

# APPLICATION OF DOMINION ENERGY UTAH

Docket No. 21-057-14

## PUBLIC HEARING

September 28, 2021

### ADVANCED REPORTING SOLUTIONS

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PUBLIC HEARING DOCKET NO. 21-057-14  
APPLICATION OF DOMINION ENERGY UTAH FOR A  
SUBSCRIPTION-BASED CARBON OFFSET PROGRAM

VIDEO CONFERENCED PUBLIC HEARING

Taken on September 28, 2021

From 10:02 a.m. to 10:28 a.m.

Reported by: Deirdre Rand, RPR, CSR, CCR

A P P E A R A N C E S

Public Service Commission:

YVONNE HOGLE

MELISSA PASCHAL

TARYN HUNT

JACOB RICHARDSON

Dominion Energy Utah:

JENNIFFER NELSON CLARK

KELLY MENDENHALL

Utah Attorney General's Office for  
Division of Public Utilities:

PATRICIA SCHMID

BRENDA

Utah Attorney General's Office for  
Office of Consumer Services

ROBERT MOORE

MICHELE BECK

-ooOoo-

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P R O C E E D I N G S

MS. HOGLE: Okay. Good morning, everyone. It is September 28, 2021, and about ten o'clock in the morning, in docket -- in the matter of the application of Dominion Energy Utah for a subscription-based carbon offset program in Docket No. 21-057-14.

My name is Yvonne Hogle and I am the Commission's designated presiding officer for this hearing.

And let's take appearances for the record, beginning with the applicant, please.

MS. CLARK: Thank you. My name is Jennifer Clark. I'm counsel for Dominion Energy Utah and I have with me Jordan Stephenson. He will be testifying on behalf of the company.

MS. HOGLE: Okay. Thank you.

The Division, please?

MS. SCHMID: Good morning. My name is Patricia E. Schmid, representing the Division of Public Utilities. The Division's witness today is Eric Orton, O-r-t-o-n. Thank you.

MS. HOGLE: Okay. And do we have the Office of Consumer Services, please? The attorney for the Office of Consumer Services?

1 MS. BECK: Ms. Hogle, this is Michele Beck.  
2 And my understanding is that he was participating and  
3 I haven't heard of a technical difficulty, but would you  
4 mind if we just took a couple minutes here to sort this  
5 out? I really apologize.

6 MS. HOGLE: Oh, no problem. Why don't we do  
7 that. Let's stop the streaming and just hold on for a  
8 bit. Thank you.

9 (Pause in the proceedings.)

10 MR. MOORE: Yes, I'm sorry. I apologize for  
11 my technical difficulties.

12 MS. HOGLE: Okay.

13 I'm assuming we're streaming again.

14 Okay.

15 MS. PASCHAL: Yes.

16 MS. HOGLE: Thank you.

17 For the Office of Consumer Services, please?

18 MR. MOORE: Robert Moore, AG's office. With  
19 me is Bela Vastag as utility analyst from the Office of  
20 Consumer Services.

21 MS. HOGLE: Okay. Thank you.

22 And anybody from the UAE? Representing the  
23 UAE?

24 No? Okay. Well, they were not a signatory to  
25 the stipulation, so I think we're okay with that.

1           Okay. The parties have reached a settlement  
2 in the docket and filed the settlement. And so today we  
3 will be considering the settlement and the parties are  
4 prepared to present the settlement to the Commission for  
5 consideration.

6           Is DEU prepared to call its first witness?

7           MS. CLARK: We are. Thank you.

8           The Company calls Jordan Stephenson.

9           MS. HOGLE: Good morning, Mr. Stephenson.

10          MR. STEPHENSON: Good morning.

11          MS. HOGLE: Go ahead.

12          MS. CLARK: Do we need to swear him?

13          MS. HOGLE: Yes.

14          Do you swear to tell the truth,  
15 Mr. Stephenson?

16          MR. STEPHENSON: Yes.

17          MS. HOGLE: Okay. Thank you.

18          MS. CLARK: Thank you.

19                   DIRECT EXAMINATION

20 BY MS. CLARK:

21           **Q. Mr. Stephenson, can you please state your full**  
22 **name and business address for the record?**

23           A. Yes. Jordan Stephenson. 333 South State,  
24 Salt Lake City, Utah.

25           **Q. And what position do you hold with the**

1     **Company, Mr. Stephenson?**

2             A.   I'm manager of regulation.

3             **Q.   And did you prepare or oversee the preparation**  
4     **of the application in this docket?**

5             A.   I did.

6             **Q.   And are you the same Jordan Stephenson that**  
7     **provided testimony -- prefiled direct testimony marked**  
8     **as DEU Exhibit 1 with accompanying Exhibits 1.1 through**  
9     **1.8?**

10            A.   Yes.

11            **Q.   And do you adopt that testimony as your**  
12     **testimony today?**

13            A.   I do.

14            MS. CLARK:   The Company would move for the  
15     admission of the application and accompanying  
16     Exhibits 1.0 through 1.8.

17            MS. HOGLE:   Okay.   Any objections?

18            Okay, they're admitted.   Thank you.

19            And before you proceed, I apologize, Deirdre,  
20     do you needs Mr. Stephenson to spell his last name?

21            THE REPORTER:   This the reporter.   No, because  
22     I can see it in the participant's list.   As long as that  
23     is the correct spelling, I am good.

24            MS. HOGLE:   Okay.   Thank you.

25            Okay.   Go ahead.



1 MS. CLARK: Thank you.

2 BY MS. CLARK:

3 Q. Mr. Stephenson, did you also participate in  
4 the preparation of the stipulation that is before the  
5 Commission today?

6 A. I did.

7 Q. Can you please summarize that stipulation and  
8 the request of the parties associated with the  
9 stipulation?

10 A. Yes, I can.

11 In this docket the Company seeks approval of a  
12 voluntary subscription-based carbon offset program. The  
13 program will allow participating customers to offset  
14 greenhouse gas emissions from their natural gas usage.  
15 All costs for the program would be contained in a  
16 balancing account to be born solely by participating  
17 customers. This program would function under new tariff  
18 section 8.10.

19 After filing its application, the Company has  
20 reached a settlement with the Division of Public  
21 Utilities and Office of Consumer Services.

22 This settlement was filed with the Commission  
23 on September 13th. I would like to summarize some of  
24 the key provisions included in the settlement  
25 stipulation.

1           If you would like to follow along, I'll be  
2     referencing some specific paragraphs in the stipulation.

3           Turning to the stipulation then, starting with  
4     paragraph nine, the parties agree to treat local Utah  
5     benefits as a preferential factor while selecting future  
6     carbon offset projects. This has the potential to  
7     support the local economic and environmental benefits.

8           Paragraphs 10 through 12 of the stipulation  
9     cover communications to customers. In paragraph 10 the  
10    Company agrees to work with the Division and the Office  
11    to develop clear, understandable, and transparent  
12    marketing materials to communicate to customers about  
13    the program, including information that delineates  
14    between the new program and the Company's existing  
15    GreenTherm program.

16          Paragraph 11 provides that carbon offset  
17    portfolio information be included on the website -- the  
18    Company's website, including location, technology used,  
19    and portfolio composition. And then paragraph 12  
20    provides that an annual report will be emailed to  
21    participating customers.

22          Paragraphs 13 and 14 cover ongoing reports  
23    to regulators. In paragraph 13, the parties agree  
24    that the Company will include financial reporting for  
25    this program in the Company's monthly financial packet

1 that is provided to the Commission, Division, and  
2 Office.

3 Paragraph 13 provides that the Company will  
4 file -- I apologize, paragraph 14 provides that the  
5 Company will file an annual report with the Commission  
6 showing program cost, revenues, participation levels,  
7 and offsets sold during the year.

8 The settlement also includes some edits to the  
9 tariff language the Company originally filed.

10 The Company has discussed the settlement with  
11 the Utah Association of Energy Users, and is authorized  
12 to state that the UAE does not oppose to the  
13 stipulation.

14 The new carbon offset program, along with the  
15 provisions included in the settlement stipulation, will  
16 directly benefit customers who choose to participate,  
17 while protecting existing customers from any harm.

18 The settlement stipulation is just,  
19 reasonable, and in the public interest, and the Company  
20 requests Commission approval of the program and of the  
21 stipulation.

22 And this concludes my summary.

23 MS. CLARK: Mr. Stephenson is available for  
24 cross-examination and Commission questions.

25 MS. HOGLE: Thank you.

1 Does anybody have any questions for  
2 Mr. Stephenson?

3 MS. SCHMID: Nothing from the Division.

4 MS. HOGLE: Okay.

5 Mr. Moore, we can't hear you.

6 I believe he said nothing from the Office, but  
7 we still can't hear you. Is that correct, everybody?  
8 Or is it just me?

9 MS. SCHMID: We can't hear him.

10 MR. STEPHENSON: He's muted.

11 THE REPORTER: This is the reporter and I  
12 cannot hear him.

13 MS. HOGLE: Okay. It looks like you're muted,  
14 Rob -- Mr. Moore.

15 MS. BECK: (Unintelligible.)

16 MS. HOGLE: Okay, I could hear Ms. Beck,  
17 I believe.

18 Okay. Could we stop the streaming?

19 MR. MOORE: I believe I'm on now.

20 MS. HOGLE: You are.

21 Okay. Can we restart the streaming?  
22 I apologize.

23 MR. MOORE: I'm sorry. The Office has no  
24 questions.

25 MS. HOGLE: Okay. Perfect. Thank you.

1           We can hear you now, Mr. Moore.

2           I just have one question, Mr. Stephenson on  
3 the stipulation. In paragraph 10 it indicates that the  
4 materials will include information that clearly  
5 delineate between the Company's GreenTherm program and  
6 the new voluntary carbon offset program.

7           Can you tell me if there will be a link to the  
8 Company's website where the program is described and  
9 includes specific information about the project selected  
10 by DEU?

11           MR. STEPHENSON: Yes. Yes, I can confirm that  
12 the website will include a link to specific projects  
13 included in the carbon offset portfolio. Does that --  
14 did I understand your question correctly?

15           MS. HOGLE: I was not as clear. I would like  
16 to know if the marketing materials that the parties will  
17 be working on will include a link to the website where  
18 the program is described as you described it in  
19 paragraph 11. Is that more clear?

20           MR. STEPHENSON: Yes.

21           MS. HOGLE: Okay.

22           MR. STEPHENSON: Yes. Yes, that is clear.  
23 And I can say yes, that will be the case. And we do  
24 look forward to meeting with the Office and the Division  
25 to go over those materials, but we do have a group

1 working on that currently within DEU. And every draft  
2 so far includes links to the website, and we plan to  
3 keep those links intact on all marketing materials that  
4 go to customers.

5 MS. HOGLE: Perfect. Okay.

6 I believe that is the only question I have.  
7 Thank you very much.

8 MR. STEPHENSON: You're welcome.

9 MS. CLARK: Thank you. Nothing more from the  
10 Company.

11 MS. HOGLE: Okay. Thank you very much.

12 Let's go with the Division of Public  
13 Utilities, please.

14 MS. SCHMID: Good morning. May the Division's  
15 witness. Eric Orton, please be sworn?

16 MS. HOGLE: Yes. Mr. Orton, do you swear to  
17 tell the truth?

18 MR. ORTON: I do.

19 MS. HOGLE: Okay.

20 DIRECT EXAMINATION

21 BY MS. SCHMID:

22 **Q. Could you please state your full name,**  
23 **business address, employer, and title for the record?**

24 A. My name is Eric Orton, that's O-r-t-o-n.  
25 I work for the Division of Public Utilities as a

1 utilities technical consultant. My business address is  
2 160 East 300 South, Salt Lake, in the Heber Wells  
3 Building.

4 Q. In connection with your employment at the  
5 Division, have you participated on behalf of the  
6 Division in this docket?

7 A. I have.

8 Q. Does that include participating in the  
9 preparation and filing of the Division's comments filed  
10 on August 13th of this year, and are you also aware or  
11 did you participate in the activities that led to the  
12 execution of the settlement stipulation?

13 A. I participated in both of those procedures.

14 Q. Do you have any changes or corrections to the  
15 Division's memorandum filed August 13th?

16 A. No. It's accurate.

17 Q. Do you adopt that as part of your testimony  
18 today?

19 A. I do.

20 MS. SCHMID: The Division would like to move  
21 for the admission of its comments filed August 13th of  
22 this year.

23 MS. HOGLE: Does DEU have an objection?

24 MS. CLARK: No objection.

25 MR. MOORE: No objection.

1 MS. HOGLE: Okay. Thank you. They're  
2 admitted.

3 BY MS. SCHMID:

4 Q. Do you have a summary to present today,  
5 Mr. Orton?

6 A. I do, yes.

7 Q. Please proceed.

8 A. Thank you.

9 The objective of the carbon offset program is  
10 to allow those that choose to subscribe and participate  
11 in the program the opportunity, which would function in  
12 a similar way to the current GreenTherm program.

13 Because Dominion Energy Utah has already  
14 summarized the program and the stipulation, the Division  
15 will address only a few program points and provisions  
16 that are important to the Division.

17 The proposed carbon offset program is designed  
18 with the following four principles in mind.

19 One, it will have a separate accounting of  
20 costs.

21 Two, it will be paid for by customers who  
22 choose to subscribe to the program. Nonparticipating  
23 customers will bear no costs related to the program.

24 Three, the product offering will be clear and  
25 transparent to ensure participants know what they're



1 paying for.

2 Four, proper oversight and verification will  
3 ensure that all carbon offset offers to the customers  
4 are properly purchased and retired.

5 This program is to be self-sustaining, meaning  
6 that nonparticipating customers will not bear any cost  
7 burden related to the program.

8 The Division reviewed the Company's filing,  
9 prepared its own comments, and reviewed comments from  
10 the Office. Ultimately, the Company, the Office, and  
11 Division entered into a settlement which was then filed  
12 with the Commission. The only intervener, the Utah  
13 Association of Energy Users, did not object to the  
14 settlement.

15 The Division entered into the settlement  
16 because it determined that this program could be a  
17 benefit to those who wish to enroll. With it being a  
18 voluntary program, the ability to join or cancel at any  
19 time and all costs being self-contained, other Dominion  
20 Energy customers who choose not to participate will be  
21 held harmless.

22 The Division believes the terms of the  
23 stipulation agreement, taken as a whole, are just and  
24 reasonable and are in the public interest.

25 The Division recommends that the Commission

1 approve the settlement as filed.

2 That concludes my summary. Thank you.

3 MS. SCHMID: Thank you, Mr. Orton.

4 The Division has nothing further to present.  
5 And Mr. Orton is available for questions from the  
6 presiding officer and from the parties.

7 MS. HOGLE: Thank you.

8 Does DEU have any question for Mr. Orton?

9 MS. CLARK: We have no questions for  
10 Mr. Orton. Thank you.

11 MS. HOGLE: Does the Office have any questions  
12 for Mr. Orton?

13 MR. MOORE: The Office has no questions.  
14 Thank you.

15 MS. HOGLE: Okay. Thank you.

16 And I don't have any questions, so thank you.

17 MR. ORTON: Thanks.

18 MS. HOGLE: And I believe we can now go on to  
19 the Office of Consumer Services. Mr. Moore?

20 MR. MOORE: The OCS calls Bela Vastag and asks  
21 that he be sworn.

22 MS. HOGLE: Yes. Good morning, Mr. Vastag.  
23 Do you swear to tell truth?

24 MS. VASTAG: Good morning. Yes, I do.

25 MS. HOGLE: Okay. Thank you.

DIRECT EXAMINATION

BY MR. MOORE:

Q. Can you please state and spell your name for the record?

A. My name is Bela Vastag. B-e-l-a, last name, V-a-s-t-a-g.

Q. What is your occupation and business address?

A. I am a utility analyst with the Office of Consumer Services. My address -- my business address is 160 East 300 South, Salt Lake City, Utah.

Q. In your capacity as utility analyst have you the opportunity to review and participate in the filings in this docket?

A. Yes.

Q. Specifically, did you prepare or cause to be filed the OCS's August 17, 2021 comments and attachments?

A. Yes, I did.

Q. Do you have any changes you would like to make to these comments at this time?

A. No changes.

Q. Do you adopt these comments as your testimony today?

A. Yes.

MR. MOORE: The Office moves to admit the

1 comments.

2 MS. CLARK: No objections from the Company.

3 MS. HOGLE: Okay.

4 MS. SCHMID: No objections from the Division.

5 MS. HOGLE: Thank you. They're admitted.

6 BY MR. MOORE:

7 Q. Mr. Vastag, have you read and did you  
8 participate in the negotiations resulting in the  
9 settlement stipulation that is the subject of the  
10 hearing today?

11 A. Yes, I did.

12 Q. In your opinion is the settlement just and  
13 reasonable in result and in the public interest?

14 A. Yes.

15 Q. Have you prepared a summary of the OCS's  
16 position on the settlement?

17 A. Yes, I have.

18 Q. Please proceed.

19 A. All right. A very short summary.

20 Good morning, everyone. The settlement  
21 stipulation before the Commission today creates a  
22 voluntary program for Dominion Energy Utah, or DEU,  
23 which allows its customers to purchase carbon offsets.

24 The purchase of these offsets would be part of  
25 a customer's monthly natural gas billing. Back on

1 August 17, 2021, the Office of Consumer Services, or  
2 OCS, we filed comments in this docket supporting DEU's  
3 application to establish this new carbon offset program.

4 In our comments we supported the design and  
5 the marketing of the program, but proposed some changes  
6 to DEU's new tariff section. This new tariff section  
7 created and implemented the new carbon offset program.

8 Since our comments and through the stipulation  
9 DEU has incorporated the OCS's proposed tariff changes  
10 and these changes are reflected in Exhibit A which is  
11 attached to the settlement stipulation before you today.

12 Also, the OCS collaborated with DEU and the  
13 Division of Public Utilities as this new carbon offset  
14 program was being developed and we also actively  
15 participated in the settlement negotiation meetings.  
16 Therefore, the OCS has no concerns regarding the  
17 implementation of this program.

18 Therefore, the OCS believes that this  
19 settlement is just and reasonable in result and in the  
20 public interest. The OCS recommends that the Commission  
21 approve it. And that concludes my statement.

22 MR. MOORE: Mr. Vastag is available for cross  
23 and questions from the hearing officer.

24 MS. HOGLE: Any questions from anybody for  
25 Mr. Vastag?

1 MS. SCHMID: Nothing from the Division.

2 MS. CLARK: Nothing from the Company.

3 MS. HOGLE: Okay.

4 Thank you very much. I also do not have any  
5 questions for Mr. Vastag.

6 Just one -- one thing that I noticed when I  
7 was looking through the tariff is there appear to be,  
8 at least in one place, a spacing problem with the  
9 language. And so there's one or two words that are run  
10 together. And so I just wanted to make sure that  
11 somebody reviews that and before it becomes, you know, a  
12 final draft, that the tariff has no spacing problems or  
13 anything like that.

14 So that, for example, "the program," doesn't  
15 look like one word, but two words. And that was -- that  
16 was the one thing that I kind of noticed. I don't know  
17 if there are others. But other than that, I don't have any  
18 questions.

19 Do we -- does anybody have anything else?

20 No? Okay. Well, the Commission thanks you.  
21 I thank for your participation this morning. And we  
22 will be issuing an order soon.

23 And since we don't have anything else, we're  
24 adjourned. Thank you very much.

25 MS. CLARK: Thank you.

1 MS. SCHMID: Thank you.

2 MS. HOGLE: Thank you.

3 MR. VASTAG: Thank you. Bye-bye.

4 (Proceedings concluded at 10:28 a.m.)

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REPORTER'S CERTIFICATE

STATE OF UTAH           )  
                                  )  
COUNTY OF UTAH       )

I, DEIRDRE RAND, a Certified Court Reporter and  
Registered Professional Reporter, hereby certify:

THAT the foregoing proceedings were taken via  
teleconference, at the time and place therein set forth,  
with the parties via videoconference from their  
respective locations; that the proceedings were taken  
down by me in shorthand and thereafter my notes were  
transcribed through computer-aided transcription; and  
the foregoing transcript constitutes a full, true, and  
accurate record of such statements adduced and oral  
proceedings had, and of the whole thereof, which were  
and intelligible through the videoconference connection.

I further certify that I am not a relative or  
employee of any of the parties, nor do I have a  
financial interest in the action.

I have subscribed my name on this 4th day of  
October, 2021.

  
DEIRDRE RAND, RPR, CSR, CCR



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