

# PUBLIC SERVICE COMMISSION OF UTAH

Docket No. 22-057-05

## HEARING

May 31, 2022

### ADVANCED REPORTING SOLUTIONS

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1                   BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

2                                   --oo0oo--

3 Application of Dominion            )Docket No. 22-057-05  
4 Energy Utah for Approval of    )  
5 the Alkali Gulch Acquisition) )  
6 as a Wexpro II property        ) )  
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10                                   HEARING

11                                   Taken on Tuesday, May 31, 2022

12   at 9:00 A.M.

18                                   The Public Service Commission of Utah

19   160 East 300 South

20   4th Floor

21   Salt Lake City, Utah 84111

24                                   Reported by: Kellie Peterson, RPR, CSR

A P P E A R A N C E S

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3 Commissioner David R. Clark

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I N D E X

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1 May 31, 2022 9:00 A.M.

2 P R O C E E D I N G S

3 COMMISSIONER CHAIR LEVAR: Okay. I think we  
4 will begin. Good morning, we are here for a Public  
5 Service Commission hearing in Docket 22-57-5, application  
6 of Dominion Energy Utah for approval of the Alkali Gulch  
7 acquisition as a Wexpro II property.

8 For the Commission today, participating are  
9 myself, Thad LeVar, Commissioner David Clark and  
10 Commissioner Ron Allen. And let me go to appearances  
11 next.

12 MS. NELSON CLARK: Hi, Jenniffer Nelson  
13 Clark, counsel for Dominion Energy. And I have Kelly  
14 Mendenhall and Brady Rassmussen with me.

15 COMMISSIONER CHAIR LEVAR: Okay. Thank you.

16 Ms. Schmid?

17 MS. SCHMID: Patricia E. Schmid, with the  
18 Utah Attorney General's Office, representing the Division  
19 of Public Utilities. Eric Orton is the Division's  
20 witness today. Thank you.

21 COMMISSIONER CHAIR LEVAR: Thank you.

22 Mr. Moore?

23 MR. MOORE: Yes. Robert Moore, for the  
24 Office of Consumer Services. I am with the AG's Office.  
25 With me is our witness today, Bela Vastag.

1 COMMISSIONER CHAIR LEVAR: Okay. Thank you.  
2 Anything else preliminary before we go to our  
3 first witness?

4 MS. NELSON CLARK: Yes, we have two  
5 preliminary matters. The first is that the parties  
6 conferred prior to the commencement of this hearing and  
7 have agreed to the admission of the application and all  
8 of the accompanying exhibits, including the testimonies  
9 of Mr. Mendenhall and Mr. Rasmussen, as well as the  
10 pre-filed testimony of Mr. Vastag and Mr. Orton.

11 And so I would move for the admission of all  
12 of those, based on that discussion.

13 COMMISSIONER CHAIR LEVAR: Okay. Thank you.  
14 Support for that motion from both of you?  
15 Okay. Thank you. The motion's granted.

16 MS. NELSON CLARK: Thank you. And the second  
17 preliminary matter is this: As everyone is aware, this  
18 docket contains quite a bit of confidential information.  
19 Mr. Mendenhall has prepared a summary that will direct  
20 your attention to portions of the pleadings without  
21 speaking the confidential information.

22 Mr. Rasmussen does not intend to testify  
23 today, but is here to answer questions should you have  
24 them. And if any of the questions or cross-examination  
25 call for the disclosure of confidential information, the

1 Company's witnesses are prepared to point you in the  
2 direction of the answers in the pleadings, or if we must,  
3 we would move to close the hearing at that time.

4 So I just wanted to make parties aware of all  
5 of that.

6 COMMISSIONER CHAIR LEVAR: Okay. Thank you.  
7 Hopefully, we will all just be careful to not accidentally  
8 say something before we deal with it.

9 MS. NELSON CLARK: Thank you.

10 COMMISSIONER CHAIR LEVAR: Okay. If you are  
11 ready for the first witness.

12 MS. NELSON CLARK: The Company calls Kelly B.  
13 Mendenhall.

14 COMMISSIONER CHAIR LEVAR: Okay. Did you all  
15 agree to stay at the table for your testimony?

16 MS. NELSON CLARK: If that is okay with you,  
17 yes.

18 COMMISSIONER CHAIR LEVAR: Yes, as long as  
19 there is no objection from anyone else.

20 Okay. Good morning, Mr. Mendenhall.

21 MR. MENDENHALL: Morning.

22 DIRECT EXAMINATION

23 KELLY MENDENHALL,

24 called as a witness, having been first duly sworn,

25 was examined and testified as follows:

1 BY MS. NELSON CLARK:

2 **Q. Mr. Mendenhall, please state your name and**  
3 **business address for the record.**

4 A. My name is Kelly B. Mendenhall, and I'm the  
5 director of regulatory pricing for Dominion Energy Utah,  
6 and my business address 333 South State Street, Salt Lake  
7 City, Utah.

8 **Q. And in your capacity as a company**  
9 **representative, did you participate in the preparation of**  
10 **the application and exhibits in this matter?**

11 A. I did.

12 **Q. And would you please summarize for the**  
13 **Commission the relief the Company seeks here?**

14 A. Sure. So on March 25, 2022, Wexpro  
15 Development Company closed on some additional interests  
16 in and around Alkali Gulch. And per the terms of the  
17 Wexpro agreement, those properties are bought at the  
18 Company's risk.

19 And so Wexpro Development Company purchased  
20 those properties, and if the property is within the  
21 existing Wexpro Development area, the Company must bring  
22 those before the Commission for approval in our inclusion  
23 in the Wexpro agreement. If they are outside of the  
24 development area, then it's a may choose to bring those  
25 properties.



1           And so these wells are actually a combination  
2 of both. There's -- some are within the Wexpro  
3 Development area, some are outside. Wexpro has  
4 determined that it's in the best interest of everybody to  
5 bring all of those wells into the Wexpro agreement, and  
6 so that is what it is being proposed today.

7           I will give you an update. In my testimony,  
8 it talked about a couple of wells in Colorado that  
9 were -- had some air quality permits that needed to be  
10 filed before they could be closed upon. I'm happy to  
11 report those reports -- or those permits have been filed,  
12 and so we expect that those properties will be closed  
13 within the next month. And so they're included in this  
14 application, and we are asking for those two wells to be  
15 included as well.

16           So this area where these wells have been  
17 purchased is an area where Wexpro has a lot of  
18 developmental experience. They have been drilling wells  
19 in these areas for years. And so that gives us a lot of  
20 confidence in their ability to produce cost of service  
21 gas at favorable prices.

22           And as shown in Exhibit M, this acquisition  
23 will not cause Wexpro to exceed the 55 percent production  
24 threshold. And as Exhibit 3.5 shows in Mr. Rassmussen's  
25 testimony, an inclusion of this property will actually

1 reduce the overall Wexpro cost of service going forward.

2           So assuming both commissions approve this  
3 application, Wexpro will begin accrediting the proceeds  
4 of this acquisition to customers. So just to give you a  
5 little background, they're currently selling this  
6 production on the open market and have a contract to do  
7 that through the end of June. And so at the point that  
8 both commissions approve this, the proceeds of that gas  
9 will go to customers, be credited. And then beginning  
10 July 1st, that actual gas will go to Dominion Energy Utah  
11 for its customers.

12           So the company believes this acquisition is  
13 just and reasonable and in the public interest and asks  
14 that the Commission approve it. And that concludes my  
15 summary. I am happy to answer any questions you might  
16 have.

17           MS. NELSON CLARK: Mr. Mendenhall is  
18 available for cross-examination and Commission questions.

19           COMMISSIONER CHAIR LEVAR: Okay. Thank you.  
20 Ms. Schmid, any question for him?

21           MS. SCHMID: No questions.

22           COMMISSIONER CHAIR LEVAR: Thank you.  
23 Mr. Moore?

24           MR. MOORE: No questions. Thank you.

25           COMMISSIONER CHAIR LEVAR: Commissioner

1 Allen?

2 COMMISSIONER ALLEN: No questions.

3 COMMISSIONER CHAIR LEVAR: Commissioner

4 Clark?

5 COMMISSIONER CLARK: I have no questions.

6 Thank you.

7 COMMISSIONER CHAIR LEVAR: Just because we're  
8 always curious about these things, what's the process in  
9 Wyoming? Have they already had a hearing?

10 THE WITNESS: Yes. So right now, I think  
11 they have a scheduled hearing for the 9th of June, and  
12 typically, they like to give bench orders there. So we  
13 would anticipate, based on the -- the Consumer Advocate  
14 has found no testimony in that proceeding, which is  
15 always a good sign. So we're -- assuming they approve  
16 it, it would be approved on the 9th of June in Wyoming,  
17 so...

18 COMMISSIONER CHAIR LEVAR: Okay. And the 60  
19 days run somewhere around June 13, 14, 15?

20 THE WITNESS: Yes. I think we filed April  
21 14, so I think the 60 days would be June 13, if my math  
22 is correct.

23 COMMISSIONER CHAIR LEVAR: Okay. Thank you.  
24 I don't have any other questions.

25 THE WITNESS: All right. Thank you.

1 COMMISSIONER CHAIR LEVAR: Ms. Clark?

2 MS. NELSON CLARK: Thank you. The Company  
3 has nothing further.

4 COMMISSIONER CHAIR LEVAR: Okay. Thank you.  
5 Ms. Schmid?

6 MS. SCHMID: Thank you. The Division would  
7 call Eric Orton as it witness.

8 COMMISSIONER CHAIR LEVAR: Good morning,  
9 Mr. Orton.

10 MR. ORTON: Good morning.

11 DIRECT EXAMINATION

12 ERIC ORTON,

13 called as a witness, having been first duly sworn,  
14 was examined and testified as follows:

15 BY MS. SCHMID:

16 **Q. Could you please state your name and business**  
17 **address for the record?**

18 A. My name is Eric Orton. I am at 160 East 300  
19 South, Salt Lake City.

20 **Q. By whom are you employed, and what is your**  
21 **title?**

22 A. The Division of Public Utilities. I am an  
23 utility technical consultant.

24 **Q. And in connection with your employment at the**  
25 **Division, have you participated on behalf of the Division**

1 **in this docket?**

2 A. I have.

3 **Q. Do you have a summary you would like to**  
4 **present today?**

5 A. I do.

6 **Q. Please proceed.**

7 A. Thank you. In this docket, Dominion is  
8 asking that the Alkali Gulch unit, Wexpro Development  
9 Company acquired in March, be included as a Wexpro II  
10 property.

11 In support of its application, it provided 16  
12 exhibits, mostly confidential, showing the property  
13 location, prospective drilling sites, expected  
14 production, historical production, and cost analysis.

15 The Alkali Gulch unit is a group of natural  
16 gas wells located near existing Wexpro II and Wexpro I  
17 properties in southwestern Wyoming, consisting of many  
18 currently producing wells and some that are not economic.

19 If this application is approved, Wexpro is  
20 planning to drill additional wells in this field each  
21 year through 2025. Assuming these new wells produce near  
22 the forecasted levels, this would add about 10 percent to  
23 the Wexpro existing production and will slightly reduce  
24 the average price of Wexpro cost of service gas, as well  
25 as provide a supply hedge to Dominion's ratepayers.

1           Additionally, even with this additional  
2 production, Wexpro will remain below the established 55  
3 percent production cap. The total purchase price Wexpro  
4 Development Company agreed to pay back in March will be  
5 adjusted downward, based on the amount of gas sold  
6 between that purchase date and the date the Commission  
7 approves it as a Wexpro II property, assuming it does.

8           It should be noted that this outstanding  
9 issue that Mr. Mendenhall referred to known as the Sparks  
10 Ridge Wells is still currently included in the purchase  
11 agreement, and assuming these issues will be resolved as  
12 he indicated, the final price -- if they are not resolved  
13 as he indicated, the final price would be reduced  
14 accordingly.

15           Based on the Division's examination of this  
16 application, the exhibits, lengthy meetings with both  
17 Dominion Energy and Wexpro personnel, and the expert  
18 involvement of our Wexpro hydrocarbon monitor, the  
19 Division recommends the Commission approve the  
20 application and admit the Alkali Gulch unit acquisition  
21 into the Wexpro managed properties.

22           The existing production and additional  
23 drilling locations appear in line with past production  
24 and expectations from this area. Even with minor  
25 adjustments or forecasting errors, the acquisition should

1 lower the overall cost of service for customers and  
2 increase the amount of gas available, while keeping the  
3 production below the 55 percent IRP limit. Thank you.

4 **Q. Is it the Division's position that approving**  
5 **the application would be just and reasonable and in the**  
6 **public interest?**

7 A. It is.

8 **Q. Thank you.**

9 MS. SCHMID: Mr. Orton is now available for  
10 cross-examination and questions from the Commission.

11 COMMISSIONER CHAIR LEVAR: Thank you.

12 Mr. Moore?

13 MR. MOORE: No questions. Thank you.

14 COMMISSIONER CHAIR LEVAR: Thank you.

15 Ms. Clark?

16 MS. NELSON CLARK: We have no questions.

17 Thanks.

18 COMMISSIONER CHAIR LEVAR: Commissioner

19 Clark?

20 COMMISSIONER CLARK: No questions.

21 COMMISSIONER CHAIR LEVAR: Commissioner

22 Allen?

23 COMMISSIONER ALLEN: No questions. Thank

24 you.

25 COMMISSIONER CHAIR LEVAR: I don't have any.

1 Thank you for your testimony this morning.

2 Anything further?

3 MS. SCHMID: Nothing further from the  
4 Division. Thank you.

5 COMMISSIONER CHAIR LEVAR: Thank you.

6 Mr. Moore?

7 MR. MOORE: The Office calls Bela Vastag and  
8 ask that he be sworn.

9 COMMISSIONER CHAIR LEVAR: Good morning, Mr.  
10 Vastag.

11 DIRECT EXAMINATION

12 BELA VASTAG,

13 called as a witness, having been first duly sworn,  
14 was examined and testified as follows:

15 BY MR. MOORE:

16 **Q. Could you please state and spell your name**  
17 **for the record?**

18 A. My name is Bela Vastag. First name, B-E-L-A,  
19 last name, V-A-S-T-A-G.

20 **Q. How are you employed, and what is your**  
21 **business address?**

22 A. I am employed by the Utah Office of Consumer  
23 Services as a utility analyst, and my address, business  
24 address, is 160 East 300 South, Salt Lake City.

25 **Q. In your capacity as utility analyst for the**



1 OCS, have you reviewed and are you familiar with the  
2 filings in this docket, Docket 22-057-05?

3 A. Yes.

4 Q. On May 18, you prepared and caused to be  
5 filed public and confidential testimony outlining the  
6 OCS's position in this docket?

7 A. Yes.

8 Q. Do you have any changes you would like to  
9 make to this testimony at this time?

10 A. No changes.

11 Q. If I ask you the questions contained in your  
12 testimony, would your answers be the same?

13 A. Yes.

14 Q. Have you prepared a summary of your testimony  
15 to present at this time?

16 A. Yes, I have a short summary.

17 Q. Please proceed.

18 A. Good morning, Commissioners, the Office of  
19 Consumer Services, or OCS, recommends that the Utah  
20 Public Service Commission approve Dominion  
21 Energy -- Dominion Energy's request in this docket to  
22 include Alkali Gulch as a Wexpro II property.

23 The OCS make this recommendation after a  
24 careful review of the exhibits that Dominion filed with  
25 its request and a review of Dominion's responses to data

1 requests. As I explained in more detail in my direct  
2 testimony that I filed on May 18, our review of this  
3 information indicates that the potential benefits of the  
4 Alkali Gulch acquisition outweigh its risks.

5           The primary risk of including Alkali Gulch in  
6 Wexpro II is that market prices for natural gas could  
7 fall substantially. For example, they could fall back to  
8 the 2 to \$3 per decatherm range. If that happened, the  
9 gas currently being produced from Alkali Gulch would be  
10 uneconomical for ratepayers, and also, no new wells would  
11 be drilled on the property.

12           However, the OCS believes this risk is worth  
13 taking because natural gas prices have been elevated for  
14 many months due to many events, such as extreme weather,  
15 the COVID-19 pandemic, supply disruptions, and the war in  
16 Ukraine.

17           For example, recently, we have seen natural  
18 gas prices trading between 7 and \$9 per decatherm. It  
19 appears unlikely that prices would return to the \$2 range  
20 in the near future.

21           The OCS sees several benefits of including  
22 the Alkali Gulch property under Wexpro II. No. 1, Wexpro  
23 already has experience drilling wells in the area that  
24 Alkali Gulch is located, which should help keep costs  
25 down.

1           No. 2, Wexpro's analysis shows that the cost  
2 of gas per decatherm from Alkali Gulch is well-below  
3 current and recent market prices, which will provide  
4 immediate savings for ratepayers.

5           And No. 3, adding production from Alkali  
6 Gulch will help maintain Wexpro's total production of  
7 cost of service gas near its 55 percent cap of total  
8 Dominion gas supply.

9           Increasing costs of service gas production at  
10 this time through the Alkali Gulch acquisition provides  
11 several benefits to ratepayers, including increased gas  
12 supply hedging, increased gas price stabilization, and  
13 increased gas supply -- gas supply reliability.

14           Therefore, the OCS believes these many  
15 benefits outweigh the risks of a substantial price  
16 decline for natural gas. Therefore, the OCS recommends  
17 that the Commission approve Dominion's request to include  
18 Alkali Gulch as a Wexpro II property. And that concludes  
19 my statement.

20           MR. MOORE: Mr. Bela -- Mr. Vastag is  
21 available for cross and questions from the Commission.

22           COMMISSIONER CHAIR LEVAR: Thank you.

23           Ms. Schmid?

24           MS. SCHMID: No questions.

25           COMMISSIONER CHAIR LEVAR: Thank you.

1 Ms. Clark?

2 MS. NELSON CLARK: No questions. Thank you.

3 COMMISSIONER CHAIR LEVAR: Commissioner.

4 Allen?

5 COMMISSIONER ALLEN: No questions.

6 COMMISSIONER CHAIR LEVAR: Commissioner

7 Clark?

8 COMMISSIONER CLARK: No questions.

9 Thank you, Mr. Vastag.

10 COMMISSIONER CHAIR LEVAR: I don't have any,  
11 so thank you for your testimony this morning.

12 Anything else, Mr. Moore?

13 MR. MOORE: Nothing else. Thank you.

14 COMMISSIONER CHAIR LEVAR: Anything else from  
15 anyone?

16 MS. NELSON CLARK: No. Thank you.

17 COMMISSIONER CHAIR LEVAR: Could I ask you to  
18 indulge maybe a very brief recess, probably one or two  
19 minutes; do you mind?

20 COMMISSIONER CLARK: That's great.

21 COMMISSIONER CHAIR LEVAR: Okay. Thanks.

22 (Whereupon, a break was taken.)

23 COMMISSIONER CHAIR LEVAR: Okay. We are back  
24 on the record. And we just want to express our intention  
25 to approve this application and our intention to issue a

1 written order to that affect prior to the expiration of  
2 the 60 days. And with that, we're adjourned.

3 MS. NELSON CLARK: Thank you.

4 MS. SCHMID: Thank you.

5 (The hearing was concluded at 9:16 A.M.)  
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REPORTER'S CERTIFICATE

State of Utah            )  
                                  )  
County of Salt Lake    )


I hereby certify that the witnesses in the foregoing hearing were duly sworn to testify to the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said hearing was taken at the time and place herein named;

That the testimony of said witnesses were reported by me in stenotype and thereafter transcribed into typewritten form.

I further certify that I am not of kin or otherwise associated with any of the parties of said cause of action and that I am not interested in the events thereof.

IN WITNESS WHEREOF, I set my hand this 15th day of June, 2022.



Kellie Peterson, RPR

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**B**

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