
Application of Dominion Energy Utah for Approval of Modifications of Tariff Sections 2.01, 4.01, and 5.01	<u>DOCKET NO. 19-057-T05</u> <u>ORDER APPROVING TARIFF</u>
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ISSUED: December 31, 2019

PROCEDURAL HISTORY

On November 15, 2019, Dominion Energy Utah (DEU) filed an application (“Application”) with the Public Service Commission (PSC) requesting approval to modify Sections 2.01, 4.01, and 5.01 of its Utah Natural Gas Tariff No. 500 (“Tariff”), relating to the dates by which customers need to request a change of class (*i.e.*, to transportation service, to firm sales service, or to interruptible sales service). On November 26, 2019, the PSC issued an order suspending the Tariff and setting a schedule for the proceeding.

On December 3, 2019, the Division of Public Utilities (DPU) filed comments, and on December 4, 2019, the American Natural Gas Council, Inc. (ANGC) requested intervention and filed comments. On December 12, 2019, DEU filed reply comments with revised Tariff Sheets.

On December 19, 2019, the PSC held a hearing in which DEU, the DPU, and ANGC participated. The PSC granted ANGC’s request for intervention at the beginning of the hearing.

THE APPLICATION

DEU seeks approval of proposed Tariff changes that resolve timing issues related to customers changing between rate classes as the result of the March 1, 2020 effective date of rates proposed in DEU’s current general rate case (“Pending GRC”).¹ Among other things, DEU

¹ *Application of Dominion Energy Utah to Increase Distribution Rates and Charges and Make Tariff Modifications*; Docket No. 19-057-02.

proposes to: (1) extend the date, from February 15th to March 31st in any given year, by which DEU must receive a request for firm sales service from an existing transportation service or interruptible sales service customer; (2) extend the date, from February 15th to March 31st in any given year, that a request for interruptible sales service from an existing transportation or firm sales service customer must be received by DEU; and (3) for existing transportation service customers, extend the date, from February 15th to March 7th in any given year, by which a written request for transportation must be received by DEU. DEU asserts its Application demonstrates the proposed changes are just, reasonable, and in the public interest.

COMMENTS

A. The DPU

The DPU recommends the PSC approve DEU's Application. The DPU explains that, absent the proposed Tariff changes, the effective date for any new rates ordered in the Pending GRC will be past the time when customers would be required to make a decision to change service. The DPU asserts the proposed changes are just, reasonable, and in the public interest.

B. ANGC

ANGC does not support DEU's proposed changes because they do not resolve the identified problems. Further, ANGC does not support DEU's limited once-a-year window for enrollment under the TS schedule, but if the PSC maintains it, customers considering transferring to TS in 2020 should be given at least 30 days after the PSC's final order in the Pending GRC to give DEU notice of intent to transfer and an additional two weeks to provide fully executed contracts for gas supply services.

ANGC urges the PSC to reject DEU's tariff proposals and instead, require DEU to delay its TS enrollment process during 2020 by at least 30 days until the PSC resolves the issues in the pending GRC. ANGC asserts this will help reduce uncertainty for customers because of the timing differences between the requirements of DEU's Tariff and the Pending GRC case.

C. DEU's Reply

DEU generally supports ANGC's proposal to allow customers 30 calendar days from the issuance of the PSC's order in the Pending GRC to provide a written request for transportation service. Further, DEU proposes that a fully executed contract and any other requirements must be received within 14 days thereafter, the deadline for the customer to meet with DEU's telemetry gas technician move to May 1, 2020, and no changes to the remainder of the deadlines listed in the Tariff. DEU proposes that these changes remain effective only for 2020, and that the PSC's order in the Pending GRC will govern thereafter. DEU's reply comments included updated Tariff sheets reflecting these recommendations ("Updated Tariff Sheets").

HEARING TESTIMONY

DEU asserted its reply comments were generally supportive of ANGC's proposal. DEU explained it has since been informed of conflicting dates in the Updated Tariff Sheets and provided Hearing Exhibits 2 and 3 that resolve the issue ("Corrected Tariff Sheets"), and committed to file the Corrected Tariff Sheets shortly after the hearing. DEU asserts that prior to the hearing it reviewed the Corrected Tariff Sheets with the DPU and ANGC. DEU represented that both agreed that changes to the Updated Tariff Sheets were necessary.

Neither the DPU nor ANGC presented a witness but their counsel spoke in support of the changes requested in the Application and presented in the Hearing Exhibits. The DPU stated it

had reviewed the hearing exhibits and confirmed the changes needed to be made. ANGC stated it supported the changes in this proceeding, adding that this issue is still a live issue in the Pending GRC.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the Application, filed comments, and testimony and evidence at hearing, we find DEU's proposed Tariff changes to Sections 2.01, 4.01, and 5.01 of DEU's Tariff, as modified in its reply comments and corrected exhibits at hearing, resolve the timing issues raised by the effective date of rates to be approved in the Pending GRC. Given the information in the Application, the filed comments, and the evidence at hearing, we also find the proposed Tariff modifications will lead to timelines that are just and reasonable in result, and conclude the proposed Tariff modifications are in the public interest. Accordingly, we approve the proposed modifications in Tariff Sections 2.01, 4.01, and 5.01 of DEU's Tariff as updated on December 12, 2019 and further amended at hearing.

DATED at Salt Lake City, Utah, December 31, 2019.

/s/ Michael J. Hammer
Presiding Officer

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Approved and confirmed December 31, 2019, as the Order of the Public Service
Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#311618

Notice of Opportunity for Agency Review or Rehearing

Pursuant to §§ 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this written Order by filing a written request with the PSC within 30 days after the issuance of this Order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a petition for review with the Utah Supreme Court within 30 days after final agency action. Any petition for review must comply with the requirements of §§ 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on December 31, 2019, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By Email:

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