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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

FORMAL COMPLAINT OF MARCIA DARGER d/b/a My M&Ms LLC AGAINST DOMINION ENERGY UTAH	Docket No. 23-057-09  <b>DOMINION ENERGY UTAH'S WRITTEN RESPONSE TO COMPLAINT</b>
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On May 15, 2023, Marcia Darger dba M&Ms LLC (Ms. Darger) brought an informal complaint against Questar Gas Company dba Dominion Energy Utah (Dominion Energy, Company or DEU). On June 12, 2023, Ms. Darger brought the formal Complaint in this docket before the Utah Public Service Commission (Commission). On June 13, 2023, the Commission issued a Notice of Filing and Comment Period that provided Dominion Energy could submit a written response on or before July 12, 2023. In accordance with the Notice, Dominion Energy respectfully submits this written response.

**BACKGROUND**

Ms. Darger initially contacted Dominion Energy on November 30, 2022, with concerns about her bill increasing. *See* DEU Confidential Exhibit A. Dominion Energy

reviewed the billing and determined that it appeared accurate; however, advised Ms. Darger to email a picture of the meter to verify. *Id.* Dominion Energy did not receive a photograph of the meter at this time. Ms. Darger called again on January 12, 2023, but did not complain about a high bill. Instead, she simply paid the balance owed on all of her accounts and requested to have the late fees removed. *See* DEU Confidential Exhibit B.

On March 10, 2023, Ms. Darger called again to review her billing. She indicated that one unit at her building located at 241 N. 2230 E., in St. George, hereinafter referred to as the M&M Unit, had an improperly high bill. Ms. Darger indicated that the M&M Unit had been empty for a year and the only gas appliance onsite was a new water heater. *See* DEU Confidential Exhibit C. Dominion Energy again asked that she email a picture of the meter. *Id.* On March 22, 2023, Ms. Darger emailed Dominion Energy a photograph of the meter which showed a reading that was only registering 1 unit higher than the reading which was taken previously by a meter reader. *See* DEU Confidential Exhibit D. The read shown in the photograph was consistent with the reads received by Dominion Energy's meter readers, and therefore indicated meter accuracy.

Notwithstanding this information, on April 4, 2023, Ms. Darger requested a high bill investigation. *See* DEU Confidential Exhibit E. On April 11, 2023, Dominion Energy sent a technician to the subject address who ran several on-site tests. The technician was able to determine that there did not appear to be leaks on the customer's side of the natural gas meter, at the meter, or in the vicinity of the meter. The technician also ran testing on Ms. Darger's appliances, which also showed no errors or problems. *See* DEU Confidential Exhibit F. The technician noted that although most of the appliances were off, the furnace

was running, in order to prevent the pipes in the building from freezing. *Id.* The technician removed the meter for testing and replaced it with a new meter. As part of this process, the technician painted the newly-placed meter. Painting a meter does not impair the functioning of that meter. On May 2, 2023, the Company tested the meter it had removed from the M&M Unit, and confirmed that it was working within normal limits. *See* DEU Confidential Exhibit G.

Ms. Darger has provided a summary of her gas account charges, which is inconsistent with the Company's records. *See* DEU Confidential Exhibit H. A summary table of the fees and expenses charged is contained in DEU Confidential Exhibit I.

Ms. Darger's billing history for the M&M Unit is consistent with accurate reads. In February 2023, Ms. Darger stopped paying the bill for M&M unit, and those bills began to grow. Additionally, though Ms. Darger may have turned her appliances off in the spring of 2023, she retained a natural gas account. Accordingly, she was required to pay a basic service fee and other charges, as reflected on her bill.

On May 18, 2023, Ms. Darger filed an informal complaint with the Utah Division of Public Utilities (Division), reiterating her high-bill concern. Dominion Energy responded to the informal complaint in writing. On June 12, 2023, Ms. Darger filed a formal Complaint with the Commission. Dominion Energy ceased billing on the account and, to date, has made no effort to collect amounts owed pending the resolution of this docket.

## **DISCUSSION**

Dominion Energy complied with applicable statutes, rules, regulations, and the provisions of its Utah Natural Gas Tariff No. 600 (Tariff). Utah Admin. Code §R746-320-

3(F)(1), and Section 8.01 of the Tariff provide that upon written request, Dominion Energy will test a customer's meter. Though Ms. Darger did not submit a written request, the Company responded to her high bill complaint promptly by removing the meter and replacing it with a new meter, and by testing the meter it had removed.

Dominion Energy conducted the meter test in accordance with Utah Admin. Code §R746-320-3(H) and Section 8.01 of its Tariff, both of which indicate that when a meter is more than three percent fast, then a customer is entitled to a refund. Here, the meter test showed that the meter at the M&M Unit was accurately registering well below the three percent threshold, and no refund was required.

During the period at issue, Dominion Energy billed Ms. Darger for the basic service fee and natural gas usage, as well as associated taxes and fees, in accordance with the Tariff. The appropriate charges for GS customers are detailed in Section 2.02 of the Tariff, and the taxes associated with the natural gas service are addressed in Sections 10.01 and 10.02 of the Tariff. The Company properly applied all of these charges and taxes for the M&M Unit.

Dominion Energy Utah has, at all times, acted in accordance with all applicable statutes, rules, regulations, and Tariff provisions. Accordingly, Ms. Darger d/b/a My M&Ms LLC should be denied.

RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of July, 2023.



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Jenniffer Nelson Clark  
*Attorney for Dominion Energy Utah*

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing **DOMINION ENERGY UTAH'S WRITTEN RESPONSE TO COMPLAINT** was served upon the following persons by e-mail on the 12<sup>th</sup> day of July, 2023:

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