and the supply reliability
23 risk analysis, the company identified a range of
24 legitimate risks and threats to the reliable delivery of
25 contracted off-system gas supplies from reaching the DEU

1 distribution system.

2 You heard some of these threats identified in
3 earlier testimony today, but I'd like to take this
4 opportunity to detail them. They include, but not
5 limited to, well freeze-offs, processing plant and
6 compressor station shutdowns, landslides, washouts,
7 flooding, earthquakes, human error, third party
8 excavation damage, and cyber attacks.

9 In addition, there are other threats contained
10 in industry consensus documents, specifically ASME,
11 American Society of Mechanical Engineers, B31.8S, that
12 are relevant to the integrity of the pipelines that
13 deliver contracted off-system gas to the DEU system.
14 These threats include internal corrosion, external
15 corrosion, stress corrosion, cracking and manufacturing
16 construction defects.

17 I have reviewed the company's supply
18 reliability evaluation and risk analysis in detail.
19 Based on my extensive experience in the industry for the
20 past 35 years, it's my opinion that, one, the supply
21 reliability evaluation and risk analysis are
22 comprehensive and were competently performed.

23 Two, the supply reliability evaluation
24 identifies and objectively evaluates all reasonable
25 options for the need that was identified by the company.

1 Three, the reliability evaluation and supply
2 reliability risk analysis appropriately identifies a
3 range of legitimate risks and threats to the reliable
4 delivery of off-system gas supplies to the DEU system.

5 Four, an on-system LNG liquefaction storage
6 and vaporization facility owned and controlled by the
7 company provides the highest reliability of any
8 available option, and significant advantages as compared
9 to any of the other options available.

10 Five, based on recent disruptions of
11 contracted off-system gas supplies during cold weather
12 events that were much warmer than a designed peak day
13 temperature, it would be imprudent for the company to
14 fail to secure an additional gas resource that's highly
15 reliable in cold weather conditions.

16 And six, given that the company already relies
17 a hundred percent on off-system supply sources that are
18 subject to the numerous supply risks that I detailed
19 earlier, it's my opinion that the company's decision to
20 add an on-system supply reliability solution is not only
21 prudent, but the appropriate decision. Supply diversity
22 is a critical consideration when dealing with a question
23 of supply reliability.

24 As an element of its supply reliability
25 evaluation, DEU initiated a survey of AGA member

1 companies to solicit feedback on the mechanisms used to
2 maintain system supply reliability. You heard that
3 discussed earlier in testimony today. It's DEU Exhibit
4 2.04.

5 The results of the survey found that 45
6 percent of the respondents, 20 out of 44, reported that
7 they used an on-system LNG facility to maintain system
8 supply reliability. In Mr. Mierzwa's testimony, he
9 states that the AGA survey is not a relevant statistic
10 for this proceeding, because there are 1,400 natural gas
11 distribution companies in the nation. I strongly
12 disagree with his conclusion.

13 Based on AGA's website, AGA represents the 200
14 largest LDCs in the nation that provide natural gas
15 service for 95 percent of the nation's natural gas
16 customers. When 45 percent of respondents to an AGA
17 survey indicate that they use LNG for system supply
18 reliability, that is a very significant statistic and
19 extremely relevant for this proceeding.

20 The other 1,200 natural gas distribution
21 companies referenced in Mr. Mierzwa's testimony account
22 for only 5 percent of the natural gas customers in the
23 nation. These relatively small LDCs would not have a
24 sufficiently large customer base to justify diversified
25 gas supply portfolio that would include LNG.

1 In addition, in Mr. Neale's direct testimony,
2 he provides a map, which is DPU Exhibit 2.4 from U.S.
3 Department of Transportation Pipeline and Hazardous
4 Material Safety Administration, PHMSA, titled LNG Plants
5 Connected to Natural Gas Pipeline Systems, which was
6 prepared using publicly available information from 2016
7 LNG annual reports submitted by operators. When I
8 reviewed the map on PHMSA's website, the currently
9 available version is prepared using operator information
10 from 2017 LNG annual report. So one year newer data.

11 My review and analysis of this publicly
12 available database used to prepare the PHMSA LNG map
13 provides the following results. There are 160 LNG
14 facilities in the database with 152 currently in
15 service. As noted in my testimony, this figure is a 19
16 per -- 19.8 percent increase over the facilities in
17 operation in 2010.

18 Of significance to note, of these 160 LNG
19 facilities in the database, 71, 44.4 percent, are
20 reported as peak shaving plants. Only 22 are reported
21 as base loading plants. 22 are satellite facilities, 39
22 are mobile LNG tankers, and 6 are reported as others.

23 Significant to note that in PHMSA's LNG annual
24 report instructions, the agency directs the operators to
25 use the following definitions for reporting purposes.

1 "A base load LNG facility is a plant that operates
2 throughout the year to provide gas supply; whereas, LNG
3 peak shaving plants are used for storing surplus natural
4 gas for use during peak demands periods, such as winter
5 and summer."

6 This means that 44.4 percent of LNG facilities
7 in the nation are used to store surplus gas and provide
8 it when needed under cold weather operating conditions,
9 contrary to Mr. Mierzwa's suggestion that the company's
10 proposed facility is the only facility that be -- would
11 be used for system reliability.

12 In Ms. Faust's direct testimony, DPU Exhibit
13 2.0, she discusses the February of 2011 cold weather
14 event that resulted in the interruption of service to
15 approximately 40,000 natural gas customers in New Mexico
16 and Arizona. I also addressed this event in my
17 testimony.

18 In response to this event, Southwest Gas
19 examined their gas supply portfolio and exclusive
20 reliance on 100 percent off-system supplies and obtained
21 preapproval from the Arizona commission to construct an
22 on-system LNG storage facility and is currently building
23 that facility.

24 Some of these participants in this proceeding
25 would suggest that the use of LNG plants for peak

1 shaving purposes is relatively rare. However, as I just
2 noted, an examination of PHMSA's database shows that
3 there are 71 peak shaving LNG plants in the nation,
4 including peak shaving LNG plants located near Utah at
5 the following locations; Jackson, Wyoming operated by
6 Lower Valley Power and Light. Nampa, Idaho operated by
7 Intermountain Gas. Lovelock, Nevada, operated by Paiute
8 Pipeline. Gig Harbor, Washington, operated by Puget
9 Sound Energy. Plymouth, Washington, operated by
10 Williams Pipeline. And Portland, Oregon and Newport,
11 Oregon, operated by my previous employer, Northwest
12 National Gas.

13 So based on the DEU, AGA survey and the PHMSA
14 LNG database, it is clear that LNG plants are widely
15 used for system reliability purposes.

16 In addition, some parties in this proceeding
17 attempt to challenge the safety of LNG facilities.
18 Mr. Schwartz has challenged the safety and permitting
19 issues associated with LNG facilities in his surrebuttal
20 testimony. And in Mr. Holder's testimony, he states
21 that an LNG facility built in Salt Lake County would
22 pose a significantly higher safety risk compared to
23 Magnum storage option.

24 This assertion is simply not supported. LNG
25 plants have an outstanding safety record. Natural gas

1 pipeline and LNG plant operators are required to submit
2 annual reports and incidents reports to PHMSA. PHMSA
3 defines a serious incident as an incident that involves
4 a fatality or injury requiring in-patient hospital --
5 hospitalization.

6 Based on publicly available information on
7 PHMSA's website, during the 20 year time frame from 1998
8 to 2017, there was only one serious incident related to
9 LNG in 2014 that involved an injury to an operator's
10 employee. By contrast, for transmission pipelines, such
11 as the 80 to 100 mile long pipeline that would be
12 necessary to transport Magnum Storage gas to the DEU
13 load center, there were 94 serious incidents that
14 resulted in 50 fatalities and 179 injuries.

15 In addition, there have been a number of
16 significant incidents recently related to underground
17 storage facilities. It is clear that LNG storage has an
18 exemplary safety record, and does not pose a
19 significantly higher safety risk compared to the Magnum
20 off-system storage option.

21 Also, some parties attempt to characterize
22 Magnum's storage proposal as an on-system storage
23 solution, rather than an off-system option.
24 Mr. Holder's testimony, for instance, he states that
25 there's no legitimate distinction as to the source of

1 gas between a Magnum facility and an LNG facility that
2 both deliver to the same location and at similar
3 pressures.

4 He further asserts that both the LNG facility
5 and the Magnum facility thus offers on-system storage.
6 Respective facilities would not deliver gas to the same
7 location, and as an operator who had -- who had two
8 on-system LNG plants, I strongly disagree with the
9 characterization of Magnum as on system.

10 It's unreasonable and illogical to
11 characterize a storage facility located 80 to 100 miles
12 away, operated by a third party, and subject to the full
13 range of risk and threats that have been identified by
14 DEU, and in my summary testimony, as being an on-system
15 storage. That interpretation is not reasonable.

16 Finally, there are significant advantages to
17 having an on-system LNG storage facility from a system
18 reliability perspective. During my 31 years employed at
19 Northwest Natural, I was deeply involved in the
20 operations of the company, including emergency
21 operations. Northwest Natural's off-system gas
22 supplies, like the company's, are delivered through an
23 off-system pipeline.

24 As I detailed in my direct testimony, there
25 were at least seven occasions from February 1989 to

1 December 2003 when the interstate transmission pipeline
2 that provides natural gas transportation service to
3 Northwest Natural's service territory experienced severe
4 operation issues or catastrophic pipeline failures that
5 resulted in operational flow orders or flow restrictions
6 to the delivery of contracted gas to Northwest Natural's
7 service territory.

8 Many of these failures occurred during winter
9 time operating conditions due to issues such as
10 landslides and pipeline failures such -- for structural
11 reasons. Northwest Natural's ability to withdraw gas
12 from the company's on-system storage prevented the
13 interruption of service to thousands or tens of
14 thousands of customers. On-system LNG storage provides
15 significant system reliability benefits that no other
16 option can match.

17 In summary, I reviewed the DEU supply
18 reliability evaluation and supply reliability risk
19 analysis. In my expert opinion the company has
20 conducted a thorough and competent evaluation of
21 available alternatives to improve the reliability of
22 supply during cold weather operating conditions.

23 Of the available options, I agree that the
24 on-system LNG alternative clearly provides the most
25 beneficial option to improve DEU's supply reliability

1 during the cold weather operating conditions. That
2 concludes my summary testimony. Thank you.

3 Q. (By Mr. Sabin) Thank you, Mr. Paskett. You
4 reference in your summary, or you referenced in your
5 summary two documents that you reviewed as part of this
6 proceeding, after reading Mr. Mierzwa's surrebuttal
7 testimony, and in response to Mr. Neale's documentation
8 he submitted.

9 I'd like to approach the witness and pass out
10 this -- these two exhibits. One of the exhibits is the
11 map you referenced, the 2017 PHMSA map, and the second
12 is the general instructions from PHMSA's website that
13 references the definitions you have -- have articulated
14 in your summary.

15 MR. SABIN: With your leave, Chair, I'd love
16 to pass these out, and then I'll ask the witness a
17 couple questions about it.

18 CHAIRMAN LEVAR: Yes.

19 Q. (By Mr. Sabin) All right. Mr. Paskett, I
20 have handed you what's been marked as DEU Exhibit 6.0
21 and DEU Exhibit 7.0. Could you take a moment and review
22 those?

23 A. Okay.

24 Q. Mr. Paskett, could you please tell me what
25 Exhibit DEU 6.0 is?

1 A. DEU Exhibit 6.0 is a map from PHMSA's website
2 that I just addressed in my summary testimony which is
3 LNG plants connected to natural gas pipeline systems.

4 **Q. And that's the map you used to arrive at the**
5 **statistics you shared a moment ago?**

6 A. That -- that's correct. This is the most
7 current map with the most current statistics available
8 on PHMSA's website.

9 **Q. Okay. And what is Exhibit 7.0, DEU Exhibit**
10 **7.0?**

11 A. DEU Exhibit 7.0 is the instructions that PHMSA
12 provides for LNG plant operators with respect to
13 filing -- completing and filing their LNG annual reports
14 that are submitted to PHMSA by March 15th of each year.

15 **Q. If you could turn to page 4 of 7 of that**
16 **document, and there at the top half of the page, are**
17 **those the definitions you were referring to in your**
18 **summary?**

19 A. They are.

20 **Q. Could you read the definition of peak shaving**
21 **that appear there on that page?**

22 A. I can. "PHMSA, in the annual report
23 instructions on page 4 of 7, defines peak shaving as LNG
24 peak shaving plants are used for storage surplus" --
25 "for storing," excuse me. "Storing surplus natural gas

1 for use during peak demand periods such as winter and
2 summer."

3 Q. Okay. And where did you -- where did you
4 locate those two exhibits, Exhibit 6.0 and Exhibit 7.0?

5 A. I located both of these exhibits on PHMSA's
6 website, which is publicly available information.

7 MR. SABIN: With that, Mr. Chair, I would move
8 the admission of Exhibits -- DEU Exhibit 6.0 and 7.0.

9 CHAIRMAN LEVAR: If any party objects to that
10 motion, please indicate to me. I am not seeing any
11 objection, so the motion is granted.

12 MR. SABIN: Thank you. With that, Mr. Chair,
13 the witness is available for cross-examination.

14 CHAIRMAN LEVAR: Thank you. Mr. Jetter.

15 CROSS-EXAMINATION

16 BY MR. JETTER:

17 Q. Hi. Good afternoon.

18 A. Good afternoon.

19 Q. You have discussed some of -- of what I might
20 characterize as important considerations or requirements
21 of an appropriate facility, one of which I believe
22 was -- was listed No. 4 in your opening statement, which
23 is being on system and owned and controlled by the
24 distribution utility.

25 Do you view that -- is it accurate that your

1 **opinion is that those are -- those are requirements of**
2 **an appropriate facility?**

3 A. I didn't -- I don't believe I specified that
4 those were the requirements. To quote directly, it was
5 my opinion, "That an on-system LNG Liquefaction storage
6 and vaporization facility owned and controlled by the
7 company provides the highest reliability of any of the
8 available options, and significant advantages as
9 compared to any of the other options."

10 I did not say it was a requirement. I said it
11 was far advantageous compared to the other alternatives.

12 Q. So can you explain to us then, how much better
13 an alternative would need to be to overcome those
14 qualifications?

15 A. I don't understand the question.

16 Q. What -- what would it take for a third party
17 or let's -- let's take it one at a time. What type of
18 an off-system facility would meet the other requirements
19 of this in such a way that it would in fact be -- be
20 better than an on-system facility?

21 A. In my opinion, based on my experience, having
22 on-system facility, there's probably no off-system
23 facility that will have the same advantages. So you're
24 saying what off-system facility could be better. Any
25 off-system facility is going to be subject to a plethora

1 of risk to get the gas supplies reliably to the DEU
2 systems.

3 So there's -- there's no advantages I can
4 contemplate for an off-system facility that would make
5 it better than an on-system facility that's owned,
6 operated and controlled by the company.

7 Q. Okay. And let me add a little bit to my
8 question here. As compared to an on-system LNG facility
9 as proposed in this docket, what would an off-system
10 facility look like that would be a competitive project?
11 Is there such a thing in your opinion?

12 A. Well, as I just responded, the goal of the
13 company in the first place was improve supply
14 reliability. So I don't foresee any off-system
15 alternative that's going to be competitive and meet the
16 needs of the company, which was originally designed to
17 improve reliability.

18 Q. Okay. And so if you knew that as -- as a
19 third party, would you have any purpose to participate
20 in an RFP to present any kind of project that was not an
21 on-system, company-owned project?

22 A. I -- I guess if the -- there was no RFP sent
23 out for this, but let me -- let me be very clear. The
24 company did perform an internal analysis -- analysis, as
25 you heard in testimony today, that examined a large

1 range of options to try to improve supply reliability.
2 The conclusion that the company came to after that
3 analysis -- and they look at on-system. They look at
4 all the range of off-system options. The conclusion
5 that the company came to was that on-system was the
6 hands-down winner.

7 **Q. And so is it fair to say then that -- that**
8 **off-system projects are by default, or by definition of**
9 **being off system are -- are nonqualifying projects?**

10 A. I don't know that I would use the term
11 nonqualifying. I believe if the original objective,
12 which was the objective that was set forth by the
13 company, was to improve reliability, system reliability
14 during cold weather operating conditions, even though
15 the entire range of options was -- was considered, once
16 again, the advantages of on system trumps any of the
17 other alternatives.

18 **Q. And -- and you would even say, if the**
19 **alternatives were free, for example, they still would**
20 **not be a chosen alternative?**

21 A. Well, I'm not sure if free is a good price in
22 this case. But the point is, if it were free, it still
23 doesn't solve the issue that the company, the objectives
24 that the company set forth, which is improved supply
25 reliability.

1 Q. Okay. And are you aware of any bidder, other
2 than the company, that -- any of the bidders into this
3 project for the RFP that was issued that would have met
4 the requirement of on system and company owned?

5 A. I am not sure what RFP that you are referring
6 to.

7 Q. The 2016?

8 A. I am not aware of that RFP process.

9 Q. Okay.

10 A. It's outside the scope of my review.

11 Q. You have also mentioned that you have reviewed
12 the 200 largest distribution companies, and 45 percent
13 use on-system LNG; is that correct?

14 A. No, that's not correct.

15 Q. Would you please correct?

16 A. Let me correct the record here. What I said
17 is that AGA represents the 200 largest LDCs in the
18 country, and DEU went out with a SOS to AGA member
19 companies, and out of the AGA member companies, I
20 believe there were 45 respondents, and 45 percent of
21 them acknowledged that they were using LNG for on-system
22 supply.

23 Q. Okay. Thank you. And do you think that in
24 your opinion, do you know -- I guess do you know if the
25 45 respondents are representative of that category of

1 **200 members?**

2 A. I have not examined the 45 respondents so I am
3 not certain who they are.

4 **Q. Okay. And you would agree with me that 55**
5 **percent of the respondents do not have on-system LNG?**

6 A. Out of that survey, correct.

7 **Q. Okay. Do you think that those 55 percent are**
8 **acting imprudently with respect to risk by not having**
9 **LNG?**

10 A. I can't speak to them. It would be a
11 case-by-case basis for each operator. They may have --
12 if you looked at that response, they may have on-system
13 underground storage for example. So it's a case-by-case
14 evaluation for each operator.

15 **Q. Thank you. And -- and is it your opinion that**
16 **underground storage is less reliable than LNG?**

17 A. No.

18 **Q. Do you know if it -- if it's less reliable**
19 **during cold weather than LNG?**

20 A. I think the issue is the location of the
21 underground storage. Just for the record, as I
22 mentioned in my -- my summary testimony, my company had
23 LNG. My company had on-system underground storage. The
24 issue associated with underground storage is the
25 location and the transportation to getting from the

1 storage to the company's system.

2 And that transportation, through an interstate
3 pipeline, exposes that pipeline supply, or that storage
4 supply, to a wide range of risks that might prevent it
5 actually arriving at the company's site.

6 **Q. And with respect to those risks, is it your**
7 **experience that underground pipelines are less reliable**
8 **during cold weather days?**

9 MR. SABIN: Do you mean less reliable than
10 LNG?

11 MR. JETTER: No. I mean less reliable than
12 pipelines during warm weather.

13 MR. SABIN: Oh, okay. Thank you.

14 A. I don't have any statistics to -- to make an
15 assessment one way or the other on that issue.

16 **Q. (By Mr. Sabin) Okay. And so is it fair to**
17 **characterize your testimony that it is an accurate**
18 **representation that you don't believe that underground**
19 **LNG facilities are less reliable on cold weather days,**
20 **and you don't know if pipelines are less reliable on**
21 **cold weather days?**

22 A. I think your question was flawed. You may
23 want to ask it again. You asked me about underground
24 LNG facilities. You want to try again?

25 **Q. Okay. Are underground LNG facilities less**

1 **reliable on cold weather days as compared to warm**
2 **weather days?**

3 A. Your question still doesn't make any sense.

4 **Q. I'm sorry. Oh, I understand.**

5 A. Okay.

6 **Q. Are underground compressed natural gas storage**
7 **facilities less reliable on cold weather days?**

8 A. Are they less reliable on --

9 **Q. A cold weather day than a warm weather day?**

10 A. Well, if -- if you want a systematic, from a
11 systematic standpoint, yes, they are. Systematic
12 meaning, when you -- if you look at underground storage
13 facilities, it depends on the location. You have heard
14 ample testimony in this proceeding about well
15 freeze-offs, processing plant shutdowns and
16 interruptions, and other material failures in the entire
17 system that goes from a well all the way to DEU's
18 system.

19 So if you look at the entire range of -- of
20 different facilities that are required to get from
21 underground storage to DEU's system, yes, they are less
22 reliable, because there are a lot of threats at play
23 during cold weather operations.

24 **Q. Are you aware of any well freeze-offs that**
25 **would affect a Dominion -- a pipeline or facility that**

1 **Magnum has proposed between their and Dominion's system?**

2 A. Well, the Magnum facility has not been built.
3 So therefore, there's no well freeze-offs that have
4 occurred.

5 **Q. And are there any wells proposed as part of**
6 **that system?**

7 A. Absolutely. That's part of the proposal.
8 That's how underground storage works.

9 **Q. Do you believe that that -- that access point**
10 **to the salt cavern is similar to a natural gas well in**
11 **the field?**

12 A. Well, there are wells to the salt cavern, so
13 yes. There are well heads. There's wells. There's
14 processing equipment. There's all kinds of equipment
15 associated with any kind of an underground storage
16 facility.

17 **Q. And are those the same equipment that would be**
18 **found in -- in a Wexpro gas field for example?**

19 A. I am not -- I'm not at all familiar with
20 Wexpro so I can't speak to that.

21 **Q. Okay. In a typical natural gas field where**
22 **it's being developed from the ground?**

23 A. They are not -- well, each type of underground
24 storage has different equipment associated with it.
25 There are similarities. There are probably differences

1 depending on what the underground storage facility is.

2 **Q. Okay. And are you aware of any freeze-offs in**
3 **salt cavern storage facilities that have occurred in the**
4 **history of the United States?**

5 A. I am not -- I have not evaluated that. So I
6 can't to speak it one way or the other.

7 **Q. Okay. You mentioned that, I believe 71 of the**
8 **160 LNG facilities are used for system peak demand; is**
9 **that correct?**

10 A. For -- for peak shaving purposes, as reported
11 by the operators to the federal government.

12 **Q. Okay. Were you in the room earlier when**
13 **Ms. Faust testified regarding the difference between**
14 **peak shaving and system reliability?**

15 A. I was in the room when she -- when that was
16 discussed, yes.

17 **Q. And do you agree that there's a difference**
18 **between those two things?**

19 A. I believe that peak shaving and system
20 reliability are semantics, which is to say, reliability
21 LNG plants are used very frequently. In fact, 71 times
22 as reported by operators in the country, those folks are
23 saying they're using them for peak shaving purposes.
24 You can call it semantics, reliability. It is basically
25 reporting that when you have a peak operating weather

1 condition, they were going to use the LNG plant. You
2 can say that's reliability or peak shaving.

3 Q. Okay. And the peak hour contract for supply
4 would -- would provide services to both of those same --
5 semantic difference?

6 A. Peak power is outside the scope of my review.

7 Q. Okay. You discussed a little bit about the
8 injury incidents between the two. Would you accept,
9 subject to check, that there are something in the
10 ballpark of 300,000 miles of interstate pipeline in the
11 United States?

12 A. Yes.

13 Q. So would it be a surprise that numerically
14 there are more injuries on those pipelines than there
15 are on 160 LNG facilities?

16 A. I think that, I guess for the sake of this
17 discussion, I guess that's not relevant. Yes, there are
18 300,000 miles of transmission pipelines. The point of
19 my testimony was, in 20 years there has been no
20 fatalities, no really serious injuries associated with
21 LNG plants.

22 MR. JETTER: Okay. Thank you. I have no
23 further questions.

24 THE WITNESS: Thank you.

25 CHAIRMAN LEVAR: Thank you, Mr. Jetter,

1 Mr. Snarr?

2 MR. SNARR: No questions.

3 CHAIRMAN LEVAR: Thank you. Mr. Dodge or
4 Mr. Russell?

5 MR. DODGE: I have no questions.

6 MR. RUSSELL: No questions on behalf of UAE.

7 CHAIRMAN LEVAR: Okay. Any redirect?

8 MR. SABIN: I don't think we have any at this
9 point.

10 CHAIRMAN LEVAR: Okay. Commissioner White,
11 any questions?

12 COMMISSIONER WHITE: Yeah. I am just curious
13 about the Northwest Natural Gas facilities. When were
14 they put into service?

15 THE WITNESS: Okay. Excellent question.
16 Thank you, Commissioner. So there was two LNG plants on
17 Northwest Natural's system. One was built 1968 or '69.
18 The other one was built about 1979.

19 COMMISSIONER WHITE: And if -- and if I heard
20 you correctly in your earlier testimony, were there the
21 same challenges driving those -- the use of those
22 facilities? Was it -- was it incorrect to say that they
23 are similar to the challenges that are driving the --
24 the purported need for this facility here in Utah?

25 THE WITNESS: I wasn't around in 1968 or '69,

1 but I will -- I will respond to your question by saying,
2 they have -- that the challenges for Northwest Natural's
3 system are exactly the same as the challenges for the
4 DEU system, which is Northwest Natural has supplies,
5 ample supplies at various locations well outside the
6 service territory and a single two-way pipeline that
7 feeds the company's system.

8 So the LNG plants have been used for system
9 supply reliability. So I hope I was responsive to your
10 question.

11 COMMISSIONER WHITE: So there was no economic
12 drivers. It was just purely an economic --

13 THE WITNESS: It was a reliability decision is
14 my understanding. It wasn't based on economics. It was
15 based on reliability.

16 COMMISSIONER WHITE: Are you aware of any of
17 the plants, the LNG plants identified on the -- the DEU
18 Exhibit 6.0 that were developed for potential economic
19 arbitrage opportunities, or were they all just purely
20 reliability driven?

21 THE WITNESS: I -- I can't speak to any of the
22 drivers behind any of those. I would have to look on a
23 case-by-case basis. So I guess my answer is, I am not
24 sure what exactly the economics were or the drivers were
25 for any of those.

1 COMMISSIONER WHITE: And this is probably, you
2 know, I -- I understand that you would not know the
3 answer to this. But are you aware of any of these LNG
4 facilities that are owned and operated by entities other
5 than the LDCs they serve?

6 THE WITNESS: Yes. Some of those are, at
7 least two of the facilities that I mentioned that are
8 close to Utah here. And the one is Williams Pipeline in
9 Washington, is operated by an Interstate Transmission
10 Pipeline Company, and as is the Paiute Pipeline in
11 Nevada.

12 But the -- the point I was attempting to make
13 there is, a lot of these LNG peak shaving facilities are
14 in fact owned by LDCs or operators for reliability
15 purposes.

16 COMMISSIONER WHITE: Thank you. That's all
17 the questions I have. Thank you.

18 THE WITNESS: Okay. Thank you, Commissioner.

19 CHAIRMAN LEVAR: Commissioner Clark?

20 COMMISSIONER CLARK: No questions. Thanks
21 very much.

22 CHAIRMAN LEVAR: In your opinion would an RFP
23 that evaluated both a on-system LNG against off-system
24 options that could be bid in the RFP, and evaluated the
25 cost versus the abilities of those various options to

1 meet the utility's objections, would -- would the
2 results and analysis of that RFP improve or enhance the
3 supply reliability evaluation and risk analysis that --
4 that you reviewed?

5 THE WITNESS: In my expert opinion,
6 Commissioner, no. Because I believe that the company
7 has done a competent job of evaluating any possible
8 option, and when the day is done, any of the other
9 options would be off system, and so therefore, would not
10 basically be responsive to the company's objective in
11 the first place. So I -- I don't believe an RFP would
12 actually yield any useful results.

13 CHAIRMAN LEVAR: Okay. Thank you. Thank you
14 for your testimony, sir.

15 THE WITNESS: Thank you.

16 MS. CLARK: The company calls Michael L.
17 Gill.

18 CHAIRMAN LEVAR: Thank you. Good afternoon,
19 Mr. Gill.

20 THE WITNESS: Good afternoon.

21 CHAIRMAN LEVAR: Do you swear to tell the
22 truth?

23 THE WITNESS: I do.

24 CHAIRMAN LEVAR: Thank you.

25 MICHAEL LOWELL GILL,

1 was called as a witness, and having been first duly
2 sworn to tell the truth, testified as follows:

3 DIRECT EXAMINATION

4 BY MS. CLARK:

5 Q. Mr. Gill, can you please state your name and
6 business address for the record?

7 A. Yeah. Michael Lowell Gill. Business address,
8 1140 West 200 South, in Salt Lake City, Utah.

9 Q. Can you identify your employer and indicate
10 what position you hold there?

11 A. Yes. Employer, Dominion Energy Utah, and I am
12 currently the director of engineering and project
13 management.

14 Q. Mr. Gill, did you submit direct testimony in
15 this matter identified as DEU Exhibit 5.0, with attached
16 Exhibits DEU 5.01 through 5.08?

17 A. Yes.

18 Q. And did you also submit rebuttal testimony in
19 this matter identified as DEU Exhibit 5.0R, with an
20 attached Exhibit 5.09R?

21 A. Yes.

22 Q. Do you have any corrections to any of those
23 documents?

24 A. I believe I corrected it earlier. I did have
25 an error in my original testimony regarding the number

1 of days to fill the LNG tank. In that testimony I
2 incorrectly stated that as a hundred days. I did
3 correct that in my rebuttal testimony to 150 days.

4 **Q. And with that correction, would you adopt**
5 **those documents as your testimony today?**

6 A. Yes.

7 MS. CLARK: The company would move for the
8 admission of DEU Exhibit 5.0 with attached Exhibits 5.01
9 through 5.08, and Mr. Gill's rebuttal testimony
10 identified as DEU Exhibit 5.0R with an attached Exhibit
11 5.09R.

12 CHAIRMAN LEVAR: Okay. If any party objects
13 to that motion, please indicate to me. I am not seeing
14 any objection, so the motion is granted.

15 **Q. (By Ms. Clark) Thank you. Mr. Gill, did you**
16 **prepare a summary of your testimony?**

17 A. I have.

18 **Q. Please proceed.**

19 A. I have been on a team that has been
20 researching the possibility of the company constructing
21 an on-system LNG facility to help to solve the supply
22 reliability issues discussed in this docket.

23 As part of this effort, the company engaged
24 the services of HDR Incorporated, or HDR to perform a
25 site evaluation and a front-end engineering design or

1 feed study on a selected parcel. The company chose HDR
2 to provide this service after evaluating bids from 16
3 engineering consultants. HDR has over 35 years of
4 experience in providing design and construction services
5 for LNG facilities.

6 The company and HDR initially performed
7 extensive work evaluating four potential sites to house
8 the LNG facility. This site selection evaluated each
9 site for construct -- constructability, as well as for
10 the ability for each site to meet code requirements for
11 vapor dispersion, thermal radiation in proximity to
12 airport runways.

13 After review and ranking the sites on these
14 criteria, the company selected a 160 acre site near
15 Magna, Utah, to conduct a feed study to more fully
16 evaluate constructing an on-system LNG facility at that
17 location. As part of the feed study, HDR and the
18 company evaluated options for tank sites and
19 construction, liquefaction capacity, pretreatment
20 systems, compressor type and vaporization capacity.

21 The final results of these evaluations was the
22 company would pursue constructing an on-system LNG
23 facility with a 15 million gallon single containment
24 source tank, with liquefaction capacity of 8.2 million a
25 day, and vaporization capacity of 150 million cubic feet

1 per day that would be in service in late 2022.

2 Additionally, HDR has determined preliminary
3 configurations for the piping and site layout. This
4 includes providing preliminary designs that meet
5 required distances for vapor dispersion, thermal
6 radiation and LNG containment areas. HDR has also sized
7 and designed the fire suppression systems to meet and
8 exceed code requirements.

9 Lastly, the company and HDR have worked
10 together to identify the physical and cyber security
11 requirements for the site.

12 In his testimony Mr. Schultz went to great
13 lengths to describe the code requirements for LNG
14 facilities. While it is true that these regulations may
15 be stringent, the company has ensured a site layout and
16 a project that meets or exceeds these requirements. HDR
17 has provided a design that addresses every concern
18 identified by Mr. Schultz in his testimony.

19 It should also be noted that while regulations
20 of LNG facilities are many, adherence to these
21 regulations by the industry have resulted in a stellar
22 safety record. As described by Mr. Paskett in his
23 direct and rebuttal testimony, the number of safety
24 incidents of LNG facilities is much lower than that of
25 transmission pipeline facilities.

1 The company has also worked with its
2 consultants and others to provide the commission with a
3 detailed analysis and a developed project plan. This
4 includes conservative estimates on the operating and
5 capital cost of this LNG facility.

6 The company has selected and secured property
7 rights for a 160 acre parcel near Magna, Utah, that is
8 in a highly industrialized area. This site was chosen
9 over other possible sites due its central location in
10 the DEU system, which puts it in the middle of the
11 demand center, the availability of land, and the
12 avoidance of NEASB related issues.

13 In my testimony I also indicated the company
14 has been meeting with representatives from the Salt Lake
15 County planning and zoning department, the Salt Lake
16 County fire marshal, and the state department of
17 environmental quality to discuss the project and learn
18 more about potential permitting requirements if the
19 project is approved.

20 During these discussions no serious concerns
21 were raised regarding permitting or construction of the
22 facility. The company has gone to great lengths to
23 identify and address all major permitting issues. The
24 LNG facility the company is proposing is not a FERC
25 regulated facility, which means it will not be required

1 to be permitted through the FERC. The site does not
2 encroach on delineated wetlands.

3 Additionally, the site has been cleared to
4 impact cultural resources, threatened endangered
5 species, and soil contamination.

6 In my rebuttal testimony, I agree with
7 Mr. Neale's finding that the ambient temperature at the
8 proposed site will have minimal impact on the fuel gas
9 usage of the LNG facility. On the subject of
10 potentially using the LNG facility to serve satellite
11 sites, I disagree with Mr. Neale's conclusion that
12 serving remote communities should not be expressly
13 provided as a non cross -- non-cost criterion used in
14 the evaluation of the proposed LNG facility.

15 While the company agrees that providing supply
16 reliability to the Wasatch Front is the primary purpose
17 of the proposed facility, the potential to serve remote
18 communities and other ancillary benefits should not be
19 ignored.

20 Finally, the company has exhaustively
21 researched many possible solutions to the supply
22 reliability issues. This includes investigating several
23 options presented by Magnum Energy Midstream Holdings,
24 or Magnum, regarding potential service to locations in
25 Nephi, Utah and Bluffdale, Utah.

1 In my rebuttal testimony I refute several
2 items discussed by Mr. Holder in his direct testimony.
3 Specifically, I disagree with Mr. Holder's assertion
4 that the Magnum proposals have fewer risks and that they
5 can be brought online sooner and that the Magnum options
6 are shovel ready.

7 I question the viability of Magnum's
8 proposals, given the lack of access to engineering and
9 permitting studies, if they exist, as well as the lack
10 of detailed cost estimates. This ends my summary.

11 MS. CLARK: Mr. Gill is available for
12 cross-examination and also questions from the
13 Commission.

14 CHAIRMAN LEVAR: Thank you. Mr. Jetter?

15 MR. JETTER: I just have a few brief
16 questions.

17 CROSS-EXAMINATION

18 BY MR. JETTER:

19 **Q. Good afternoon.**

20 A. Sure. Good afternoon.

21 **Q. Can you tell me, at least within your**
22 **experience with the company, when the LNG plant sort of**
23 **concept was first proposed internally?**

24 A. I can tell you about my involvement. I am not
25 sure if there's discussions outside of that. I was

1 brought in to basically start this evaluation process,
2 and I believe we started it in third quarter of 2016.

3 Q. Okay. And are you aware of the, I believe
4 they -- it's -- the company is titled CH4 International
5 contract to study an LNG or on-site facility?

6 A. I am somewhat with familiar it. I have --
7 just having seen it. I haven't -- wasn't a participant
8 in that process at all.

9 Q. Okay. In that case, I have no further
10 questions. Thank you.

11 A. Thank you.

12 CHAIRMAN LEVAR: Mr. Snarr.

13 MR. SNARR: I have no questions.

14 CHAIRMAN LEVAR: Okay. Thank you. Mr. Dodge.

15 MR. DODGE: No questions.

16 CHAIRMAN LEVAR: Mr. Russell.

17 MR. RUSSELL: No questions. Thank you,
18 Chairman.

19 CHAIRMAN LEVAR: Any redirect?

20 MS. CLARK: No, thank you.

21 CHAIRMAN LEVAR: Commissioner White?

22 COMMISSIONER WHITE: Yeah. I was just hoping
23 to follow up on the, and -- and correct me if I am
24 mischaracterizing it, but you -- when you were
25 discussing the Magnum, some of their engineering or

1 feasibility studies, or the lack thereof, was that --
2 were those requested as part of the RFP? Are you aware
3 whether they are not.

4 THE WITNESS: I was not a part of the initial
5 RFP process. However, as part of this docket, we did
6 have a data request where we were asked for permitting
7 studies and any engineering analysis and that sort of
8 thing, and it was not provided.

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

11 CHAIRMAN LEVAR: Commissioner Clark?

12 COMMISSIONER CLARK: Good afternoon, Mr. Gill.

13 THE WITNESS: Good afternoon.

14 COMMISSIONER CLARK: So I know that you
15 addressed ambient air temperature in relation to fuel
16 loss, and I just am interested in whether there's any
17 effect on the operation of an LNG plant that relates to
18 temperature, something analogous to a well freeze off or
19 something like that. Can extremely cold or extremely
20 hot temperatures affect the ability of the plant to do
21 what it's designed to do?

22 THE WITNESS: Right. The short answer is no.
23 Let me expound on that a little bit. On the cold side,
24 you are not going to get colder than LNG. LNG, those
25 plants are designed to operate and handle liquid that is

1 minus 262 degrees Fahrenheit. So by that very nature,
2 the ambient temperature, the ambient air temperature,
3 will have no effect.

4 Additionally, this plant has been designed or
5 contemplated to be designed with fin fan air coolers,
6 meaning you won't be utilizing a shell and tube heat
7 exchanger to -- to cool gas. So it's a lot simpler
8 process, and it actually utilizes the ambient air to
9 help cool the process.

10 COMMISSIONER CLARK: So with regard to the
11 other vulnerabilities that exist with respect to
12 off-system supplies that this facility's designed to
13 overcome or avoid, so some of those mentioned include
14 earthquakes, mudslides, cyber attacks, other kinds of
15 natural disasters. Does the facility have any unique
16 characteristics in relation to those kinds of force
17 majeure events?

18 And just to follow up, as you answer that,
19 what I am interested in is, if you performed or if you
20 know of any analysis that examined the nature of
21 vulnerability of an LNG plant located where you want to
22 locate it in relation to the off-system supplies that --
23 that the -- that the company currently has access to.

24 THE WITNESS: Okay. Well, let me try to
25 address the first part. And all I can talk to is what

1 we have done to mitigate those types of risks. So the
2 very selection of the site itself has prevented -- or
3 precludes issues like landslides. It's in the middle of
4 the valley. There's no hills next to it. It's not
5 perched on a hillside. So a landslide is not a threat
6 to this particular facility.

7 However, as with anything in the Salt Lake
8 Valley, or basically the Wasatch Front, earthquakes are
9 always a risk. So we have gone through to great lengths
10 to hire a geotech engineer to do a preliminary
11 evaluation of the site, particularly to determine if
12 there is soils that would be subject to liquefying or
13 becoming liquid during an earthquake, and there is a
14 moderate risk at the site we have selected.

15 So to mitigate that, we have elected to, and
16 part of our cost estimate and design would be to
17 construct deep pile foundations down to bedrock to
18 eliminate the possibility of severe ground settlement.

19 Regarding fire, we have gone over and above on
20 that front as well. Code requires that you have gas --
21 gas, pardon me, water to -- for a 2,000 gallon per
22 minute supply for two hours. So that equates to about a
23 240,000 gallon tank.

24 We have constructed or plan to construct such
25 a tank, but we have also negotiated a waterline

1 contact -- waterline, not contact, sorry. I'm freezing
2 up here. We were -- we are able to connect, thank you,
3 to the existing local water supply as well. So not only
4 will we have an on-site fire tank, we'll have a
5 connection to the local water utility.

6 Were there other issues you wanted addressed?

7 COMMISSIONER CLARK: I think those are the
8 prime examples that we have talked about on the record.
9 So I appreciate you elaborating on those. Thank you.

10 THE WITNESS: Okay.

11 COMMISSIONER CLARK: And that's all my
12 questions.

13 CHAIRMAN LEVAR: Okay. Thank you. I just
14 wanted to ask about the ancillary benefit you discussed
15 to satellite facilities at remote locations throughout
16 Utah that currently don't -- do not have natural gas
17 service.

18 THE WITNESS: Correct.

19 CHAIRMAN LEVAR: Are there options -- if
20 satellite facilities were built at some remote locations
21 in Utah, are there options to obtain liquefied natural
22 gas or to build location facilities to truck gas to
23 those locations shy of building this facility? So if
24 there were -- if they're not this large storage
25 facility, are there other ways to -- to obtain or

1 liquefied -- liquefy natural gas to truck out to those
2 locations?

3 THE WITNESS: No, not necessarily. The -- the
4 challenge I guess with trucking liquefied natural gas
5 and kind of the rule of thumb is that those -- as soon
6 as you put the LNG into the trucks, it starts to -- it
7 starts to warm. You start to lose the LNG. And as
8 such, those facilities need to be like within about a
9 four to five hour drive time to be able to effectively
10 serve -- serve those communities.

11 So given -- we don't have anything here on the
12 Wasatch Front. The nearest suppliers I know that could
13 supply a large amount of gas would be in Nampa, Idaho or
14 out in Lovelock, Nevada, and transporting gas that far
15 is just not a viable option.

16 CHAIRMAN LEVAR: Okay. Thank you. Appreciate
17 that answer. Thank you for your testimony this
18 afternoon.

19 THE WITNESS: Thank you.

20 CHAIRMAN LEVAR: Anything further from
21 Dominion?

22 MR. SABIN: Nothing further. Thank you.

23 CHAIRMAN LEVAR: Okay. Mr. Jetter,
24 considering the -- we do have a long list of witnesses
25 for tomorrow, but considering the time, does it make

1 sense to move forward, or would you prefer to recess for
2 the day?

3 MR. JETTER: Depending on other parties, my
4 preference would probably be to keep going with one of
5 our witnesses.

6 MR. SNARR: May I interject something at this
7 point?

8 CHAIRMAN LEVAR: Yes.

9 MR. SNARR: The office did seek an
10 accommodation from the other parties, which we obtained,
11 to see that Mr. Mierzwa could complete his service with
12 us prior to noon tomorrow. I think the thought was,
13 maybe we could start with him tomorrow. But if we are
14 at a point -- I am not trying to turn the -- the cycle
15 of things upside down, but in the event that we were
16 doing that anyway, we could offer to proceed with
17 Mr. Mierzwa if -- then there would be no objection or
18 whatever you prefer.

19 MR. JETTER: There's no objection from me.
20 Our witnesses are not time constrained within the two
21 days for this hearing. So we're happy to shuffle around
22 wherever it fits.

23 CHAIRMAN LEVAR: Let me ask this. Are there
24 any objections to proceeding -- this would shuffle
25 things around -- proceeding with Mr. Mierzwa and then

1 the next three witnesses being your three that have time
2 constraints starting now, and continuing in the morning,
3 and then finishing with the division's and Mr. Vastag
4 and Mr. Ware after that? Any objections to that plan?

5 MR. DODGE: We have only two witness that are
6 time -- only one with time constraints, but other than
7 me.

8 CHAIRMAN LEVAR: Okay.

9 MR. DODGE: But yeah, I'm happy to proceed in
10 that -- in that order, however -- however it makes the
11 most sense.

12 CHAIRMAN LEVAR: Okay. Well, why don't we
13 plan to do that. Why don't we continue this afternoon
14 with Mr. Mierzwa. Go as far as we can to a reasonable
15 point and then plan after that to -- to go -- why don't
16 we just go through all of Magnum's and UAE's witnesses
17 before finishing tomorrow with the division's and the
18 office's remaining witness.

19 MR. DODGE: Okay.

20 CHAIRMAN LEVAR: Mr. Snarr.

21 MR. SNARR: Yes. I'd like to call Mr. Jerome
22 D. Mierzwa as a witness on behalf of the office.

23 CHAIRMAN LEVAR: Good afternoon. Do you
24 swear -- do you swear to tell the truth?

25 THE WITNESS: Yes, I do.

1 CHAIRMAN LEVAR: Thank you.

2 JEROME D. MIERZWA,

3 was called as a witness, and having been first duly

4 sworn to tell the truth, testified as follows:

5 DIRECT EXAMINATION

6 BY MR. SNARR:

7 Q. Would you please state your name for the
8 record.

9 A. My name is Jerome D. Mierzwa.

10 Q. Could you state your employer and business
11 address?

12 A. I am employed by Exeter Associates, and my
13 business address is 10480 Little Patuxent Parkway, Suite
14 300, Columbia, Maryland, 21044.

15 Q. And is it correct that you have been retained
16 by the Office of Consumer Services to examine the
17 testimony and participate as a witness in this
18 proceeding?

19 A. That is correct.

20 Q. And in connection with that, have you prepared
21 direct and surrebuttal testimony in connection with your
22 participation?

23 A. I have.

24 Q. And I note that we have premarked OCS direct
25 testimony filed on August 16th of 2018, as Exhibit 2D on

1 **behalf of you, Mr. Mierzwa, with associated data request**
2 **responses marked as 2.1D, as well as surrebuttal**
3 **testimony filed on be -- on September 20th, 2018, and**
4 **surrebuttal testimony exhibits attached to that**
5 **testimony.**

6 **Is that correct in terms of the summary of the**
7 **filings you have helped make in this proceeding?**

8 A. That is correct.

9 **Q. And you support and sustain those exhibits as**
10 **filed in connection with your appearance here today?**

11 A. Yes, I do.

12 MR. SNARR: We would move those exhibits into
13 evidence OCS 2D, 2.1D, OCS 2S and OCS 2.1S, and upon
14 their acceptance into evidence, we would offer
15 Mr. Mierzwa for cross-examination and commission
16 questions.

17 CHAIRMAN LEVAR: Okay. Thank you. If any
18 party objects to the motion, please indicate to me.

19 MR. SNARR: I do believe that he's -- he does
20 have a summary to present, and I have made reference to
21 that, but let's proceed with admitting them first.

22 CHAIRMAN LEVAR: I don't see why we can't do
23 that first though. If anyone objects to the motion,
24 please indicate to me. I don't see any objection, so
25 the motion is granted.

1 **Q. (By Mr. Snarr) You have prepared a summary of**
2 **your testimony, have you not?**

3 A. Yes, I have.

4 **Q. Would you please present that?**

5 A. Yes, I will. Exeter Associates was retained
6 by the OCS to assist in evaluating DEU's application for
7 approval of its decision to construct an on-system LNG
8 facility. I have provided -- I myself have provided
9 testimony on more -- more than 300 proceedings, in 16
10 states, and before the Federal Energy Regulatory
11 Commission.

12 Over the last 28 years I have reviewed and
13 assessed the gas procurement and practices of
14 approximately 40 LDCs. These assessment have included
15 review of LDC capacity and gas supply resource
16 portfolios. These assessments have included review
17 of LD -- I'm sorry.

18 Capacity resources are those resources
19 necessary to deliver gas supplies to an LDC, such as
20 DUE, and include interstate pipeline from transportation
21 service. Gas supply resources include gas purchase
22 agreements that provide for the availability of gas at
23 interstate pipeline receipt points, which are then
24 subsequently delivered to an LDC, utilizing the LDC's
25 capacity resources.

1 Adequate capacity and gas supply resource
2 portfolios are both necessary to ensure that an LDC
3 receives or provides reliable service to its sales
4 customers.

5 In this proceeding, DEU is seeking commission
6 approval for its decision to construct an on-system LNG
7 facility to provide additional -- additional gas supply
8 resources in the event that supply disruptions were to
9 occur on a design day; that is, DEU is proposing that
10 the LNG facility serve as a backup gas supply resource
11 in the event that the company were to experience supply
12 disruptions on a design day, and additional gas supplies
13 were required to meet sales customers demands.

14 To justify its proposed LNG facility, DEU
15 claims that Southwest Gas Company is currently in the
16 process of constructing an LNG facility to serve as a
17 backup gas supply resource in response to supply
18 disruptions that occurred in February 2011. OCA witness
19 Bela Vastag addresses -- discusses why the Southwest
20 experience is not analogous to the DEU systems.

21 To further justify its proposed LNG facility,
22 DEU claims that 45 percent of the LDCs responding to an
23 AGA survey, a survey that was initiated by DEU, operated
24 an on-system LNG facility to maintain system -- system
25 reliability. This is misleading and not a relevant

1 statistic for this proceeding.

2 The LDCs I am familiar with that operate an
3 LNG facility that use that facility -- use that facility
4 as both a design day capacity and gas supply resources.
5 LDCs generally reserve and maintain capacity and gas
6 supply resources sufficient to meet the design day
7 demands of its sales customers.

8 Because of this, if an LDC did experience a
9 supply disruption on a design day, the LN -- I'm sorry,
10 the LNG facility could not be used as a backup gas
11 supply resources because it would be already being fully
12 utilized to meet design day commands.

13 DEU has presented no evidence of a single LDC
14 in the U.S that currently uses an on-system LNG facility
15 solely as a backup gas supply resource to meet supply
16 disruptions that may occur on a design day.

17 Thus, DEU's proposal to construct an on-system
18 LNG facility for this purpose is inconsistent with
19 observed industry practices. That is, LDCs use other
20 alternatives to address design -- design day supply
21 disruption, and DEU has presented no evidence that it
22 has investigated the alternatives used by other LDCs.

23 Since the 2011 supply disruption affecting
24 Southwest Gas Company occurred that resulted in
25 service -- service outages, additional supply

1 disruptions were experienced in the U.S. due to the 2014
2 polar vortex and 2018 cyclone bomb. There has been no
3 evidence presented in this proceeding that the supply
4 disruptions caused by the polar vortex or bomb cyclone
5 resulted in any customer service outages.

6 The company claims no service outages occurred
7 as a result the polar vortex or bomb cyclone because
8 temperatures during those events were warmer than the
9 design days used for planning purposes by the LDCs in
10 the affected areas. However, it is extremely likely
11 that any LDCs operating in the area that experienced
12 those supply disruptions attributed to the polar vortex
13 or cyclone bomb would have also recognized that design
14 day temperatures were not experienced, just as DEU has
15 recognized.

16 Yet there is no evidence that any of the LDCs
17 affected by the polar vortex or bomb cyclone supply
18 disruptions deemed it reasonable or necessary to pursue
19 incremental on-system LNG facilities to address future
20 supply disruptions as DEU is proposing in this
21 proceeding.

22 I believe that DEU has not met its burden of
23 proof that the proposed LNG facility is the lowest cost
24 alternative to meet potential future supply disruptions.
25 The commission should require DEU to present

1 significantly more evidence how successful supply
2 disruption management practices employed by other LDCs
3 are not equally capable of being employed by DEU before
4 requiring sales customers -- customers to pay
5 potentially more than \$1 billion to address a supply
6 disruption with a very low probability of ever
7 occurring. That concludes my summary.

8 **Q. Thank you.**

9 MR. SNARR: We will now tender Mr. Mierzwa for
10 cross-examination or commission questioning.

11 CHAIRMAN LEVAR: Thank you. Mr. Jetter, do
12 you have any questions for Mr. Mierzwa?

13 MR. JETTER: I have no questions. Thank you.

14 CHAIRMAN LEVAR: Thank you. Mr. Dodge or
15 Mr. Russell?

16 MR. DODGE: No.

17 MR. RUSSELL: No.

18 CHAIRMAN LEVAR: Okay. Mr. Sabin or
19 Ms. Clark?

20 MR. SABIN: I do. Thank you.

21 CROSS-EXAMINATION

22 BY MR. SABIN:

23 **Q. I wanted to pick up where you just left off at**
24 **the end of your -- your summary. You say that you have**
25 **assessed some -- is it 40 LDCs that you have assessed or**

1 done 40 reviews? I am not totally clear.

2 A. 40 LDCs.

3 Q. Okay. Thank you. What do they do for supply
4 reliability?

5 A. They shouldn't -- it's never come up.

6 Q. They don't have any supply reliability
7 solution?

8 A. Well, they maintain reliable supplies, but
9 they have not built an LNG facility or nothing along
10 those lines to maintain supply reliability, but yet they
11 maintain it.

12 Q. I understand. What I am asking is, you have
13 done these reviews for those companies and their
14 portfolios. What do they use for supply reliability
15 purposes? What resources do they turn to?

16 A. Those reviews have generally not looked at
17 what they would do on a design day.

18 Q. Have you done --

19 A. There has -- there has been -- there have been
20 no disruptions. I -- when I do a review, I am certainly
21 not looking for things that went okay to address.

22 Q. Okay. Well, maybe then I need to take it this
23 way. You haven't done supply reliability work then for
24 these LDCs, right?

25 A. I have looked at if they provided reliable

1 supplies for capacity resources that they acquire and
2 costs that they incurred for reasonableness.

3 **Q. Okay. And what were the tools they were using**
4 **in their portfolio to provide that service?**

5 A. They were using firm transportation capacity,
6 storage, gas supply contracts, city gate contracts.
7 Some used LNG. Some used off-system storage. Some used
8 on-system storage.

9 **Q. Okay. So let's set aside LNG for a moment.**
10 **Is there any of those alternatives, and I guess we**
11 **should set aside LNG and on-system storage. Other than**
12 **those two things, which we have heard on the record the**
13 **company does not have at this point, you agree with me**
14 **on that?**

15 A. That's correct.

16 **Q. So the company is using all of those other**
17 **resources that these other companies are using, are they**
18 **not? They are buying gas off system through third party**
19 **suppliers, right?**

20 A. Right. But they are not maintaining a backup
21 gas supply resource. Hence, I -- like the company -- if
22 there's a design day occurring, their LNG facilities are
23 going to be used just to meet design day demands. They
24 are not going to be waiting to step in in case there is
25 a supply disruption. It's being used already, so they

1 are not using it as a backup resource.

2 Q. Did you -- you were here for Mr. Paskett's
3 testimony, were you not?

4 A. I was.

5 Q. And according to PHMSA, there are 160 LNG
6 facilities in the country, and of those, 44.4 percent
7 are specifically used for the purpose of providing
8 surplus natural gas supply. Not base load. It's not
9 part of their normal --

10 A. I heard they were being used for peak shaving,
11 which just mean on -- on your peak day, your design day,
12 you are going to turn on your LNG facility.

13 Q. Do you have DEU Exhibit 7.0 in front of you?

14 A. No, I don't.

15 Q. Okay. Let's get you one. Turn to page 4 of 7
16 please.

17 A. I am there.

18 Q. Okay. I am just looking at the definition of
19 peak shaving used in this report, and it talks about --
20 it says LNG peak shaving plants are used for storing
21 surplus natural gas for use during peak demand periods
22 such as winter and summer. That's surplus, right?

23 A. No. I do not agree with that at all. Regular
24 storage facilities does the same thing. An on-system
25 storage, they use surplus gas to put it up in storage

1 when it's not needed for use during peak periods. It's
2 no different.

3 Q. So it's semantics about what reliability means
4 to you? Reliability can -- isn't that reliability?
5 They're using it for reliability? When they need extra
6 gas, they have a resource to provide extra gas, right?

7 A. No.

8 Q. No?

9 A. What --

10 Q. What does surplus means to you?

11 A. It means the gas is not currently needed and
12 it's brought -- it's used during peak periods to meet
13 demand.

14 Q. And how is that different than what the
15 company is suggesting here? We have a gas supply that
16 we use on periods that are non-peak periods. And then
17 when we get to a design peak day, we draw upon a surplus
18 resource.

19 A. A peak shaving facility will be used on a
20 design day. In all my experience, it's -- it's part of
21 their design day stack, if I am using the terms the
22 company uses. It's going to need to be used on a design
23 day to meet your customer's requirements. It's not
24 going to be sitting idle in case there's a supply
25 disruption.

1 Q. Well, has the company said that it will be
2 sitting idle, this facility? They didn't say that they
3 wouldn't use it during the summer when they can refill
4 it or that they wouldn't use it for communities --

5 A. It's my understanding they need -- they are
6 preserving it to use in case there's a supply
7 disruption.

8 Q. Yeah. Well, you have just heard Mr. Paskett
9 talk about the way that Northwest Natural uses its gas.
10 It uses it for reliability purposes. You just
11 referenced Southwest Gas. They are building it
12 specifically for supply reliability. Are they contrary
13 to industry practices?

14 A. Southwest is the only company I am aware of
15 that uses -- is building -- is building a facility to
16 provide backup supply service. There's no other --
17 there is no current LDCs that uses it for backup supply.

18 Q. Well, you can't really say that, can you?
19 Because you have only assessed 40 of them.

20 A. I've only -- I'm sorry, I corrected it.
21 There's been no evidence presented in this proceeding
22 that anybody else does it.

23 Q. Well, I think we have just talked about some
24 evidence along those lines, both of Southwest Gas,
25 Northwest Natural Gas and other peak shaving facilities

1 around the country that say they use it for surplus
2 reasons?

3 MR. SNARR: Objection.

4 Q. (By Mr. Sabin) Is that not correct?

5 MR. SNARR: He is arguing with the witness.

6 CHAIRMAN LEVAR: Do you want to respond to the
7 objection, Mr. Sabin?

8 MR. SABIN: I don't think I'm arguing. I
9 think I am pressing him to get an answer as to whether
10 there is evidence in the record that other people use
11 gas for surplus reasons.

12 MR. SNARR: Well, let him answer that question
13 then.

14 Q. (By Mr. Sabin) I think my prior question was,
15 you said there is no evidence of any facility using this
16 for reliability purposes, and I think I just talked
17 about --

18 A. No, I said -- I'm sorry. I said the backup
19 supply reliability. All the other LDCs I am aware of
20 and any instances presented here, it's used on a design
21 day to meet demands without a supply shortfall.

22 Q. Are you aware of how Northwest Natural uses
23 their gas?

24 A. That's not one of the 40 companies that I have
25 evaluated.

1 Q. So your testimony -- I guess we can just leave
2 it at this. Your testimony is only with respect to the
3 40 LDCs you actually know about. You know how they use
4 their LNGs, but you don't know how anybody else uses
5 theirs; is that correct?

6 A. What I have heard today, I didn't hear that
7 it's used only as a backup -- a backup supply resource
8 on design days.

9 Q. Let me ask my question.

10 A. From what I understand, it's part of their
11 design day resources that will be used without any --
12 without any contingencies.

13 Q. And my question is, your testimony is limited
14 to the 40 LDCs you are familiar with, correct?

15 A. Yes, it is.

16 Q. Okay. Thank you. Would you turn to -- do you
17 have your direct testimony there?

18 A. I do.

19 Q. Would you open up to page 4 of your testimony.
20 We're going to go to lines 93 to 95, and I want to
21 clarify just one thing from your testimony, make sure I
22 understand that we're talking on the same page. Your
23 direct testimony really talks almost exclusively about
24 freeze-offs.

25 And on -- these -- these lines here, you say,

1 "DEU has claims that the company has experienced gas
2 supply disruptions in recent years which presented
3 sufficient nominated purchased supplies from reaching
4 DEU system due to well freeze-offs?"

5 I just want to clarify, the company -- is it
6 the company's position that there's multiple reasons for
7 the supply disruptions, not just well freeze-offs?

8 A. Yes, there are multiple reasons.

9 Q. Okay. And you would agree with me that
10 that's -- that there are all of these factors that
11 should be considered, not just well freeze-offs?

12 A. Anything that disrupts supply, yes.

13 Q. Okay. Thank you. Now, if you would go to
14 lines 209 to 212 of your direct testimony. Are you
15 there?

16 A. I have it.

17 Q. Okay. There you say, I am going to start with
18 the line that starts with, "It is uncertain." Do you
19 see that?

20 A. I see that.

21 Q. It says, "It is uncertain whether DEU's
22 proposed LNG facility could prevent an outage due to
23 similar transmission or distribution system failures on
24 DEU or the interstate pipelines delivering gas to DEU."
25 That's not really correct, is it? Didn't -- didn't --

1 you were here when Mr. Platt testified, right?

2 A. Yes. But I don't know what you are referring
3 to.

4 Q. Well, he demonstrated that every city gate --
5 in his testimony, that every city gate, if there was a
6 disruption up to 150,000 decatherms a day of gas supply,
7 that the LNG facility would in fact provide sufficient
8 supply to keep the system up in the event of that?

9 A. I don't recall him saying that.

10 Q. Have you reviewed Mr. Platt's testimony?

11 A. I have, but it's a lot of testimony in this
12 proceeding.

13 Q. Fair enough. Do you -- subject to check, do
14 you recall that Mr. Platt attached to his testimony the
15 results of a network analysis showing each city gate,
16 and that if there was a disruption at each city gate of
17 up to 150,000 decatherms, that the LNG facility would
18 provide adequate supply to maintain the system
19 pressures?

20 A. Subject to check.

21 Q. Okay. Thank you. Now, if you could go to the
22 next page, to page 10. I am looking at lines 97 and
23 98 -- or actually, let me just ask this question first.
24 You talk about that the company has been able to manage
25 its supply disruptions in the past with existing tools.

1 Fair statement?

2 A. Yes.

3 Q. Okay. You have heard Ms. Faust's testimony
4 that she doesn't believe the existing supply stack would
5 be adequate with temperatures that approached design day
6 temperatures. Have you, yourself done any analysis,
7 whether network or system of any kind on the DEU system,
8 to show whether or not she is right or wrong?

9 A. I have not done that type of an analysis.

10 Q. Okay. So you note on -- I'd like to look
11 at -- I'm sorry. I guess I meant to turn you, I turned
12 you to page 10. I meant to go to lines 97 to 98. I
13 just want to note one thing about your testimony. There
14 on 97 you note that the supply disruptions that have
15 occurred, have occurred on days that were warmer than
16 the company's design day, right?

17 A. Yes.

18 Q. Do you think it's reasonable, do you think
19 it's logical for the company to assume that as
20 temperatures go below or closer to the design peak day
21 temperature of minus 5 degrees, that they would -- they
22 would be reasonably expecting more supply disruptions,
23 particularly in the way -- way of freeze-offs or
24 compression -- or -- or, you know, plant malfunctions,
25 things of that nature?

1 Do you have any experience in that -- in that
2 area to testify one way or the other on that?

3 A. No. There would be more supply disruptions
4 under colder weather.

5 Q. Okay. So you -- you think the company, it's
6 not unreasonable for them to assume that they would need
7 to have more gas supply potentially in the event of
8 colder weather, because there may be one or two problems
9 that -- that happen upstream?

10 A. Correct.

11 Q. Okay. Thank you. All right. I want to talk
12 just quickly about -- I don't know if we need to go down
13 the Southwest Gas front. I want to just ask you, do you
14 have an opinion, one way or another, about whether the
15 Southwest Gas scenario is relevant or irrelevant to this
16 proceeding? I know you point to Mr. Vastag and say he
17 opines on it, but I'd like to know if you have an
18 opinion.

19 A. I have not -- I have looked at Mr. Vastag's
20 testimony on that, but I haven't developed my own
21 opinion. It was something he was looking at.

22 Q. Okay. So it's more appropriate to talk to him
23 about that?

24 A. Yes.

25 Q. Okay. I want to talk about supply diversity

1 for a moment. You agree, I take it, that 100 percent of
2 the company's current gas portfolio is sourced from
3 off-system, third party sources?

4 A. That's correct.

5 Q. And in that regard, they would be acquired
6 under contract relationships, correct?

7 A. Or -- or spot market relationships.

8 Q. Fair enough. Fair enough. Appreciate that
9 clarification. Either they would be buying on spots or
10 they would be entering into long-term or short-term
11 supply contracts, correct?

12 A. Yes.

13 Q. Okay. And in those contracts, do you agree
14 that those contracts, supply contracts in the industry,
15 typically do contain force majeure provisions that --
16 that the supplying company use to avoid liability in the
17 event of acts of nature or problems of this kind?

18 A. Sometimes -- sometimes there are force majeure
19 provisions in there. I remember your -- the prior
20 proceeding, and I just don't recall the force majeure
21 provisions that DEU used in their gas supply contracts.
22 It was the previous case. I -- I just don't recall what
23 from the previous case.

24 Q. Do you have any reason to doubt Ms. Faust's
25 testimony that the upstream pipelines have in their

1 own -- their FERC tariffs force majeure provisions
2 and -- and -- and also in their supply -- in other
3 supply contracts those contain force majeure provisions?
4 Do you have any reason to doubt her testimony there?

5 A. I haven't -- I don't think the pipelines would
6 have anything in those with supply contracts.

7 Q. What I mean -- well, let me ask this more
8 carefully. Do you have any reason to doubt her
9 testimony that the -- the FERC-regulated pipelines have
10 in their tariffs built-in force majeure provisions that
11 exclude liability in the event of most of these kinds
12 of -- of problems we're talking about?

13 A. It's something I haven't looked at recently.
14 I -- I just don't know.

15 Q. Okay. Do you have any reason to doubt her
16 testimony with regard to gas produced or contracts or
17 other supplier contracts; setting aside the FERC
18 regulated pipelines, just the gas suppliers that they're
19 buying gas from, that -- that they also put in their
20 contracts force majeure provisions of this kind?

21 A. I -- I haven't looked at those recently
22 either.

23 Q. Okay. Would you agree with me that those
24 provisions generally, if they are included, would exempt
25 the entity from having responsibility, either for

1 providing gas or for liability purposes for providing
2 compensation if -- if, for example, their supply was
3 disrupted due to a freeze-off, or due to an earthquake or
4 a landslide, or something that was out of their control?

5 A. That's what a force majeure provision --
6 provision would do. I'm not sure the provisions that
7 DEU has with its suppliers.

8 Q. Right. Thank you. Do you agree generally
9 with the idea that it's a -- it's a wise idea for a gas
10 utility to have a diverse range of supply sources from
11 which to draw?

12 A. Yes.

13 Q. Okay. And here, as you have looked at the DEU
14 system, it's true, isn't it, that the gas that is
15 sourced for DEU primarily comes, if not almost
16 exclusively, from essentially Wyoming for areas of
17 eastern Utah?

18 A. Yes.

19 Q. Okay. And that's not very diverse when it
20 comes to supply sources, is it? Getting it from the
21 same place?

22 A. Well, you have different pipelines too, and
23 I'm not sure where all those -- each of those pipelines
24 access.

25 Q. Fair enough. But you -- but you would agree

1 with me that if they are sourcing gas from essentially
2 the same basins, or roughly the same basins in Wyoming,
3 those basins would all be subject to the weather
4 conditions in Wyoming, correct?

5 A. The weather conditions across Wyoming would
6 not change significantly.

7 Q. So if you had a freeze off, for example, in
8 Wyoming, that could affect multiple sources that the
9 company uses to -- to obtain gas, right?

10 A. I'm sorry, could you repeat?

11 Q. So if the temperatures drop low, they are very
12 cold in Wyoming, that can have a, you know, the effect
13 of causing potential freeze-offs for many of the areas
14 where the company gets its gas from. Do you agree with
15 that?

16 A. It could cause freeze-offs in that area. But
17 the -- the company can -- there would still be gas
18 supply available.

19 Q. And -- and it would be true, would it not,
20 that if the company had an on-system solution that was
21 not subject either to being from the same location or
22 being from the same third party relationship, that that
23 would add to the diversity of its portfolio, would it
24 not?

25 MR. SNARR: Object to the question. Seems to

1 be nonsensical to have a on-system solution, and then
2 talk about the need for a geographic supply diversity in
3 that same on system. Could you rephrase the question?

4 CHAIRMAN LEVAR: Do you want to respond to the
5 objection or --

6 MR. SABIN: I'm happy to -- I don't -- I don't
7 know. I didn't understand his objection honestly, but I
8 would say that I think that -- that's not really an
9 objection. That's just, can he answer the question? I
10 don't think he's raised a reason why he can't answer
11 that question. If he wants me to clarify it.

12 CHAIRMAN LEVAR: Can you restate the question
13 for my benefit?

14 Q. (By Mr. Sabin) Sure. So we just talked about
15 how there is value in some -- in supply diversity,
16 correct?

17 A. Yes.

18 Q. So wouldn't you agree that if the company had
19 had an on-system resource that was not being drawn from
20 the same locations as its other, you know, gas supply
21 relationships, that that would add to the diversity of
22 the company's supply portfolio?

23 A. By definition it would add diversity, but
24 there's an extreme cost associated with it.

25 Q. We'll come -- we'll come to that, but for

1 diversity purposes we agree, right?

2 A. If you increase the number, of course it
3 increases diversity.

4 Q. Okay. It -- it increases the diversity of --
5 with respect to how much of the gas supply is controlled
6 by the company, right? In other words, the company will
7 be owning more. It will be in control of more of the
8 supply that it uses in its -- in its operations than it
9 would if it doesn't have an on-system LNG that's --
10 that's owned by the company?

11 A. The company is still going to use the same
12 amount of gas.

13 Q. Right.

14 A. So they are in control of it. They have got
15 under contract or control of the gas that they are
16 using.

17 Q. Well, they are not really in control of third
18 party gas supply, are they?

19 A. Well, they're not -- they buy the gas and have
20 it delivered.

21 Q. What I mean is, they are not in control of the
22 pipelines, right?

23 A. The company doesn't control the pipelines.

24 Q. And they are not in control of the gas, except
25 for perhaps in its -- to the extent there's

1 relationships with Wexpro, but they -- they don't
2 control or have any say in the production fields that
3 are owned by third parties, right?

4 A. Well, they contract with the third parties for
5 the gas supplies.

6 Q. Right, but they don't have control over those
7 gas supply fields, right?

8 A. They have control over the quantities in the
9 contracts that they execute.

10 Q. They have control over their contractual
11 rights is where it starts and ends; isn't that -- is
12 that not right?

13 A. That's accurate.

14 Q. Okay. Thank you. One of the things that I --
15 that I understand from -- from your -- your testimony
16 is, you believe that because the company has multiple
17 gate stations along the Wasatch Front, or even beyond to
18 the north or the south, that that provides redundancy,
19 adequate redundancy that the company can -- can source
20 gas to different locations in the event that there is a
21 disruption at a particular gate or a particular line.
22 Do I understand you correctly?

23 A. That is something the company can do.

24 Q. What did you do to determine that there was
25 redundancy in your analysis?

1 A. It was just evident from -- to me that you can
2 switch receipt delivery points.

3 Q. So you looked at the map and identified that
4 there were multiple delivery points and assumed that you
5 could just move gas from one site to another?

6 A. To some extent you can.

7 Q. Okay. Did you -- did you hear Mr. Platt's
8 testimony today where he talks about that that is not
9 possible in all cases?

10 A. You can't move all gas supplies, but you can
11 move some.

12 Q. Okay. And do you -- have you done any
13 analysis to determine how much capacity is available at
14 each gate station for that kind of scenario?

15 A. I have not done that analysis.

16 Q. Okay. Mr. Platt has done that analysis,
17 hasn't he?

18 A. I don't know.

19 Q. Okay. And you haven't -- you don't question,
20 I take it, Mr. Platt's network analysis, do you?

21 A. The network analysis? You are referring to
22 what?

23 Q. I am referring to the network analysis
24 Mr. Platt conducted for the company and that's in his
25 testimony in this matter.

1 A. His presentation here?

2 Q. Well, that -- that was a summary of some of
3 it, but he conducted an analysis of the -- network
4 analysis of the supplies to these locations and talked
5 about this issue in his direct testimony, and I don't
6 understand that you're questioning the accuracy or
7 validity or -- of that analysis?

8 A. I have not questioned that.

9 Q. Okay. So you agree though that two of the
10 gate stations, Eagle Mountain and Saratoga, those are
11 isolated from other customers on the system? Do you
12 agree with that?

13 A. That's my understanding.

14 Q. Okay. And then with regard to the other gate
15 stations, I want to have you assume -- let's assume that
16 there's already the significant capacity that's being
17 used up at those gate stations. Your -- your scenario
18 that the company could essentially reroute gas to other
19 gate stations, wouldn't it be dependent upon there being
20 adequate available capacity at each gate station to
21 provide sufficient quantity to keep the pressures up?

22 A. Or else -- yes, or else they could use
23 different sources of supply.

24 Q. Okay. And have you done any analysis to
25 determine whether or not there is sufficient capacity at

1 those gate stations to deal with the kind of event we're
2 talking about?

3 A. No, I have not.

4 Q. Okay. And -- and I guess it goes without
5 saying as well, in -- in that regard, you would have to
6 have gas supply that was available to be rerouted to
7 that point, correct?

8 A. That's correct.

9 Q. So if -- if -- that would -- there would be
10 some -- some of that would be constrained perhaps by the
11 NEASB scheduling, would it not?

12 A. It could. It might not. There's examples
13 here where the company was able to get gas supplies
14 sooner than provided under the schedule.

15 Q. Yeah. In those -- and I appreciate you
16 bringing up those instances. That was really -- there
17 was a pipeline that was willing to accommodate a
18 company's request, right? They weren't obligated to do
19 that?

20 A. That's my understanding.

21 Q. Yeah. So do you think, from a reliability
22 standpoint, it would make sense to count on pipelines
23 giving that kind of deference in the event of a
24 shortfall? In other words, if you were planning for,
25 wanting to protect against this kind of a supply

1 disruption, do you think it would be reasonable for the
2 company to say, don't worry about it; they will
3 accommodate us in that event, even though there's no
4 contractual right requiring them to do that?

5 A. I don't know.

6 Q. Okay. If you were running Dominion Energy's
7 gas supply department, would you feel comfortable on
8 hoping to get that kind of accommodation in the event of
9 an emergency?

10 A. It would depend on the circumstances of that
11 event.

12 Q. But I mean, if you were planning for it, if
13 you were in charge, if your job was, you are Tina Faust,
14 you are at Dominion Energy and it's your responsibility
15 to make sure customers get gas every morning and every
16 night that -- that -- that they -- of the year, would
17 you feel comfortable relying on the goodwill of upstream
18 pipelines to accommodate your need in the event of an
19 emergency?

20 A. Well, there's -- there's different things that
21 can be done in an emergency. Use the pipeline where the
22 pipeline allows you to do things earlier. You could
23 arrange for different gas supplies without the LNG
24 facility.

25 Q. Well, so -- so I would submit this to you.

1 Ms. -- Ms. Faust has 25 years experience operating this,
2 in this -- in managing the supply of this particular
3 utility. Do you have reason to question that her -- her
4 decision, or her opinion, that -- that she is not
5 comfortable relying on the assets that they currently
6 have?

7 The contracts that they currently have that --
8 that she sees vulnerability. Do you -- do you believe
9 that she's incorrect in her assessment?

10 A. I believe there's other things that she could
11 be -- the company could be doing in arranging for gas
12 supplies.

13 Q. Okay. And so what are -- what are those
14 things that you think the company could be doing?

15 A. Re -- redundant gas supplies off system.

16 Q. Okay. And didn't the company analyze that as
17 an option in its analysis in this very docket? Wasn't
18 that option No. 1? Continue using the resources that
19 it's used, go contract for more?

20 A. Yes.

21 Q. Okay. Did you look at her analysis of that
22 and look at what she determined that that option both
23 provided and the drawbacks and advantages of that -- of
24 that option?

25 A. I don't recall exactly what she found.

1 Q. Okay. So your point would be, you think she
2 should continue doing -- using the resources she's
3 always used and just buy more?

4 A. Yes.

5 Q. Okay. Would you think it would be wise to buy
6 more in that kind of a contract relationship and just
7 have it sit there and not use it?

8 A. As long as the producer received adequate
9 compensation, they should be indifferent.

10 Q. Okay. I just want to make one point. I don't
11 want to spend a long time on this point, but do you
12 agree that Mr. Platt conducted a probability analysis
13 relative to the likelihood of the company experiencing a
14 minus 5 degree temperature day?

15 A. He did a probability analysis based on normal
16 distributions.

17 Q. And do you have any reason to question the
18 analysis that he has done, the accuracy or --

19 A. No, he's -- he's -- I have no reason to
20 believe he did his normal distribution incorrectly, but
21 pipelines use different ways of determining the
22 frequency of probability of occurrence. Some use actual
23 occurrence. Some use this normalized probability of
24 occurrence.

25 Q. But as far as the way he has done this, you

1 don't -- you don't dispute that it was from a
2 methodological standpoint, correct? That he did it,
3 right?

4 A. He has used a -- a procedure that other
5 companies have used. Other companies use different
6 probabilities where they actually count the times that
7 it has happened.

8 Q. That's not really a probability analysis
9 though, is it?

10 A. Well, that's what they use.

11 Q. And they call it a probability analysis?

12 A. They look at -- that's what -- if the events
13 occurred once in 30 years, that's what they assign it.

14 Q. I am just asking, do they call it a
15 probability analysis or do they just look at -- are they
16 saying that's historically what's happened?

17 A. I don't remember the exact words that they
18 use, but that's what they use for their probability
19 analysis.

20 Q. In any event, you haven't done a probability
21 analysis this instance; is that correct?

22 A. Well, I saw that, you know, last time we had a
23 design day was 55 years ago. There was a normal
24 distribution, which comes up with a once in 20 years.
25 So it depends on the method you are using.

1 Q. Mr. Mierzwa, I don't -- I'm really just
2 wanting to know your position on this. Have you done a
3 probability analysis?

4 A. No, I have not done an additional analysis.

5 Q. Okay. Thank you. I take it you don't
6 challenge also Mr. Platt's conclusions about the
7 significant consequences to the system if we get this
8 wrong. But if -- if they don't have adequate supply,
9 that there could be a significant loss of service?

10 A. I have not challenged that.

11 Q. Okay. And you -- you -- I take it you have
12 also not challenged the calculations associated with
13 that; in other words, the economic impact calculations
14 done by the Kem C. Gardner Institute or by Mr. Platt in
15 his testimony?

16 A. I have not challenged that.

17 Q. Okay. Mr. Mierzwa, Mr. Paskett has identified
18 that there's been a 19 percent increase in the use of
19 LNG in the past 10 years or since 2010. I guess it's
20 more -- in the last eight years. Do you have any reason
21 to dispute that that increase has occurred in the past
22 eight years?

23 A. I have no reason to dispute that. The
24 possible causes are, the increase in pipeline capacity
25 costs for new capacity is, you know, getting very

1 expensive.

2 Q. I am not sure I follow. Can you run that by
3 me again. What -- what's your response there?

4 A. I'm sorry. I lost --

5 Q. I was just -- so I had asked the question,
6 there's been a -- he reports a 19 percent plus increase
7 in the use of LNG by -- by facilities around the country
8 since 2010. And my question to you was, you don't have
9 any reason to challenge that, I believe, but I wanted to
10 confirm?

11 A. No, I have no reason to challenge that.
12 Because it -- one of the alternatives is the interstate
13 pipeline capacity, which is becoming much more
14 expensive, or new capacity.

15 Q. Right, and that would be true for this company
16 too, if it was going to turn to go buy additional
17 capacity and additional supplies off the upstream
18 pipelines, that the price of that is going up?

19 A. I don't know to what extent it would in this
20 area. I mean, most of the new capacity is out in the
21 east coast where it's much more difficult to -- to lay
22 pipe.

23 Q. And you don't -- you don't -- you just don't
24 know the market here, whether it would -- how much the
25 difference would be?

1 A. I have not looked at that.

2 Q. Okay. Are you aware of any other option, any
3 other entity, any other person, any other supply
4 reliability resource the company did not consider in its
5 analysis in this matter?

6 A. Well, the other only thing that's used by some
7 companies is propane. I don't -- I don't know what
8 the -- I don't recall the company looking at that. I
9 don't know the feasibility of it.

10 Q. Okay. Anything else other than propane?

11 A. Not that I can think of.

12 Q. Okay. Let me just take, if you don't mind,
13 just a brief break. I want to just chat, or give me a
14 minute to make sure I have everything we need covered.

15 I think that's all we have.

16 CHAIRMAN LEVAR: Okay. Why don't we then
17 adjourn for the day and plan to start with redirect with
18 Mr. Mierzwa first thing in the morning.

19 MR. SNARR: Thank you.

20 MR. SABIN: Thank you.

21 CHAIRMAN LEVAR: Thank you. We're in recess.

22 (The hearing concluded at 5:04 p.m.)

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C E R T I F I C A T E


STATE OF UTAH)
COUNTY OF SALT LAKE)

THIS IS TO CERTIFY that the foregoing proceedings were taken before me, Teri Hansen Cronenwett, Certified Realtime Reporter, Registered Merit Reporter and Notary Public in and for the State of Utah.

That the proceedings were reported by me in Stenotype, and thereafter transcribed by computer under my supervision, and that a full, true, and correct transcription is set forth in the foregoing pages, numbered 5 through 293 inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

WITNESS MY HAND and official seal at Salt Lake City, Utah, this 8th day of October, 2018.


Teri Hansen Cronenwett, CRR, RMR
License No. 91-109812-7801

My commission expires:
January 19, 2019

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