

# Complaint Report

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**Complaint Number:** C21-0046

## Customer Information

**Customer Name:** IMBD LLC, Project Manager

**Account Number:** [REDACTED]

**Other Contact Info:** Todd Defeudis

**Phone Number:** 801 300-9640

**Email Address:** RE.IMBD.LLC@gmail.com

**Service Address:** 402 Aspen Rd  
Francis, UT 84036

**Mailing Address:** 3534 E. Wasatch Grove Lane,  
Cottonwood Heights,, UT 84121

## Complaint Information

**Company Name:** Dominion Energy

**Date Received:** 3/23/2021

**Date Resolved:** 3/30/2021

**Type of Call:** Complaint

**Complaint Type:** Billing Problems

**Complaint Received By:** Gwen Flores

**Utility Company Analyst:** Elia Lopez

**Gone Formal:** NO

**Complaint Description:**

## DPU ONLINE COMPLAINT

## UTILITY CUSTOMER

FROM: RE:IMBD LLC

CONTACT: Project Manager-Todd Defeudis

PHONE: 801 300-9640

EMAIL: RE.IMBD.LLC@gmail.com

## SERVICE ADDRESS:

402 Aspen Rd

Francis, Utah 84036

## MAILING ADDRESS:

3534 E. Wasatch Grove Lane,

Cottonwood Heights, Utah 84121

## INCIDENT DETAILS

UTILITY: Dominion Energy

ACCOUNT NUMBER: [REDACTED]

COMPLAINT TYPE: Billing Problems

## COMPLAINT:

1. Dominion Energy's Required Service Contract is Illegal as it requires the "customer" to give up its litigation rights and forgo being able to use "the laws of the land-Utah" and pay Dominion Energy's legal costs; if the customer wants service and heat for its home and family. a) When we refused to sign the proposed gas service agreement; Dominion Energy, has withholds service-for over two years-knowing the customer will be forced to sign the illegal agreement if they want heat and as the "new build" customer has to complete the build in a limited amount of time per any city's building department. 2. Dominion Energy's customer service has refused to put our correct billing information. 3. Dominion Energy added billing charges to our account without notification or consent. 4. Dominion Energy workers showed up at the property: a) Smoking cigarets on the customer's property. b) The gas line installer did not use trench barriers to protect workers from a "cave-in" while installing the gas line. c) A Dominion Energy worker trespassed on the property to ridicule and make fun of owner workers for wearing face masks and safety equipment during a pandemic and during height work. 4. The property is owned by a trust and managed by a management company, NOT any individual person. a) Customer service refuses to open an account with the LLC's information: "RE:IMBD LLC:" EIN# 83-4611377

SUGGESTED RESOLUTION: 1. Have a judge rule that the any contract that Dominion Energy proposes, does NOT require the customer to pay Dominion Energy's legal costs in case of legal or litigation dispute. 2. Require Dominion Energy to post and inform all charges and require the consent of the customer before such charges are billed. 3. Barr workers for trespassing and illicit behavior at the customer's property. 4. Require Dominion Energy open an account for the customer with the proper name: "RE:IMBD LLC", Tax number: EIN 83-4611377".

**Complaint Response:**

Please see attachments for Dominion's response.

Please see attachment 3 for the initial complaint regarding this matter.

Dominion Energy Utah  
Consumer Affairs  
1140 West 200 South, Salt Lake City, UT 84104  
Mailing Address:  
P.O. Box 45360, Salt Lake City, UT 84145  
DominionEnergy.com



RE:IMBD LLC  
c/o Project Manager  
3534 E Wasatch Grove Ln  
Cottonwood Heights, UT 84121

March 30, 2021

Attention: Project Manager at 402 Aspen Rd, Francis, UT 84036

This letter is in response to your complaint filed with the Division of Public Utilities. Thank you for the opportunity to respond to your concerns.

Please see the enclosed response provided by Justin T. Toth from the law firm of Ray Quinney & Nebeker.

Sincerely,

A handwritten signature in cursive script that reads "Elia".

Elia Lopez  
Customer Relations Specialist  
Western Gas Distribution

elo

Enclosures

cc: Division of Public Utilities

March 30, 2021

VIA EMAIL AND FIRST CLASS MAIL

IMBD LLC, Project Manager  
3534 E. Wasatch Grove Lane  
Cottonwood Heights, UT 84171  
[RE.IMBD.LLC@gmail.com](mailto:RE.IMBD.LLC@gmail.com)

Re: **Response to Informal Complaint No. C21-0046 (DEU Account No. [REDACTED]; 402 Aspen Road, Francis, Utah)**

Dear Project Manager:

We received your informal complaint from the Division of Public Utilities dated March 23, 2021 (the “2021 Complaint”) and welcome the opportunity to address the issues raised in your letter. We hope you will find the information provided in this letter helpful and that it adequately addresses your concerns.

In your letter, you indicated that Dominion Energy Utah (“DEU” or the “Company”) has withheld gas service at the property located at 402 Aspen Road in Francis, Utah (“the Property”) for two years. DEU’s records reflect that in 2018, Mr. Todd DeFeudis (“Mr. DeFeudis”) objected to certain work being performed at the Property by DEU and sent a number of communications to DEU at the time. In addition, Mr. DeFeudis also contacted the Utah Division of Public Utilities to express his concerns. DEU promptly responded to Mr. DeFeudis and the Utah Division of Public Utilities and addressed each concern.

According to DEU’s records as part of the communications received in November of 2018, Mr. DeFeudis expressly prohibited DEU employees from entering the Property for any reason. In 2018, one of the objections Mr. DeFeudis had was related to the need for a larger meter at the Property based on the btu measurements provided to DEU by the City of Francis. Mr. DeFeudis at the time refused to pay the additional costs associated with the meter that the residence required due to the extra btus. In January, 2019, DEU explained in a letter to Mr. DeFeudis why the larger meter was required to safely accommodate the btu load for the residence on the Property. DEU did not receive any further communication from Mr. DeFeudis, or anyone else, regarding installation of that gas meter to the Property until February of 2021, at which time, you sent an email requesting direction on how to get a meter turned on. Following the receipt of this inquiry, DEU promptly responded and subsequently installed the larger meter after payment of the additional fees associated with the larger meter was received.

You also expressed concern about the indemnity provision in the DEU Service Line Agreement. This agreement is a form agreement that all new

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84601-4420

801 342-2400 TEL  
801 375-8379 FAX

customers sign to receive a DEU natural gas service line. The indemnity provision in the agreement you referenced is legal, appropriate and consistent with the governing provisions of the Company's Utah Natural Gas Tariff No. 5 (the "Tariff"). Section 7.02 of the Tariff provides that "[t]he customer will indemnify the Company against all claims, demands, cost or expense for loss, damage, or injury to persons or property in any manner directly or indirectly connected with or growing out of the serving or use of gas service by the customer or at the customer's side of the point of delivery." The indemnification provision in the Service Line Agreement imposes the same types of indemnity requirements, and specifically indicates that customers will not be liable for, or have an indemnity obligation for, any negligent or willful acts by DEU.

We understand your desire to have natural gas service placed in the name of "RE:IMBD LLC." Company records indicate that the Project Manager contacted the Company on February 23, 2021 and requested to have gas service commence in the name of "Real Estate: Investment, Management, Brokerage, Development LLC." On February 23, 2021, DEU commenced service in the name requested. Subsequently, on March 1, 2021, Project Manager called the Company and requested that the account be placed in a different name: "Re:IMBD LLC." The Company has since made this change as requested.

You also expressed concern that your bill from DEU included unauthorized charges. DEU is uncertain which specific charges are of concern to you, but Company records show that during the March 1, 2021 call, the Property Manager expressed concern about a connection fee applied to the account. Section 8.03 of the Tariff provides that customers will pay a connection fee for the connection of their gas meter. The connection fee applicable to new construction is known as a "Limited Connection Fee." The Limited Connection Fee of \$15.00 is required pursuant to the Tariff; the remaining additional amounts contained in the bill are taxes. The current bill reflects the Limited Connection Fee plus taxes.

In your letter, you also made statements about requirements for trench protection during the work DEU did at the Property in 2018. Trench protection is required only if a trench is more than five feet deep. The trench where the service line was placed was not in excess of five feet in depth. Therefore, the meter service line that was installed to the Property in 2018 did not require trench protection. You also raised issues about employee conduct at the Property. The Company takes employee conduct issues very seriously and requires that its employees always demonstrate professional behavior in their interactions with customers. DEU will promptly investigate your claims and determine if further action and/or training is necessary for those employees.

Finally, you indicated that you would like to “Barr workers for trespassing and illicit behavior at the customer’s property.” As a condition of service of natural gas to the Property, the Company must have access to the service line and meter on RE:IMDB, LLC’s Property. The service line and meter belong to DEU and providing access for purposes of constructing, maintaining, repairing, and replacing that equipment is a condition of receiving natural gas service under the Utah Tariff. Section 7.04 of the Tariff provides that “[t]he Company may at any time examine, change, or repair its property on the premises of the customer and may remove all such property upon or termination of service or at any time thereafter.” Section 7.05 of the Tariff further requires that those requesting service from the Company provide any access that is necessary for construction and maintenance of the Company-owned facilities.

We hope you find this information useful and that it resolves your concerns.

Sincerely,

**RAY QUINNEY & NEBEKER P.C.**

*/s/ Justin Toth*

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Justin T. Toth

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801 375-8379 FAX

CC: Gwen Flores, Utah Division of Public Utilities  
gflores@utah.gov

1561951



# Complaint Report

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**Complaint Number:** C18-0026

## Customer Information

**Customer Name:** Defeudis, Tod

**Account Number:**

**Phone Number:** 8013009640

**Email Address:**

**Service Address:** 402 Aspen Road  
Francis, UT 84036

**Mailing Address:** 3534 E Wasatch Grove Lane  
Cottonwood Heights, UT 84121

## Complaint Information

**Company Name:** Dominion Energy

**Date Received:** 12/27/2018

**Type of Call:** Complaint

**Complaint Received By:** Cynthia Dumas

**Gone Formal:** NO

**Date Resolved:** 2/5/2019

**Complaint Type:** Initial Service

**Utility Company Analyst:** Leora Price

## Complaint Description:

The Division received a call from Mr. Defeudis regarding requesting his initial service to a new property with DEU. He explained when he requested to have services turned on they asked him to sign a standard service agreement contract. In Mr. Defeudis opinion he believes this is a way so DEU can charge all the fees they want & the customer can't dispute the fees. He told DEU he wouldn't sign the agreement and DEU told him if he didn't sign the agreement DEU would put a lien on the property. Mr. Defeudis signed the agreement and sent in his check. When DEU went to connect services they realized there was a problem with the gas line, and told Mr. Defeudis he had to pay for the repairs. Mr. Defeudis believes DEU is just doing this to get more money and it's illegal. He would like services turned on, & proof that DEU isn't doing anything illegal. Please contact the customer.

**Complaint Response:**

From: Leora Price

Date: Fri, Jan 4, 2019 at 3:00 PM

Subject: Todd Defeudis - Response to Informal Complaint

To: Tod DeFeudis

Cc: Cynthia Dumas, Elia Lopez

Good afternoon Mr. Defeudis,

Enclosed is Questar Gas Company dba Dominion Energy Utah's (DEU) response to your Informal Complaint filed with the Division of Public Utilities.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,

Leora Price, ACP

Paralegal II

**Additional Info:**

1/2/2019 - Customer called to speak with Chris.

\*\*\*\* Email after Chris spoke with customer\*\*\*\*

From: Artie Powell

Date: Wed, Jan 2, 2019 at 4:17 PM

Subject: QGC Complaint

To: Eric Orton, David Williams

Cc: Chris Parker, Cynthia Dumas

A QGC customer submitted an informal complaint about signing a service agreement. I am not sure what their concerns are but I have asked Cynthia to forward the complaint to us when we receive QGC's response, which should come soon.

Chris indicated that the customer is likely to file formally and would like us to look at the contract and possibly comment on the issues. We can talk more about this when we receive the information.

Artie

From: Cynthia Dumas

Date: Fri, Jan 4, 2019 at 4:45 PM

Subject: Formal Complaint Instructions

To: Todd DeFeudis

Good Evening Mr. DeFeudis,

I hope you're having a good day so far. Today I received the response from Dominion Energy regarding your Informal Complaint. Attached are the Formal Complaint instructions to file the complaint with the Public Service Commission. If you have any questions regarding the Formal complaint process please contact them at 801-530-6716..

Thank you,

Cynthia Dumas

From: Todd E. DeFeudis

Date: Fri, Jan 4, 2019 at 10:32 PM

Subject: Re: Todd DeFeudis - Response to Informal Complaint

To: Leora Price

Cc: Cynthia Dumas, Elia Lopez

Ms. Leora Price, Paralegal:

1. We are in receipt of your letter and response to our informal complaint.

a) After submitting this informal complaint we are now allowed to make a formal complaint with the State of Utah, Department of Commerce and Division of Public Utilities, which will we do.

2. We disagree with your version of events and your characterization of things.

Yours truly,  
Todd E. DeFeudis,  
Plaintiff

