

In the Matter Of:

In Re: Pacific Energy & Mining Company

HEARING, DOCKET NO. 18-2602-01

September 25, 2018

Job Number: 489672

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Pacific Energy & Mining Company Docket No. 18-2602-01

HEARING PROCEEDINGS

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

DATE: Tuesday, September 25th, 2018

TIME: 10:00 a.m.

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

JOB NO.: 489672

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APPEARANCES

COMMISSIONER:
Jordan White

FOR THE DIVISION OF PUBLIC UTILITIES:
Patricia E. Schmid
160 East 300 South, Fifth Floor
Salt Lake City, Utah 84114

FOR PACIFIC ENERGY & MINING COMPANY:
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APPEARING TELEPHONICALLY FOR PACIFIC ENERGY & MINING
COMPANY:
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PACIFIC ENERGY & MINING COMPANY
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dfgreen1@dslextreme.com

1 PROCEEDINGS

2 COMMISSIONER WHITE: Good morning,
3 everyone. This is the time and place for the
4 hearing in Docket No. 18-2602-01, in the matter of
5 Pacific Energy and Mining Company. My name is
6 Jordan White. I'm one of the three commissioners
7 here at the Utah Public Service Commission, and I
8 will be serving as the presiding officer for the
9 hearing this morning. Let's go ahead and begin by
10 taking appearances.

11 MS. SCHMID: Thank you.
12 Patricia E. Schmid with the Attorney General's
13 Office for the Division of Public Utilities.

14 MR. SPENCER: Terry Spencer on behalf
15 of PEMC.

16 COMMISSIONER WHITE: And I understand
17 that we have folks on the phone this morning.

18 MR. SPENCER: Dan Green is with PEMC,
19 and he's on the phone.

20 COMMISSIONER WHITE: Is that the only
21 person we have on the phone? Okay.

22 Now, I understand pursuant to the
23 scheduling conference or the status conference that
24 was held on September 12, that there was some
25 discussion on the potential presentation or

1 resolution or status regarding the same this
2 morning. Do we want to discuss that before we
3 proceed with the evidence?

4 MS. SCHMID: I believe that it would
5 be advisable. PEMC has worked to revise its
6 documents, its policies and procedural manual, to
7 bring it into compliance and to meet the
8 deficiencies the Division has identified. The
9 Division received the policy and procedural manual
10 Friday afternoon for review, and it's more than just
11 a policy and procedural manual. It's -- I want to
12 say -- let's say, three quarters of a ream of paper
13 with various appendices, and the Division quickly
14 reviewed it, found that there were deficiencies
15 remaining, and so at this point, the Division would
16 like to request that we discuss the status of the
17 matter this morning, rather than have a hearing on
18 the evidence, and that we determine and agree that
19 after the deficiencies have been resolved, that we
20 will set a hearing to explain the resolution to the
21 Commission to present it for its decision, and then
22 to address the issue of penalties.

23 COMMISSIONER WHITE: So if I'm
24 hearing you correctly, does it make sense to
25 potentially -- I mean, I'm happy to hear where

1 you're at with the terms of the resolution -- but do
2 you want to set, for example, a date by which the
3 parties would provide a status report on where
4 they're at, or do you want to set a hearing date
5 now, or what are you -- what are the thoughts on
6 that?

7 MS. SCHMID: I think that, perhaps --
8 may we have a minute to confer?

9 COMMISSIONER WHITE: Sure.
10 Absolutely, yeah. Let's go ahead and go off the
11 record for a second.

12 (Off the record.)

13 MS. SCHMID: So the Division and
14 PEMC's attorney have conferred, and we would like to
15 propose that in 30 days, we provide a status report
16 to the Commission indicating how remedies and
17 revisions are going, and if a hearing date is
18 appropriate to set at that time, or if more time is
19 needed. We hope that we can resolve the issues
20 within the 30 days. We do not believe that it would
21 be necessary to have a status presented in a formal
22 hearing, but perhaps we could do that through a
23 written submission.

24 COMMISSIONER WHITE: Perfect. I'm
25 looking at the calendar. Is -- maybe I'm off on the

1 thirty days, but does something, like, say,
2 November 15th, which is a Thursday, make sense?

3 MR. SPENCER: I can't do it that
4 week. I can do it either the week before or the
5 week after. I have a big trial.

6 COMMISSIONER WHITE: Okay. So, yeah,
7 whatever you guys want to -- let's see. So how
8 about -- would by the 23rd, would that --

9 MR. SPENCER: That would be fine.

10 COMMISSIONER WHITE: Okay. Do you
11 want to just set it for -- so the parties will
12 either jointly or by, you know, concurrence file
13 a -- some type of stipulated status report,
14 indicating as what's expressed by Ms. Schmid of the
15 status of the potential request for a hearing date.

16 Okay. With that, are there any other
17 procedural matters or items that need to be
18 discussed this morning?

19 MS. SCHMID: If the parties cannot
20 agree on a joint or a stipulation status, sort of,
21 report, would it be acceptable for the parties to
22 file, individually, status reports? I don't
23 anticipate that would happen, but I want to provide
24 for that contingency.

25 COMMISSIONER WHITE: That's fine. I

1 didn't mean to -- I just assumed -- but whatever is
2 most efficient. But the idea being by
3 November 23rd, giving an indication of which
4 direction we want to go.

5 MS. SCHMID: Thank you.

6 MR. SPENCER: Thank you.

7 COMMISSIONER WHITE: If there's no
8 other matters to be addressed this morning, we'll go
9 ahead and adjourn. Thank you very much.

10 (The hearing concluded at 10:07 a.m.)

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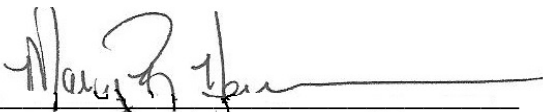
REPORTER'S CERTIFICATE

STATE OF UTAH)
COUNTY OF SUMMIT)

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

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

I have subscribed my name on this 1st day of October, 2018.



Mary R. Honigman

Registered Professional Reporter #972887

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