

From: Justin Toth <jtoth@RQN.COM>
Sent: Friday, April 30, 2021 8:21 AM
To: Jenniffer N Clark (Services - 6)
Subject: [EXTERNAL] FW: Letter to Todd DeFeudis
Attachments: 2018 1214 L to T DeFeudis.pdf

This is an EXTERNAL email that was NOT sent from Dominion Energy. Are you expecting this message? Are you expecting a link or attachment? DO NOT click links or open attachments until you verify them

From: Justin Toth
Sent: Friday, December 14, 2018 4:50 PM
To: 'toddedefeudis@gmail.com'
Subject: Letter to Todd DeFeudis

Mr. DeFeudis:

Please see the attached correspondence.

Sincerely,

Justin Toth | Ray Quinney & Nebeker P.C. | 36 South State Street, Suite 1400 | Salt Lake City, Utah 84111
Direct: 801-323-3343 | Facsimile: 801-532-7543 | www.rqn.com | [vCard](#)

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RAY QUINNEY & NEBEKER

December 14, 2018

Todd E. DeFeudis
3534 E. Wasatch Grove Lane
Cottonwood Heights, Utah 84121

Re: 402 Aspen Road, Francis, Utah

Mr. DeFeudis:

This law firm has been retained by Questar Gas Company dba Dominion Energy Utah, Abigail Magrane and Whit Sargent (collectively, the "Questar Parties") to assist in resolving your concerns and disputes with the Questar Parties. Please direct any future correspondence and communications to the undersigned.

We are currently reviewing the communications and documents that you have provided the Questar Parties. We look forward to working with you to find a resolution to this matter.

In the meantime, please do not hesitate to contact me if you have any questions.

Very truly yours,

RAY QUINNEY & NEBEKER, P.C.

Justin T. Toth

ATTORNEYS AT LAW
Clark P. Giles
Herbert C. Livsey
D. Jay Curtis
Jonathan A. Dibble
James S. Jardine
Larry G. Moore
John A. Adams
Douglas M. Monson
Craig Carlile
Jeffrey W. Appel
David J. Castleton
Ellen J. D. Toscano
Kevin G. Glade
Lester K. Essig
Stephen C. Tingey
John R. Madsen
Scott A. Hagen
Rick L. Rose
Brent D. Wride
Steven W. Call
Elaine A. Monson
Mark A. Cotter
Gregory J. Savage
Kelly J. Applegate
Justin T. Toth
Liesel B. Stevens
Robert O. Rice
Arthur B. Berger
Rick Thaler
John W. Mackay
McKay M. Pearson
Mark W. Pugsley
Matthew N. Evans
Gary L. Longmore
John P. Wunderli
Michael R. Johnson
E. Blaine Rawson
Samuel C. Straight
Matthew R. Lewis
Paul C. Burke
Elaina M. Maragakis
D. Zachary Wiseman
Michael D. Mayfield
Brett L. Tolman
Bryan K. Bassett
Kamie F. Brown
Gregg D. Stephenson
Kristine M. Larsen
Gregory S. Roberts
Christopher N. Nelson
Angela E. Atkin
Thomas M. Hardman
Samuel C. Lambert
David H. Leigh
Gavin M. Reese
Richard H. Madsen, II
Ryan B. Bell
S. Brandon Owen
Charles H. Livsey
David B. Dibble
Bryant J. McConkie
Maria E. Windham
Blake R. Bauman
Michael K. Erickson
Eric G. Benson
R. Troy Mollerup
Paul N. Taylor
Z. Ryan Patnik
Matthew M. Cannon
James A. Sorenson
Allison G. Behjani
Robert P. Harrington
Greg M. Newman
Adam K. Richards
Blake R. Voorhees
Joshua B. Cannon
Marie B. Durrant
Beth J. Ranschau
Aaron K. Olsen
Calvin R. Winder
A.J. Green
Katherine E. Priest
Jascha K. Clark
John O. Carpenter
Katherine B. Benson
Whitney Hulet Krogue
Blake M. Biddulph
Erin M. Adams

OF COUNSEL
Robert M. Graham
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M. John Ashton
Gerald T. Snow
Loren E. Weiss
Robert G. Wing
Rick B. Hoggard
Katie A. Eccles
Jordan Christianson
Kelly A. Williams
Lisa V. Perry
Tiffany M. Brown
Anjali J. Patel

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PROVO OFFICE
86 North University Ave
Suite 430
Provo, Utah
84601-4420

801 342-2400 TEL
801 375-8379 FAX

From: Justin Toth <jtoth@RQN.COM>
Sent: Friday, April 30, 2021 8:22 AM
To: Jenniffer N Clark (Services - 6)
Subject: [EXTERNAL] FW: 12.17.2018 "VERIFIED COMPLAINT" REQUEST OF SERVICE OF PROCESS RECEPTION BY APPOINTED ATTORNEY Justin Toth. Dear Attorney, Justin Toth <jtoth@rqn.com>, Ray Quinney & Nebeker: A. We are in receipt of your 12.14.2018 letter expressing you h...

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From: Justin Toth
Sent: Monday, December 17, 2018 6:47 AM
To: Todd E. DeFeudis
Subject: Re: 12.17.2018 "VERIFIED COMPLAINT" REQUEST OF SERVICE OF PROCESS RECEPTION BY APPOINTED ATTORNEY Justin Toth. Dear Attorney, Justin Toth <jtoth@rqn.com>, Ray Quinney & Nebeker: A. We are in receipt of your 12.14.2018 letter expressing you have gained ...

Mr. DeFeudis:

Thanks for your email. To answer your questions below,

1. Yes. As expressed in my letter, I represent each of Dominion Energy Utah, Abigail Magrane and Whit Sargent in this matter.
2. Yes. I am willing to accept service of what you describe as a "Verified Complaint" for each and all of my clients.
3. My Utah Bar No. is 8438.

Best regards,

Justin Toth
Ray Quinney & Nebeker P.C.
36 S. State Street, Suite 1400
Salt Lake City, UT 84111
Firm: 801-532-1500
Direct: 801-323-3343
Fax: 801-532-7543
www.rqn.com

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Sent from my iPhone

On Dec 17, 2018, at 6:17 AM, Todd E. DeFeudis <toddedefeudis@gmail.com> wrote:

12.17.2018 "VERIFIED COMPLAINT" REQUEST OF SERVICE OF PROCESS
RECEPTION BY APPOINTED ATTORNEY Justin Toth.

Dear Attorney, Justin Toth <jtoth@rqn.com>, Ray Quinney & Nebeker:

A. We are in receipt of your 12.14.2018 letter expressing you have gained representation for "Questar Parties"

1. Do have legal authority and are you representing: "Dominion Energy Utah, Abigail Magrane and Whit Sargent"?
2. Will you accept service for a "verified complaint"? for Dominion Energy Utah, Abigail Magrane and Whit Sargent?
3. What is your Utah State Bar identification number?

Yours truly,
Todd E. DeFeudis

On Fri, Dec 14, 2018 at 5:49 PM Justin Toth <jtoth@rqn.com> wrote:

Mr. DeFeudis:

Please see the attached correspondence.

Sincerely,

Justin Toth | Ray Quinney & Nebeker P.C. | 36 South State Street, Suite 1400 | Salt Lake City, Utah 84111
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From: Justin Toth
Sent: Monday, December 17, 2018 6:54 AM
To: Todd E. DeFeudis
Subject: Re: 12.17.2018 "VERIFIED COMPLAINT" REQUEST OF SERVICE OF PROCESS RECEPTION BY APPOINTED ATTORNEY Justin Toth. Dear Attorney, Justin Toth <jtoth@rqn.com>, Ray Quinney & Nebeker: A. We are in receipt of your 12.14.2018 letter expressing you have gained ...

Mr. DeFeudis:

I should also have mentioned that I will accept service of both the summons and "Verified Complaint" as required by Rule 4(d)(3)(C). I am also willing to accept those documents by email to minimize costs to all parties.

Best regards,

Justin Toth
Ray Quinney & Nebeker P.C.
36 S. State Street, Suite 1400
Salt Lake City, UT 84111
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Direct: 801-323-3343
Fax: 801-532-7543
www.rqn.com

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Sent from my iPhone

On Dec 17, 2018, at 6:46 AM, Justin Toth <jtoth@RQN.COM> wrote:

Mr. DeFeudis:

Thanks for your email. To answer your questions below,

1. Yes. As expressed in my letter, I represent each of Dominion Energy Utah, Abigail Magrane and Whit Sargent in this matter.
2. Yes. I am willing to accept service of what you describe as a "Verified Complaint" for each and all of my clients.
3. My Utah Bar No. is 8438.

Best regards,

Justin Toth
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Sent from my iPhone

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12.17.2018 "VERIFIED COMPLAINT" REQUEST OF SERVICE OF PROCESS RECEPTION BY APPOINTED ATTORNEY Justin Toth.

Dear Attorney, Justin Toth <jtoth@rqn.com>, Ray Quinney & Nebeker:

A. We are in receipt of your 12.14.2018 letter expressing you have gained representation for "Questar Parties"

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2. Will you accept service for a "verified complaint"? for Dominion Energy Utah, Abigail Magrane and Whit Sargent?
3. What is your Utah State Bar identification number?

Yours truly,
Todd E. DeFeudis

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Sincerely,

Justin Toth | Ray Quinney & Nebeker P.C. | 36 South State Street, Suite 1400 | Salt Lake City, Utah
84111

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From: Justin Toth <jtoth@RQN.COM>
Sent: Friday, April 30, 2021 8:20 AM
To: Jenniffer N Clark (Services - 6)
Subject: [EXTERNAL] FW: 02.04.2021 REQUEST TO KNOW WHAT NEEDS TO BE COMPLETED TO GET GAS METER INSTALLED at 402 Aspen Road, Francis, UT 84036, Lot C-18.....Yours truly, Project Manager.....402 Aspen Road, Francis, UT 84036, Lot C-18, Phase...
Attachments: 20210205115958668.pdf

This is an EXTERNAL email that was NOT sent from Dominion Energy. Are you expecting this message? Are you expecting a link or attachment? DO NOT click links or open attachments until you verify them

From: Justin Toth
Sent: Tuesday, February 09, 2021 8:52 AM
To: 'Real Estate: Investment, Management, Brokerage, Development LLC'; Abbie Magrane; Whit Sargent (Questar - 5)
Subject: RE: 02.04.2021 REQUEST TO KNOW WHAT NEEDS TO BE COMPLETED TO GET GAS METER INSTALLED at 402 Aspen Road, Francis, UT 84036, Lot C-18.....Yours truly, Project Manager.....402 Aspen Road, Francis, UT 84036, Lot C-18, Phase 2C; for Manag

Mr. DeFeudis and/or Project Manager:

Thank you for this email. As I indicated in my prior correspondence, Dominion Energy remains willing to provide service at the 402 Aspen Road, Francis, Utah residence (the "Residence") in a manner that is both safe and consistent with its policies and procedures.

Since we last heard from you, Francis City notified Dominion Energy that the Residence passed a 4 way inspection. The BTU measurement that the Francis City inspector reported to Dominion Energy is larger than what was reported on the original customer sign up of the service line and meter for the Residence. We understand that the specifications from the City's 4 way inspection were confirmed by the owner of the Residence. Consistent with its standard policies and procedures, Dominion Energy requires payment for the larger gas meter that will safely accommodate the additional BTU's for the Residence prior to installing that meter.

I have attached an updated Work Estimate for the installation of the larger gas meter. Once the payment has been received, Dominion Energy will promptly and safely install the new gas meter for the Residence.

Please let me know if you have any questions, or if I can be of further assistance to you.

Sincerely,

Justin Toth | Ray Quinney & Nebeker P.C. | 36 South State Street, Suite 1400 | Salt Lake City, Utah 84111
Direct: +1 (801) 323-3343 | Facsimile: +1 (801) 532-7543 | www.rqn.com | [vCard](#)

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From: Real Estate: Investment, Management, Brokerage, Development LLC [mailto:re.imbd.llc@gmail.com]
Sent: Thursday, February 04, 2021 12:35 PM
To: Justin Toth; Abbie Magrane; Whit Sargent (Questar - 5)
Subject: 02.04.2021 REQUEST TO KNOW WHAT NEEDS TO BE COMPLETED TO GET GAS METER INSTALLED at 402 Aspen Road, Francis, UT 84036, Lot C-18.....Yours truly, Project Manager.....402 Aspen Road, Francis, UT 84036, Lot C-18, Phase 2C; for Manage...

CAUTION: EXTERNAL EMAIL

02.04.2021 REQUEST TO KNOW WHAT NEEDS TO BE COMPLETED TO GET GAS METER INSTALLED at 402 Aspen Road, Francis, UT 84036, Lot C-18Yours truly, Project Manager.....402 Aspen Road, Francis, UT 84036, Lot C-18, Phase 2C; for Manager for Real Estate: Investment, Management, Brokerage, Development LLC (RE:IMBD LLC); 3534 E. Wasatch Grove Lane, Cottonwood Heights, UT 84121 "402188436 Asset Protection Trust, Irrevocable, Inception Date 05.08.2019"

--

Real Estate: Investment, Management, Brokerage, Development LLC (RE:IMBD LLC)

Phone [REDACTED];
Email address: RE.IMBD.LLC@gmail.com

Mailing Address:

RE:IMBD LLC
3534 E. Wasatch Grove Lane,
Cottonwood Heights, UT 84121
C/o Apartment Manager

Please send all mail, regular mail or if you wish, delivery confirmation by U.S. Priority Mail, **signature NOT required** for receiving mail. As a business policy, we do not sign for the receipt of mail.



WORK ESTIMATE

v0917	CENTER CD PKC	JOB ID SJ0001690841	SERVICE LINE ID [REDACTED]
-------	------------------	------------------------	-------------------------------

CUSTOMER TODD DEFEUDIS		CONNECTED LOAD # TYPE BTU Total BTU		METER PAD <input checked="" type="radio"/> Not Required <input type="radio"/> By Customer <input type="radio"/> By QGC SIZE _____
SERVICE ADDRESS 402 ASPEN RD				METER PRESSURE 4 oz
SUBDIVISION WILD WILLOW	LOT NO. 18			METER PROTECT <input checked="" type="radio"/> Not Required <input type="radio"/> By Customer <input type="radio"/> By QGC
CITY OR COUNTY FRANCIS	STATE UT	ZIP CODE 84036		
MAILING ADDRESS 3534 E WASATCH GROVE LN COTTONWOOD HIGHTS, UT 84171		JOB TYPE Meter/Reg Change		
EMAIL ADDRESS re.imbd.llc@gmail.com		SPECIAL CONDITIONS Francis City notified DE that the customer had passed a 4 way inspection. The BTU's that the Francis City inspector turned in to us differs from what was turned in on the original sign up of the service line and meter. Customer now needs a larger gas meter.		
FAX NUMBER		DESCRIPTION OF WORK FRANCIS CITY NOTIFIED DE THAT THE CUSTOMER HAD PASSED A 4 WAY INSPECTION. THE BTU'S THAT THE FRANCIS CITY INSPECTOR TURNED IN TO US DIFFERS FROM WHAT WAS TURNED IN ON THE ORIGINAL SIGN UP OF THE SERVICE LINE AND METER. CUSTOMER NOW NEEDS A LARGER GAS METER.		
WORK ESTIMATE COSTS				
Meter/Regulator Charges	\$	604.00		
Itemized Charges	\$.00		
Meter Credit	- \$.00		
TOTAL CUSTOMER COST NOW DUE		\$604.00		

Please submit payment to Dominion Energy, PO Box 27031, Richmond, VA 23261-7031
To pay with credit card please call 1-800-378-1269 or go to <https://internet.speedpay.com/dominionongas>

CUSTOMER REQUIREMENTS

THE CUSTOMER IS RESPONSIBLE FOR FULLFILLING THE REQUIREMENTS OF THE ITEMS LISTED BELOW. PLEASE BE AWARE THAT IF ANY OF THESE ITEMS ARE NOT COMPLETE, COMPANY WILL BE UNABLE TO PERFORM THE WORK ON YOUR PROJECT IN A TIMELY MANNER.

- THE CUSTOMER IS RESPONSIBLE TO MAKE ARRANGEMENTS WITH A HEATING CONTRACTOR OR PLUMBER TO MAKE NECESSARY CHANGES TO THE CUSTOMERS FUEL LINE SYSTEM AND/OR DELIVERY PRESSURE.
- IF THERE ARE ANY CHANGES MADE TO THE FUEL LINE SYSTEM AND/OR DELIVERY PRESSURE, DEPENDING ON WHERE THE STRUCTURE IS LOCATED, A CITY OR COUNTY INSPECTION MAY BE REQUIRED. IF NECESSARY, THE CUSTOMER MUST CONTACT THE APPLICABLE CITY/COUNTY TO MAKE ARRANGEMENTS FOR AN INSPECTION OF THE CHANGED FUEL LINE SYSTEM AND/OR CHANGE TO THE DELIVERY PRESSURE. CUSTOMER SHOULD BE AWARE THAT THERE MAY BE A CHARGE FOR THE PERMIT, INSPECTION, OR CLEARANCE FROM THE APPLICABLE CITY/COUNTY.
- ONCE THE CLEARANCE/INSPECTION HAS BEEN COMPLETED, THE CITY/COUNTY WILL SEND THE CLEARANCE/INSPECTION INFORMATION TO DOMINION ENERGY UTAH.
- ONCE COMPANY RECEIVES THE CLEARANCE INFORMATION FROM THE CITY/COUNTY AND THE REQUIRED COSTS ARE PAID, THE CUSTOMER MAY CALL THEIR COMPANY CONTACT. YOUR WORK WILL BE SCHEDULED ACCORDING TO WORKLOAD. THE CUSTOMER WILL BE RESPONSIBLE FOR THE RELIGHTING OF THEIR OWN APPLIANCES, UNLESS PREVIOUS ARRANGEMENTS HAVE BEEN MADE.
- CUSTOMER IS REQUIRED TO COORDINATE BETWEEN THEIR COMPANY CONTACT, CITY/COUNTY INSPECTOR, AND HEATING/PLUMBING CONTRACTOR IF ALL ENTITIES ARE REQUIRED ON THE SAME DAY.
- PRICING IS SUBJECT TO CHANGE

DOMINION ENERGY UTAH Contact Whit Sargent at (435) 503-1814

RAY QUINNEY & NEBEKER

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

Re: Response to Informal Complaint No. C21-0046 (DEU Account No. 8032733803; 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

SALT LAKE CITY OFFICE
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Provo, Utah
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.

RAY QUINNEY & NEBEKER

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

Justin T. Toth

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801 375-8379 FAX

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

1561951