



State of Utah

Department of Commerce  
Division of Public Utilities

MARGARET W. BUSSE  
*Executive Director*

CHRIS PARKER  
*Director, Division of Public Utilities*

SPENCER J. COX  
*Governor*

DEIDRE HENDERSON  
*Lieutenant Governor*

## Action Request Response

**To:** Public Service Commission of Utah

**From:** Utah Division of Public Utilities

Chris Parker, Director

Artie Powell, Manager

Doug Wheelwright, Utility Technical Consultant Supervisor

Eric Orton, Utility Technical Consultant

**Date:** June 29, 2021

**Re:** **Docket No. 21-057-T04**, In the Matter of the Modification of Dominion Energy's Tariff to the Manual Meter Reading Charge.

### Recommendation (Acknowledge)

The Division of Public Utilities (Division) recommends that the Public Service Commission of Utah (Commission) acknowledge Dominion Energy Utah's (Dominion) requested tariff change to Section 2.02 of its Utah Natural Gas Tariff effective July 1, 2021 as compliant with the Commission's order of June 14, 2021.

### Issue

In its June 14, 2021 order in this docket, the Commission approved Dominion's application "and the proposed changes to Tariff Section 2.02, as further modified by DPU, and as explained in our Order, effective July 1, 2021". It also directed Dominion to do three things. 1) file modified Tariff pages reflecting the Commission's decisions "that will become effective on July 1, 2021, on or before June 21, 2021", 2) "file modifications to its Tariff, Section 2.02 related to expiration of the fee", and 3) "make a final attempt to reach the 37 customers before July 1, 2021 to make

arrangements to replace the transponders, and notify them of the implications of this Order and its effective date.”

## **Background**

In 2015, Dominion detected problems with its meter transponders and determined it needed to replace them. In 2016, Dominion commenced its Transponder Replacement Program (TRP) and has since filed its “final status report with the Commission notifying the Commission and Parties that the program is complete.”

At the time it filed the final status report, Dominion said that there were currently 37 transponders that have not been replaced due to access issues. Dominion submitted its request to the Commission to allow it to impose the monthly manual meter reading fee for these 37 customers.

On June 14, 2021 the Commission approved the modified application. On June 21, 2021 Dominion submitted its revised tariff sheets reflecting the approved change. On June 22, 2021 the Commission directed the Division to review that filing for compliance to the Commission’s order with the response due A.S.A.P. This is the Division’s response to the Commission’s Action Request.

## **Discussion**

In its order, the Commission found and concluded that it was in the public interest to approve the “proposed Tariff change, as modified by DPU,” stating that it “is justified and is a reasonable approach to help ensure completion of the TRP. We further find that the five-month limitation on the \$20 monthly assessment on customers who deny access to meters is necessary and reasonable.” It further directed Dominion to file modified Tariff pages reflecting the decision that this change “will become effective on July 1, 2021”. These tariff sheets were filed on June 21, 2021. The Commission also directed Dominion to “file modifications to its Tariff, Section 2.02 related to expiration of the fee” which was also accomplished in the June 21, 2021 filing. Finally, the Commission directed Dominion to “make a final attempt to reach the 37 customers

before July 1, 2021 to make arrangements to replace the transponders, and notify them of the implications of this Order and its effective date.”

The Division had discussions with Dominion regarding this communication and understands that customers have not been contacted due to a delay in printing the door hangers. Dominion assured the Division that “no customer will be assessed the \$20 penalty until 30 days after the door hanger has been placed on their premises”. Therefore, regarding this third directive, Dominion has not “made a final attempt to reach the 37 customers before July 1, 2021.” Assuming the door hanger is considered a “final attempt”, Dominion is not compliant with the date of notification but will comply with the 30 day notice prior to implementing the fee as directed in the Commission’s order.

The Commission also made a valuable clarification as a footnote that it appreciated and respected “the negotiation and consensus that has been reached here between DEU and DPU. However, this approval of a tariff with limited scope should not be construed as our intention to create a general right for customers to continue receiving utility service while denying a utility reasonable physical access to meters. Every situation is fact specific, but we reiterate and emphasize each customer’s responsibility to provide reasonable meter access to a utility, and that a customer who does not provide that reasonable access generally can be considered to have forfeited the right to receive utility service.”

## **Conclusion**

The Division finds that the revised tariff is compliant with two of the Commission’s directives. The third directive required Dominion to contact these customers by July 1, 2021, before implementation of the fee. This item is still outstanding. Based on the Company’s representation that no customers will be charged the fee until 30 days after they have received final notice, the Company is in compliance with the third directive. The change in the tariff establishes the date the Company may begin to charge the fee but does not require the fee to be charged beginning July 1, 2021. The Division recommends that Dominion notify the Commission after the 37 customers have been contacted and the fee is assessed.

Cc: Kelly Mendenhall, Dominion Energy Utah  
Michele Beck, Office of Consumer Service