

## DEU Appendix A

Statute	Requirement	Evidence Provided
54-4-13.1(3)	The commission may authorize a gas corporation to establish a <b>natural gas clean air program</b> that <b>promotes sustainability through increasing the use of natural gas</b> or renewable natural gas that the commission determines are in the public interest, <b>subject to the funding limits</b> set forth in subsection 54-20-105(3)(d) (emphasis added).	<p><b>Natural Gas Clean Air Program:</b> See below.</p> <p><b>Promotes sustainability through the use of natural gas:</b> Direct Testimony of Michael A. Orton, DEU Exhibit 1.0.</p> <p><b>Subject to the funding limits:</b> See below.</p>
54-4-13.1(4)	<p>“natural gas clean air program” means:</p> <p>(a) an incentive or program to support the use of natural gas, including renewable natural gas;</p> <p>(b) a program to improve air quality through use of natural gas or renewable natural gas; and</p> <p>(c) does not include any program under Section 54-4-13.4</p>	Direct Testimonies of Michael A. Orton, DEU Exhibit 1.0; Kody M. Powell, DEU Exhibit 2.0.
54-4-13.1(5)	<p>A gas corporation proposing a natural gas clean air program for approval by the commission under Subsection (3) shall seek input from:</p> <p>a) The Division of Public Utilities;</p> <p>b) The Officer of Consumer Services;</p> <p>c) Any person that files a request for notice with the Commission.</p>	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0 and accompanying exhibits.

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Statute	Requirement	Evidence Provided
54-20-105(3)(a)	<p>The Commission may authorize a large-scale natural gas utility to implement and fund programs that the commission determines are in the public interest of a large-scale natural gas utility customer to provide for the investigation, analysis and implementation of:</p> <p>...</p> <p>(ii) research and development of other efficiency technologies;</p> <p>...</p> <p>(vii) any other technology program.</p>	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0.
54-20-105(3)(b)	<p>A large scale natural gas utility proposing a program under this Subsection (3) shall, before submitting the program to the commission for approval, seek input from:</p> <ul style="list-style-type: none"> <li>i) The Division of Public Utilities;</li> <li>ii) The Office of Consumer Services; and</li> <li>iii) A person that files a request for notice with the commission.</li> </ul>	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0 and accompanying exhibits.
54-20-105(3)(c)	In determining whether a project is in the public interest, the commission shall consider the following factors:	
54-20-105(3)(c)(i)	To what extent the use of renewable natural gas is facilitated or expanded by the proposed project;	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0.
54-20-105(3)(c)(ii)	The potential air quality improvements associated with the proposed project;	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0.
54-20-105(3)(c)(iii)	Whether the proposed project could be provided by the private sector or would be viable without the proposed incentives;	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0.

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54-20-105(3)(c)(iv)	Whether any proposed incentives were offered to all similarly situated potential partners and recipients; and	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0.
54-20-105(3)(c)(v)	Potential benefits to ratepayers.	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kody M. Powell, DEU Exhibit 2.0.
54-20-105(3)(d)	Upon commission approval, the Commission may authorize the large-scale natural gas utility to allocate on an annual basis up to \$10,000,000 to . . . a specific natural gas clean air program as provided in Section 54-4-13.1.	Direct Testimony of Michael A. Orton, DEU Exhibit 1.0; Direct Testimony of Kelly B Mendenhall, DEU Exhibit 3.0 and accompanying exhibits.
54-20-105(e)	<p>A large-scale natural gas utility shall establish a balancing account that includes:</p> <ul style="list-style-type: none"> <li>(i) Funds allocated for projects that have been approved by the commission under subsection (3)(a); and</li> <li>(ii) A carrying charge in an amount determined by the commission.</li> </ul>	Direct Testimony of Kelly B Mendenhall, DEU Exhibit 3.0 and accompanying exhibits.