
Formal Complaint of Kimberly Broadbent
against Dominion Energy Utah

DOCKET NO. 23-057-08

ORDER

ISSUED: June 27, 2023

BACKGROUND

On June 9, 2023, Kimberly Broadbent (“Complainant”) filed with the Public Service Commission (PSC) a complaint against Dominion Energy Utah (DEU) regarding natural gas service at an address (“Residence”) identified in the filing (“Complaint”). Complainant also requested an expedited hearing on the Complaint.

On that same date,¹ the PSC issued a Notice of Filing and Expedited Virtual Hearing (“Notice”). The Notice set a hearing for Friday, June 23, 2023, at 10:00 a.m., providing both a hyperlink and a telephone number for joining the scheduled virtual hearing (“Hearing”). The Notice also invited DEU and the DPU to answer or provide any other response to the Complaint prior to the Hearing.

On June 22, 2023, DEU filed a response to the Complaint, including numerous exhibits (“DEU Response”). On June 23, 2023, DPU filed its response to the Action Request, indicating it had no recommendation concerning this matter, and did not otherwise respond to the Complaint.

On June 23, 2023, at approximately 10:00 am, the Hearing was convened. Representatives from DEU, DPU, and the Office of Consumer Services (OCS) were

¹ The PSC also issued an Action Request to the Division of Public Utilities (DPU) requesting its review of the Complaint and to indicate whether it had a recommendation.

present. However, Complainant was not present at that time, so the Hearing was temporarily adjourned. During this adjournment, the PSC's presiding officer confirmed that Complainant had not contacted the PSC regarding any access issues relating to the hyperlink or telephone number provided in the Notice. The Hearing was reconvened and as noted on the record, Complainant was still not present.

Written Submissions

The Complaint generally alleges certain facts concerning nonpayment for natural gas service at the Residence. Specifically, the Complainant alleges that she has "a medical letter on the account for [her] son and [has] been trying to work with [DEU,]" regarding a past due balance for service at the Residence. The Complainant further alleges she has been trying to get "help with the bill" from the HEAT program, and asserts that as of June 9, 2023, DEU had turned off natural gas service to the Residence.

DEU's Response asserts, among other things, that it "worked promptly, and in accordance with the [PSC's] Rules and [DEU's] Natural Gas Tarriff No. 600 ... to address issues related to the account." DEU states that it "complied with all applicable statutes, rules[,] and regulations[,]” representing it "also worked with staff administering the HEAT program to assist [Complainant] and to ensure that she received all available assistance and that service to [the Residence] was promptly reinstated." DEU further represents that "[a]t present, HEAT has made payments on

[Complainant's] account, she is receiving natural gas service, and the account is no longer delinquent.”

DEU's Response also provides a detailed narrative and timeline of events relating to the Complaint, DEU's specific actions relating to the Complaint, and its claimed compliance with the requirements of the law. DEU's Response provides numerous exhibits in support of its narrative and its specific actions relating to the Complaint. Finally, DEU's Response requests dismissal of the Complaint.

Hearing

Although provided notice and opportunity, Complainant was not present at the Hearing. DEU presented Elia Lopez, a witness in support of the assertions, arguments, and exhibits submitted in DEU's Response (“DEU Witness”). The DEU Witness was sworn in by the certified court reporter and adopted the DEU Response as her sworn testimony. The DEU Witness was available for cross examination and questions to those present at the Hearing. The representatives from DPU and OCS did not cross examine the DEU Witness or pose any questions. DEU also moved for the admission of the DEU Response, which was unopposed, and the motion was granted.

DISCUSSION, FINDINGS OF FACT, AND ORDER

DEU's Response is unopposed. We thus find it undisputed that Complainant's natural gas service was restored on June 9, 2023. We find it further undisputed that as of June 22, 2023, Complainant's account with DEU is no longer delinquent and the

Residence is receiving natural gas service. We also find DEU's assertions and evidence of its compliance with its legal obligations relating to the Complaint are undisputed.

DEU's request for dismissal of the Complaint is similarly unopposed and, based on the undisputed facts set forth in DEU's Response and the evidence admitted at the Hearing, we find and conclude that dismissal is appropriate. Accordingly, the Complaint is dismissed.

DATED at Salt Lake City, Utah, June 27, 2023.

/s/ John E. Delaney
Presiding Officer

Approved and confirmed June 27, 2023, as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ John S. Harvey, Ph.D., Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#328585

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this written order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 30 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on June 27, 2023, a true and correct copy of the foregoing was delivered upon the following as indicated below:

By USPS:

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