

Jenniffer Clark (7947)
Dominion Energy Utah
333 South State Street
P.O. Box 45360
Salt Lake City, Utah 84145-0360
Phone: (801) 324-5392
Fax: (801) 324-5935
Jenniffer.clark@dominionenergy.com

Cameron L. Sabin (9437)
Stoel Rives LLP
201 South Main Street, Suite 1100
Salt Lake City, UT 84111
Phone: (801) 578-6985
Fax: (801) 578-6999
Cameron.sabin@stoel.com

*Attorneys for Questar Gas Company
dba Dominion Energy Utah*

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

<p>IN THE MATTER OF THE APPLICATION OF DOMINION ENERGY UTAH TO EXTEND SERVICE TO EUREKA, UTAH</p> <p>IN THE MATTER OF THE APPLICATION OF DOMINION ENERGY UTAH FOR APPROVAL TO IMPLEMENT A GSE RATE TO PROVIDE SERVICES TO CUSTOMERS IN EUREKA, UTAH</p>	<p>Docket No. 19-057-31</p> <p>Docket No. 19-057-32</p> <p>MOTION FOR LEAVE TO WITHDRAW THE APPLICATION IN DOCKET NO. 19-057-32, TO AMEND THE APPLICATION IN DOCKET NO. 19-057-31, AND TO AMEND THE SCHEDULING ORDER</p>
---	---

Questar Gas Company dba Dominion Energy Utah (Company, DEU, or Dominion Energy) respectfully moves the Public Service Commission of Utah (Commission) (1) for leave to withdraw its Application in Docket No. 19-57-32; (2) for leave to amend its Application in Docket No. 19-057-31; and (3) to amend the Commission's Scheduling Order, Notice of Technical Conference, Notice of Consolidated Hearing, and Order to Suspend Tariff dated in the above-

referenced dockets dated December 17, 2019 (Scheduling Order). As discussed more thoroughly below, the Company seeks to include the service line costs to provide gas service to Eureka as Rural Expansion Facilities in Docket No. 19-057-31, the cost of which would be recoverable in general rates rather than through a GSE rate as proposed in Docket No. 19-057-32. This motion is brought on the grounds set forth below.

In 2018, the Utah State Legislature (Legislature) passed H.B. 422, Natural Gas Infrastructure Amendments. With H.B. 422, the Legislature established the opportunity for communities to obtain natural gas service and to have certain costs of providing that service funded by the Company's customer base. H.B. 422 is now embodied in Utah Code Ann. § 54-17-401 *et seq.* Specifically, Utah Code Ann. § 54-17-402 provided that an energy utility could request that the Commission approve a resource decision, including a request for approval of rural gas infrastructure development, and to recover those costs under the statute. Utah Code Ann. § 54-17-401 defined "rural gas infrastructure" to mean "the planning, development, and construction of an extension or expansion of natural gas *main lines* to serve previously unserved rural areas of the state." (emphasis added).

On December 3, 2019, the Company filed Docket No. 19-057-31, seeking Commission approval to extend main lines to the rural community of Eureka, Utah, pursuant to Utah Code Ann. § 54-17-401 *et seq.* The Company did not include service lines as part of that request because services lines are not "natural gas main lines" and therefore were not subject to the statute. Instead, the Company requested the approval of a GSE rate, that would be applied to Eureka customers, to cover the costs of service lines.

In 2020, the Legislature approved H.B.129, which amended the definition of "rural gas infrastructure" in Utah Code Ann. § 54-17-401 to include the following: "the acquisition, planning,

development, extension, expansion, and construction of natural gas *utility facilities* to serve previously unserved rural areas of the state.” (emphasis added). Because this broader definition now includes services lines, the Company can seek Commission approval under Utah Code Ann. § 54-17-401 *et seq.* to construct and recover the costs of installing both main and service lines to provide natural gas service to Eureka residents. H.B. 129 passed and was signed by Utah Governor Gary Herbert on March 2, 2020. It will be effective before the Commission must rule on the Application (or Amended Application, for that matter) in Docket No. 19-057-31.

Accordingly, the Company seeks to amend the Application in Docket No. 19-057-31 to include a request for pre-approval of the construction of service lines and to recover the costs of these service lines in the rural expansion rate adjustment tracker. Additionally, the Company requests authority to withdraw its application in Docket No. 19-057-32 for approval of a GSE rate to pay for service lines to Eureka.

The Company recognizes that amending the Application in Docket No. 19-057-31 as proposed raises new issues related to the Company’s proposal to expand service to Eureka and that parties to the docket may need additional time to conduct discovery and submit testimony regarding those issues. The Company also recognizes that Utah Code Ann. § 54-17-402(7) provides that the Commission must act upon the Application within 180 days of the date of the Application “[u]nless the commission determines that additional time to analyze a resource decision is warranted and is in the public interest. . . .” The Company believes that, even if amending the Application did not extend the deadline by its own operation, the new legislation and proposed amendment provide good cause to permit additional time to analyze the proposed resource decision, and doing so is in the public interest.

The Company has therefore collaborated with the Utah Division of Public Utilities (Division) and the Utah Office of Consumer Services (Office) to develop a schedule that affords all parties adequate opportunity to address new issues that would arise as a result of amending the Application. Based upon those discussions, the Company proposes to amend the Scheduling Order to vacate all future dates in the Scheduling Order and entering a new order containing the following schedule:

ITEM	DEADLINE/DATE/TIME/LOCATION
Amended Application and Supportive Supplemental Testimony (Dominion Energy Utah)	April 15, 2020
Supplemental Direct Testimony Pertaining to Company's Supplemental Direct Testimony	May 27, 2020
Intervention Deadline	May 29, 2020
Rebuttal Testimony, all parties, all issues	June 24, 2020
Surrebuttal testimony, all parties, all issues	July 8, 2020
Hearing	July 16, 2020

The Company has conferred with representatives of the Office and the Division and is authorized to represent that the Office and Division either support or do not oppose this motion.

WHEREFORE, based upon the foregoing, the Company respectfully requests that the Commission permit the Company to withdraw the Application in Docket No. 19-057-32, amend the Application in Docket No. 19-057-31, and amend the Scheduling Order as more fully set forth herein.

DATED this 7th day of April, 2020.

Respectfully submitted,

s/ Jenniffer Clark

Jenniffer Clark (7947)
Dominion Energy Utah
333 S. State Street
PO Box 45433
Salt Lake City, Utah 84145-0433
(801) 324-5392
Jenniffer.clark@dominionenergy.com

Cameron L. Sabin (9437)
Stoel Rives LLP
201 S. Main Street, Suite 1100
Salt Lake City, Utah 84111
(801) 328-3131
Cameron.sabin@stoel.com

*Attorneys for Respondent Dominion Energy
Utah*

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the MOTION FOR LEAVE TO WITHDRAW THE APPLICATION IN DOCKET NO. 19-057-32, TO AMEND THE APPLICATION IN DOCKETG 19-057-31, AND TO AMEND THE SCHEDULING ORDER was served upon the following persons by e-mail on April 7th 2020:

Patricia E. Schmid
Justin C. Jetter
Assistant Attorney Generals
160 East 300 South
P.O. Box 140857
Salt Lake City, UT 84114-0857
pschmid@agutah.gov
jjetter@agutah.gov
Counsel for the Division of Public Utilities

Chris Parker
William Powell
Utah Division of Public Utilities
160 East 300 South
PO Box 146751
Salt Lake City, Utah 84114-6751
chrisparker@utah.gov

Robert J. Moore
Victor Copeland
Assistant Attorney General
160 East 300 South
P.O. Box 140857
Salt Lake City, UT 84114-0857
rmoore@agutah.gov
vcopeland@agutah.gov
Counsel for the Office of Consumer Services

Michele Beck
Director
Office of Consumer Services
160 East 300 South
PO Box 146782
Salt Lake City, UT 84114-6782
mbeck@utah.gov

/s/ Rena Porter