

**In the Matter Of:**

In Re: DEU - Voluntary Renewable Natural Gas Program

**HEARING, DOCKET NO. 19-057-T04**

*July 16, 2019*

*Job Number: 541640*

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of the                    )     Docket No.  
Application of Dominion                )     19-057-T04  
Energy Utah for the                    )       
Creation of a Voluntary                )     HEARING  
Renewable Natural Gas                 )       
Program                                 )     

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July 16, 2019  
10:02 a.m.

Location: Public Service Commission  
160 East 300 South, 4th Floor  
Salt Lake City, UT 84111  
(801) 530-6769

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

Job No. 541640

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A P P E A R A N C E S

Presiding Officer: Michael Hammer

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1 July 16, 2019

10:02 a.m.

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

3 PRESIDING OFFICER HAMMER: Let's go on the  
4 record please. Good morning. This is the time and  
5 place noticed for a hearing in the matter of the  
6 Application of Dominion Energy Utah for the Creation of  
7 a Voluntary Renewable Natural Gas Program. It's  
8 Commission Docket No. 19-057-T04.

9 My name is Mike Hammer, and I am the  
10 commission's designated presiding officer for the  
11 hearing. With that, let's go ahead and take  
12 appearances, please.

13 MS. CLARK: Thank you. My name is Jennifer  
14 Nelson Clark. I am counsel for Dominion Energy Utah,  
15 and I have with me Travis Willey, who submitted prefiled  
16 testimony in this matter, and he will be speaking on  
17 behalf of the company.

18 We also have with us Ted Peterson to his  
19 right, who also filed prefiled testimony. We do not  
20 anticipate him giving testimony today, but he is  
21 certainly available for any questions. And to his right  
22 we have Mike Orton.

23 PRESIDING OFFICER HAMMER: Welcome.

24 MR. JETTER: Good morning. I am Justin Jetter  
25 with the Utah Attorney General's Office, and I am here

1 this morning representing the Utah Division of Public  
2 Utilities. And with me at counsel table is Eric Orton,  
3 witness for the division.

4 MR. MOORE: Robert Moore, Attorney General's  
5 Office, representing the Office of Consumer Services.  
6 With me is Bela Vastag of the office.

7 PRESIDING OFFICER HAMMER: All right. As  
8 there's been a stipulation, I don't have any objection  
9 to the parties remaining seated when they testify. I  
10 assume none of the parties object to that. All right.  
11 Go ahead and call your first witness, Ms. Clark.

12 MS. CLARK: Before the company calls its first  
13 witness, I would note that in the settlement stipulation  
14 at paragraph 19, the parties agreed that the testimony,  
15 exhibits and attachments to the application would be  
16 admitted. And based on that stipulation, the company  
17 moves for the admission of the application and the  
18 accompanying exhibits.

19 PRESIDING OFFICER HAMMER: They are admitted.

20 MS. CLARK: Thank you. The company calls  
21 Travis Willey.

22 PRESIDING OFFICER HAMMER: Mr. Willey, do you  
23 swear to tell the truth?

24 THE WITNESS: I do.

25 HEARING OFFICER: Thank you.

1 TRAVIS WILLEY,  
2 was called as a witness, and having been first duly  
3 sworn to tell the truth, the whole truth, and nothing  
4 but the truth, testified as follows:

5 EXAMINATION

6 BY MS. CLARK:

7 Q. Would you please state your name and business  
8 address for the record.

9 A. My name is Travis Willey. My business address  
10 is 333 South State Street, Salt Lake City, Utah.

11 Q. And what position do you hold with the  
12 company?

13 COURT REPORTER: Excuse me. Is your mic on or  
14 can you get it closer to you?

15 (Discussion off the record.)

16 Q. (By Ms. Clark) What position do you hold with  
17 the company?

18 A. Energy efficiency supervisor.

19 Q. And are you the same Travis Willey that  
20 submitted prefiled direct testimony in this matter?

21 A. I am.

22 Q. And was the application prepared at your  
23 direction or by you?

24 A. It was.

25 Q. Mr. Willey, would you please summarize the

1 relief the company requested in this docket and the  
2 settlement stipulation that was subsequently filed?

3 A. I will. In this docket the company seeks to  
4 create a new program that will provide Utah customers  
5 the option to voluntarily purchase renewable natural gas  
6 attributes in the company's proposed Green Therm  
7 program.

8 Understanding that this is a new program for  
9 Dominion Energy and its various stake holders, the  
10 company worked collaboratively with the Division of  
11 Public Utilities, the Office of Consumer Services, the  
12 Utah Association of Energy Users, as well as other local  
13 industry experts to create a program that the company  
14 believes serves the growing customer demand for  
15 renewable energy, supports various environmental  
16 benefits, and is in the public interest.

17 As such, the Division of Public Utilities, the  
18 Office of Consumer Services, and the Utah Association of  
19 Energy Users filed a settlement stipulation which  
20 revised the company's original voluntary renewable  
21 natural gas program filing.

22 The intent of the company's original filing  
23 was to offer a broad voluntary renewable natural gas  
24 program which included the purchase of renewable natural  
25 gas attributes, the development of renewable natural gas



1 resources, with -- and with any excess funds would  
2 provide support for energy efficiency programs and other  
3 qualifying initiatives.

4 Through this collaborative effort, however,  
5 the parties to the stipulation redefined the scope of  
6 the program and identified key details that would be  
7 added to the proposed tariff section that provides more  
8 clarity and guidance to the program. The parties  
9 incorporated these details in a new tariff section,  
10 Section 8.09, Green Therm voluntary renewable natural  
11 gas program, of which are included in the settlement  
12 stipulation, Exhibits A and B, the legislative and  
13 proposed tariff language respectively.

14 I'd like to now walk through the key details  
15 of the settlement stipulation, beginning with the  
16 tariff. As part of the modifications to the tariff, a  
17 block of RNG is now defined as 5 therms or one half  
18 decatherm, and the surcharge for a block of RNG will be  
19 set at five dollars. In the event that the company  
20 needs to adjust this surcharge price per block in the  
21 future, the company will seek commission approval for a  
22 change in the tariff.

23 Continuing on in Section 8.09, the tariff will  
24 not contain provisions allowing funding for qualifying  
25 initiatives such as energy efficiency and RNG projects

1 using surplus voluntary customer contributions. The  
2 contributions will now only be used to purchase RNG  
3 green attributes and to cover relative associated  
4 administrative costs.

5 All costs associated with the administration  
6 of the Green Therm program will be accounted for in the  
7 191 dot 4 account, and importantly, the company will  
8 seek to manage the administrative costs to a level equal  
9 to or less than 30 percent of the total expenditures in  
10 the 191 account as soon as practicable after the start  
11 of the program.

12 Additionally, in its annual report to the  
13 commission, the actual ratio of administrative costs and  
14 total program expenditures will be included in the  
15 annual report to the commission.

16 Continuing to the green attribute purchase and  
17 retirement certification, all parties agree that the  
18 company will have a contract in place to purchase a  
19 sufficient supply of RNG green attributes from a  
20 producer prior to offering Green Therm program  
21 enrollment options to its customers. The company also  
22 agrees to remove the proposed tariff clause to purchase  
23 RNG within two years of a customer's contribution.

24 The parties agree that the contract, as I just  
25 referenced, will contain terms and conditions requiring

1 the producer to certify the purchase, production, and  
2 retirement of these green attributes. Additionally, the  
3 parties agree that the company will conduct an annual  
4 audit of the purchase, production and retirement of  
5 these annual -- of these green attributes and will  
6 provide the results of each program to the division and  
7 the office.

8           Regarding promotion or program promotion and  
9 reporting, the parties agree that the company will  
10 provide program enrollment and marketing materials to  
11 the division and the office for review prior to sending  
12 these materials. The company will also provide Green  
13 Therm participants with a welcome letter upon  
14 enrollment.

15           Each participant receiving this letter will --  
16 the letter will include, at a minimum, the number of  
17 blocks, therms, decatherms subscribed to, cost per  
18 month, and year percentage of annual natural gas  
19 consumption that will be RNG, explanation that RNG green  
20 attributes are being purchased. And in the event that  
21 the customer desires to opt out, there will be  
22 instructions on how to opt out of the Green Therm  
23 program.

24           The company will provide a draft of this  
25 welcome letter to both the division and the office for

1 review prior to the tariff's effective date. The  
2 parties agree that the company will send Green Therm  
3 program participants an annual report detailing their  
4 individual contributions as well as their total program  
5 costs and benefits. The company will also report  
6 annually to the commission about this Green Therm  
7 program.

8           The company's annual report will include -- to  
9 the commission will include details such as the number  
10 of participating customers, the amount of RNG purchased,  
11 the number of RNG blocks sold, the total customer  
12 contributions, and total program expenses.

13           Regarding verification standards, the parties  
14 agree that when an RNG green attribute verification  
15 standard has been created and a majority of the other  
16 voluntary renewable natural gas programs adopt this  
17 standard, the company will also adopt the same, that  
18 same verification standard for tracking Green Therm RNG  
19 green attributes.

20           The company will provide an update about the  
21 status of the creation of this and adoption of the  
22 green, RNG green attribute verification standard and  
23 will provide that in its annual report to the  
24 commission.

25           If an attribute verification standard is not

1 adopted by a majority of utility voluntary RNG programs  
2 within three years, the company will explore options for  
3 third party verification. The company will provide  
4 details on this third party verification by 2020, by the  
5 2020 program year, and will report to the commission the  
6 costs required to support such verification, will make  
7 recommendations for its 2023 program year.

8 This -- the company believes that these  
9 changes improve the Green Therm program and are just,  
10 reasonable, and in the public interest, and we would  
11 like to thank and give our appreciation to all parties  
12 involved and for their input. And this concludes my  
13 summary.

14 MS. CLARK: Mr. Willey is available for  
15 cross-examination and commission questions.

16 PRESIDING OFFICER HAMMER: Mr. Jetter?

17 MR. JETTER: I have no questions. Thank you.

18 MR. MOORE: Thank you. No questions.

19 PRESIDING OFFICER HAMMER: I just have one.  
20 With respect to the annual report the company intends to  
21 present to the commission that you referenced in your  
22 testimony and in paragraph 13 of the stipulation, when  
23 does the company contemplate the first report would be  
24 filed?

25 THE WITNESS: The first report is anticipated

1 to come out at the end of the first full year, so 2020  
2 would be the first program year. So 2021 will be the  
3 anticipation -- anticipated time frame.

4 PRESIDING OFFICER HAMMER: So the second  
5 quarter of 2021?

6 THE WITNESS: Consistent, yeah, with the  
7 second quarter of 2021.

8 PRESIDING OFFICER HAMMER: All right. Thank  
9 you, Mr. Willey. Any other witnesses, Ms. Clark?

10 MS. CLARK: No. The company has no other  
11 witnesses.

12 PRESIDING OFFICER HAMMER: Mr. Jetter?

13 MR. JETTER: The division would like to call  
14 and have sworn in Eric Orton.

15 PRESIDING OFFICER HAMMER: Mr. Orton, do you  
16 swear to tell the truth?

17 THE WITNESS: Yes, sir, I do.

18 ERIC ORTON,  
19 was called as a witness, and having been first duly  
20 sworn to tell the truth, the whole truth, and nothing  
21 but the truth, testified as follows:

22 EXAMINATION

23 BY MR. JETTER:

24 Q. Would you please state your name and  
25 occupation for the record.

1           A.    My name is Eric Orton.  I am a technical  
2 consultant for the Division of Public Utilities.

3           **Q.    Thank you.  And in the course of your**  
4 **employment, have you had the opportunity to review the**  
5 **application, as well as the settlement stipulation and**  
6 **tariff filed in this docket?**

7           A.    I have.

8           **Q.    Have you prepared a brief statement that**  
9 **summarizes the division's position in this docket?**

10          A.    Yes, sir, I have.

11          **Q.    Please go ahead.**

12          A.    Thank you.  At our comments filed on June 5th,  
13 2019, in this docket, the division recommended the  
14 commission deny approval of the gas utility's  
15 application to create a voluntary renewable natural gas  
16 program.

17                   In a general sense, the division is supportive  
18 of energy conservation, the wise use of renewable  
19 energy, and prudent environmental preservation.  
20 However, this proposed program did not gain division  
21 support, and the division cited several reasons for this  
22 in its comments and elaborated to some extent on each  
23 one.

24                   The division's focus was on assuring that  
25 utility ventures such as these foist no costs, undue

1 burdens, financial risks, nor mislead rate payers. The  
2 division did not believe that the proposed program was  
3 in the public interest and did not represent just and  
4 reasonable rates for Utah customers and therefore  
5 recommended the application be denied.

6 Since that time, the company, division, and  
7 office began discussions to see if a compromise position  
8 could be reached. In this docket, 19-057-T04, the  
9 stipulation filed on July 9, 2019, demonstrates success  
10 in that effort where the parties reached resolution of  
11 their differing positions.

12 From the division's perspective, this  
13 stipulation represents an acceptable compromise.  
14 Therefore, the division recommends that the commission  
15 approve the stipulation as filed as it represents a fair  
16 and reasonable outcome and is in the public interest.  
17 Thank you.

18 **Q. Thank you.**

19 MR. JETTER: I have no further questions for  
20 Mr. Orton. For the convenience of the other parties, I  
21 am intentionally not asking to admit the comments of the  
22 division because we believe that they have effectively  
23 superseded by the settlement stipulation. And Mr. Orton  
24 is available for cross from parties and questions from  
25 the commission.



1           PRESIDING OFFICER HAMMER: Ms. Clark?

2           MS. CLARK: No questions, thank you.

3           PRESIDING OFFICER HAMMER: Mr. Moore?

4           MR. MOORE: Thank you. No questions.

5           PRESIDING OFFICER HAMMER: And I don't have  
6 any either. Thank you, Mr. Orton.

7           THE WITNESS: Thank you.

8           PRESIDING OFFICER HAMMER: No other witnesses,  
9 Mrs. Jetter?

10          MR. JETTER: No other witnesses, thank you.

11          PRESIDING OFFICER HAMMER: Mr. Moore?

12          MR. MOORE: The office calls Bela Vastag and  
13 asks that he be sworn.

14          PRESIDING OFFICER HAMMER: Mr. Vastag, do you  
15 swear to tell the truth?

16          THE WITNESS: Yes.

17                            BELA VASTAG,

18 was called as a witness, and having been first duly  
19 sworn to tell the truth, the whole truth, and nothing  
20 but the truth, testified as follows:

21                            EXAMINATION

22 BY MR. MOORE:

23           **Q. Will you please state your name and**  
24 **occupation.**

25           A. My name is Bela Vastag, and I -- excuse me. I

1 am a utility analyst for the Utah Office of Consumer  
2 Services.

3 **Q. In your capacity as a utility analyst, have**  
4 **you had the opportunity to review and work on the**  
5 **application, testimony, and stipulation that's the**  
6 **subject of this docket?**

7 A. Yes.

8 **Q. Have you prepared a summary of the office's**  
9 **position?**

10 A. Yes, I have.

11 **Q. Please proceed.**

12 A. Good morning. The office supports the  
13 company's proposed voluntary renewable gas program as  
14 modified by the July 9th, 2019, settlement stipulation  
15 filed in this docket.

16 As described in our June 5th, 2019, comments  
17 in this proceeding, the office -- the office's two  
18 primary concerns for this voluntary renewable energy  
19 program are that it does not shift costs to  
20 nonparticipating customers and that the company's  
21 communication with participants is transparent such that  
22 customers understand exactly what they are receiving and  
23 at what cost.

24 The office believes that the proposed program  
25 as modified by the settlement stipulation adequately

1 addresses our concerns over program costs and  
2 transparency. In particular, the office appreciates the  
3 company's commitment to work collaboratively on  
4 communication with customers to ensure that participants  
5 in this program clearly understand the product they are  
6 receiving for their monthly contributions.

7 Therefore, the office recommends that the  
8 commission approve the settlement stipulation because it  
9 is just and reasonable in result and in the public  
10 interest, and that concludes my statement.

11 MR. MOORE: For the reasons stated by the  
12 division, the office also does not move to introduce the  
13 comments as they are superseded by the stipulation.  
14 Mr. Bela -- Mr. Vastag is available for  
15 cross-examination and questions from the hearing  
16 officer.

17 PRESIDING OFFICER HAMMER: Ms. Clark?

18 MS. CLARK: I have no questions, thank you.

19 MR. JETTER: I also have no questions.

20 PRESIDING OFFICER HAMMER: And I have none.  
21 Is there anything else before we adjourn?

22 MS. CLARK: No, thank you.

23 PRESIDING OFFICER HAMMER: Thank you everyone.  
24 Have a good morning.

25 (The hearing concluded at 10:20 a.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 3 through 18 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 24th day of July, 2019.



Teri Hansen Cronenwett, CRR, RMR  
License No. 91-109812-7801

My commission expires:  
January 19, 2023

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