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- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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Application of Dominion)
Energy Utah to Extend)
Service to Genola, Utah)
) DOCKET NO. 23-057-13
)
)
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Public Hearing
Taken on Thursday, January 23, 2024
At 9:03 a.m. MT

At Heber M. Wells Building
160 East 300 South
Room 403
Salt Lake City, Utah 84111

Reported by: Brooke Simms, RPR, CCR, CSR

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A P P E A R A N C E S

The Public Service Commission:

Presiding Officer John Delaney

For The Division of Public Utilities:

Patricia Schmid

UTAH ATTORNEY GENERAL'S OFFICE

For Dominion Energy Utah:

Jennifer Clark

Dominion Energy

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P R O C E E D I N G S

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PRESIDING OFFICER: Good morning, everyone. Why don't we get going. My name is John Delaney, and I'm the Commission's designated presiding officer for this hearing today. It's January 23rd, 2024, and it's approximately 9:03 a.m., and this is the date and time that's scheduled for the hearing on the settlement stipulation between Dominion Energy Utah and the Utah Department of Public Utilities on Docket 23-057-13.

(Background noise from online.)

PRESIDING OFFICER: You guys hear that?

MS. CLARK: Yeah, I think someone on the phone is not muted.

MR. McINTOSH: I think someone is not muted.

PRESIDING OFFICER: Whoever's on the phone, could you please mute -- or everybody on the phone, please mute.

Does it look like it happened?

MS. PASCHAL: I muted them.

PRESIDING OFFICER: Okay. Thank you.

Okay. Why don't we -- we're all at the right place; correct?

Okay. Let's start with appearances for Dominion.

1 MS. CLARK: Thank you. My name is Jenniffer
2 Clark. I am counsel for Dominion Energy. I have with
3 me Austin Summers, and he will be speaking on behalf of
4 the Company today. He will be the only witness we will
5 offer. However, we have brought with us Will Radford,
6 Justin Withers, and Mayor Marty Larson is on the phone,
7 should the Commission have any questions for them.

8 PRESIDING OFFICER: Thank you.

9 And for the Division?

10 MS. SCHMID: Good morning. Patricia E. Schmid
11 with the Utah Attorney General's Office for the
12 Division. The Division's witness today is Tyler
13 McIntosh.

14 PRESIDING OFFICER: Okay. Good morning,
15 everybody. Okay. Was that the preliminary matter you
16 had to raise? You said you had one preliminary matter.

17 MS. CLARK: No. I do have one preliminary
18 matter.

19 PRESIDING OFFICER: Please.

20 MS. CLARK: Thank you. Paragraph 16 of the
21 settlement stipulation provides that the parties agree
22 that all prefiled testimony and exhibits can be
23 admitted, and I conferred with Ms. Schmid prior to the
24 hearing, and I would move for the admission of all those
25 exhibits.

1 PRESIDING OFFICER: Would you care to join
2 that motion?

3 MS. SCHMID: The Division would like to join
4 that motion. Thank you.

5 PRESIDING OFFICER: Okay. So there's no
6 objections. The motion is granted.

7 MS. CLARK: Thank you.

8 PRESIDING OFFICER: The stuff is admitted.

9 (All prefiled testimony and exhibits were
10 admitted into evidence.)

11 MS. CLARK: Thank you.

12 PRESIDING OFFICER: Any other preliminary
13 matters?

14 MS. CLARK: No.

15 PRESIDING OFFICER: Ms. Schmid?

16 MS. SCHMID: No.

17 PRESIDING OFFICER: Okay. I have one, which
18 we might get to but -- okay. So I understand from the
19 settlement stipulation document that the Office of
20 Consumer Services is not a party to this docket -- well,
21 that's outstated, but they have reviewed the settlement
22 stipulation, and it has authorized the Division and DEU
23 to represent that it, the OCS, is not opposed to the
24 terms agreed upon in that docket -- document.

25 Is that still accurate?

1 MS. CLARK: To my knowledge, yes.

2 PRESIDING OFFICER: Okay.

3 MS. SCHMID: Yes.

4 PRESIDING OFFICER: Okay. And will your
5 respective witnesses be offering -- will offer testimony
6 on that specific point?

7 MS. CLARK: No, but -- but Mr. Summers
8 certainly can.

9 PRESIDING OFFICER: I think it would be
10 helpful to have it on the record.

11 MS. CLARK: Okay.

12 PRESIDING OFFICER: If -- if -- if you all
13 don't, I'll try to remember to ask you specifically.

14 All right. That's the only preliminary matter
15 I had. Why don't we go ahead and, Ms. Clark, call your
16 first witness.

17 MS. CLARK: Thank you. The Company calls
18 Austin Summers.

19 PRESIDING OFFICER: Good morning, Mr. Summers.

20 MR. SUMMERS: Good morning.

21 PRESIDING OFFICER: You're used to coming up
22 to the stand.

23 MR. SUMMERS: We are here again.

24 PRESIDING OFFICER: Yes, we are.

25 Do you swear to tell the truth?

1 MR. SUMMERS: I do, yes.

2 PRESIDING OFFICER: Okay. Please proceed,
3 Ms. Clark.

4 MS. CLARK: Thank you.

5 AUSTIN SUMMERS

6 was sworn and testified as follows:

7 DIRECT EXAMINATION

8 BY MS. CLARK:

9 Q. Mr. Summers, please state your name and
10 business address for the record.

11 A. My name is Austin Summers. My business
12 address is 333 South State Street, Salt Lake City, Utah.

13 Q. And what position do you hold with the
14 Company?

15 A. I'm the manager of rates and regulation.

16 Q. Mr. Summers, are you the same Austin Summers
17 who submitted prefiled direct testimony in this matter?

18 A. Yes.

19 Q. And did you participate in the negotiation and
20 drafting of the settlement stipulation that is before
21 the Commission today?

22 A. Yes, I did.

23 Q. And the settlement stipulation, Mr. Summers,
24 makes representations about the Office of Consumer
25 Services. Can you confirm that the Office of Consumer

1 Services reviewed the settlement stipulation and
2 authorized the Company to represent that it does not
3 oppose the terms contained therein?

4 A. Yes.

5 Q. Do you -- can you summarize for the Commission
6 the settlement stipulation --

7 A. Yes.

8 Q. -- that is before them today? Thanks.

9 A. Good morning, again, Mr. Delaney. Thank you
10 for your time today. Before I begin, I just wanted to
11 thank the staff at the Division of Public Utilities for
12 its feedback in making the settlement happen.

13 In this docket Dominion Energy seeks
14 Commission approval to expand to the rural community of
15 Genola. Though this would be new infrastructure in a
16 new rural community, the resource decision is nothing
17 more than a continuation of the program that was
18 approved in Eureka, Goshen, and the Green River dockets.

19 The application and accompanying testimony
20 provided all of the evidence required to support
21 approval of the resource decision. In my prefiled
22 direct testimony, I addressed the evidentiary
23 requirements for the resource decision, discussed how
24 and why the Company chose Genola as the next expansion
25 location, explained how many customers are expected to

1 participate, how costs would be recovered, and provided
2 other relevant financial and operational information.

3 Mr. Radford's testimony explains the scope of
4 the project, the construction schedule, the cost of the
5 project, and the geographic results of the community's
6 interest in natural gas.

7 Mr. Wither's testimony discussed the process
8 of converting appliances to natural gas, the disposal of
9 propane equipment, and the safety benefits of being a
10 Dominion Energy customer.

11 Finally, Mayor Larson discussed community
12 growth in Genola, the benefits natural gas would bring
13 to his community, and explained his support of this
14 project.

15 Taken together, the evidence provided shows
16 that the resource decision is just and reasonable in
17 result and that approval of the application is in the
18 public interest.

19 The settlement stipulation largely accepts the
20 Company's proposal as filed. There are a few additional
21 provisions. So I'll draw your attention to paragraphs 6
22 through 10 of the settlement stipulation, and I'll just
23 walk through those briefly.

24 Paragraph 6 states that Dominion Energy should
25 be authorized to construct the facilities proposed in

1 the application to serve the community of Genola.

2 Paragraph 7 explains that the cost of the
3 expansion will be collected through the rural expansion
4 rate adjustment tracker that is contained in Section
5 9.02 of the tariff.

6 Paragraph 8 provides that the Company will
7 file a copy of the permits and other similar items with
8 the Commission once they are finalized and executed.

9 Paragraph 9 states that if the cost of the
10 resource decision exceed the estimates provided in the
11 testimony of Mr. Radford, the Company will seek
12 Commission approval of the excess cost prior to
13 including those costs in the tracker. Approval of any
14 increase will be subject to the statutory spending caps
15 that are discussed in my direct testimony.

16 And then, finally, paragraph 10 states that
17 the Company will work with Genola to ensure that
18 appliance inspections by the city are occurring before a
19 meter is set.

20 Based on the evidence in the record and the
21 stipulation of the parties in this docket, the Company
22 requests approval of the settlement stipulation. The
23 Company stands ready to start construction upon
24 Commission approval.

25 That ends my summary.

1 MS. CLARK: Mr. Summers is available for
2 cross-examination or questions from the hearing officer.

3 PRESIDING OFFICER: Thank you very much.

4 Ms. Schmid, any questions from the Division?

5 MS. SCHMID: No questions.

6 PRESIDING OFFICER: Okay. Thank you.

7 EXAMINATION

8 BY PRESIDING OFFICER:

9 Q. Mr. Summers, I do have two questions.

10 A. Okay.

11 Q. Thank you for going through those paragraphs
12 you just ran through. I do have two questions on two of
13 those paragraphs.

14 A. Okay.

15 Q. Paragraph 8 addresses the notion of the permit
16 filing.

17 A. Yes.

18 Q. It -- so this issue came up in an earlier
19 docket about the timing of the filing. That is, my
20 recollection from the earlier docket was that DEU's
21 preference was to provide them in batches, instead of
22 piecemeal as they were provided. I see now here,
23 though, there's language that says "executed and
24 finalized." So does that -- can you confirm that what
25 that means is DEU will provide these on a rolling basis,

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1 or is it the intention of the parties to do otherwise?

2 A. In the past what we've done is -- is -- there
3 are permits coming through constantly. And so, in
4 Eureka, there weren't a lot of permits, and so they were
5 all -- we filed those all in one batch. In Green -- in
6 Goshen and Elberta, I don't think that there was
7 anything in the settlement that said to file them. So
8 in Green River, when we filed them, we waited until the
9 end, because, again, they were just coming through --
10 sporadically through, and then we filed them all in one
11 batch and kept them all in one -- one package.

12 If -- if the Commission preferred to see them
13 more frequently as they're coming in, I don't think that
14 the -- the Company would be opposed to -- to filing
15 those in smaller batches as they're coming in.

16 I know that the Green River docket had a lot
17 more permits just because of the -- I don't know -- the
18 sophistication of the -- of the project and the railroad
19 crossings that were involved and the -- the washes that
20 had to be crossed and -- so there were -- there were a
21 lot more permits in that one.

22 So I don't -- I don't know that I'm -- maybe
23 Mr. Radford would be able to speak to how many permits
24 would be anticipated, but I think the answer to that is
25 if -- if the Commission would prefer to see those in

1 smaller batches, we would be happy to do that.

2 Q. Well, let me -- the genesis of my concern is
3 in the Green -- I think it was the Green River docket --
4 there was actually a dispute about this issue on the
5 increase on the voluntary resource decision, and there
6 seemed to be a misunderstanding about this -- what I
7 think is not a gigantic issue -- there was an
8 expectation on one side that you guys should have been
9 providing these documents as they came in, and DEU's
10 response was, no, we actually are kind of putting them
11 all together and we'll give you in that tranche.

12 A. Yeah.

13 Q. So there was a disagreement that seemed to me
14 that if we can have an understanding now, we won't have
15 that disagreement here, but it does presuppose that
16 there will be a lot of permits, and maybe that's -- that
17 predicate doesn't exist here?

18 A. Yeah. And I'm -- and I'm remembering, too,
19 when -- in the Green River docket, we had -- we had
20 assembled a lot of those -- those permits when -- when
21 that comment was made and -- and they were asking for
22 those. But it would -- if we had filed them with the
23 comments at that time, it wouldn't have given the
24 Division more than a week or two, if I remember right,
25 to actually respond to -- to analyze those permits and

1 to actually get them.

2 So if we -- if we had included them -- I
3 believe it was in our reply comments -- they would have
4 had to have looked at those -- I don't know -- I guess
5 my understanding is that they would have had to look at
6 those more quickly. But by waiting and including them
7 just at the end of the project, it gave them more time
8 to kind of sift through all of those permits on a -- on
9 their own time line.

10 Q. Okay. So thank you for everything you've told
11 me. My question was -- is there an understanding about
12 whether it's going to be piecemeal or in tranche, and I
13 think what your answer is you're not sure as you sit
14 here?

15 A. Yeah. We have not come to an understanding
16 with the Division of Public Utilities about how those --
17 how they would like to see those.

18 Q. That's fine.

19 A. I would make the commitment that if they want
20 to have that conversation, we would -- we would be a
21 happy to have that conversation with them.

22 Q. Okay. Thank you. And I'll ask the same
23 question of the DPU witness.

24 A. Thank you.

25 Q. And maybe get some clarity here today. And if

1 not, I appreciate the offer to do it after.

2 A. Okay.

3 Q. Thank you. So the next question is with
4 respect to paragraph 10. "The parties agree for
5 purposes of the settlement that the Company will work
6 with Genola..." I wonder if you can give me a little
7 more color about what "work with" means. I understand
8 it's tied to the safety issue and that it's tied to a
9 meter set, but I'm just not quite sure what "work with"
10 means.

11 A. Yeah.

12 Q. Can you give me a little context?

13 A. Yeah, I'd be happy to.

14 When -- when we first met with Eureka and we
15 were meeting with the Division of Public Utilities, one
16 of the big concerns was that -- that there might be a
17 homeowner who decides to run their own gas piping and do
18 their own work, and there was concern that if it wasn't
19 done by a professional that there might be safety
20 issues, and that's a fair concern.

21 So as part of the Eureka process -- actually,
22 Mr. Withers is the region manager for that area, and he
23 worked to have one of our employees that would go out
24 and -- and look at their piping, if there was any
25 questions about how to set up their appliances, those

1 kinds of things, before a city inspector went out to --
2 to make the official confirmation that everything was --
3 was set up.

4 That was designed to -- to keep us in the loop
5 with the city and so that we knew everything was going
6 in correctly, the city had -- had confidence that
7 everything was going in correctly, and then that was
8 just verified by a city inspector.

9 With regard to a meter set -- I never thought
10 this experience would come in handy, but I used to work
11 in the meter set department. And what would happen is
12 the city would notify Dominion that -- that everything
13 was in line, that it held a pressure test, that
14 everything was -- was ready to go before we would go out
15 and set a meter. And so we -- we have kind of that
16 second layer of -- of confidence that everything is
17 installed safely before we will -- we will put a meter
18 on the house.

19 Q. Okay. So I'm sorry if I missed something, but
20 I think everything you explained to me before the meter
21 set, you were speaking in terms of Eureka. So were
22 you -- did you mean to say "And we will follow that
23 same --"

24 A. And we will follow that same procedure. We
25 have followed that same procedure in Goshen and Elberta.

1 We followed that same procedure in Green River, and we
2 will do the same thing in Genola.

3 Q. Genola. Okay. Goshen and Genola. G and G.

4 A. I know. You have no idea how many times --

5 Q. I can imagine.

6 Okay. And there was also some testimony about
7 the disposal of the appliances. Is that part of the
8 "working with Genola" concept here?

9 A. The -- yeah, the original disposal -- and I
10 don't know if it was disposal of appliances,
11 necessarily, but the big concern was the disposal of the
12 tanks --

13 Q. Okay.

14 A. -- of the propane tanks. There was a concern
15 that propane tanks would be left sitting in yards and
16 that they'd still have propane in them and that that
17 could be a danger. And so now I'm going to go back and
18 talk about Eureka again, but I will bring it back to
19 Genola --

20 Q. Thank you.

21 A. -- because that is -- we learned a lot of
22 lessons in Eureka. And -- and I think the big concern
23 that was brought up there was by the propane companies,
24 but as we looked at -- as we've had some experience with
25 those, these -- a lot of those tanks are leased, and so

1 when -- when the -- when the customer is done using the
2 propane tank, the -- the propane operator will come in,
3 and they will take the tank with them. If the tank is
4 owned, that is on the customer.

5 In -- in the case of Eureka, I know that the
6 mayor had said, you know, "If you want to put them in
7 this lot, you can put them in this lot," but a lot of
8 them were -- were leased, and so it wasn't as big of an
9 issue as -- as what the propane group in that docket
10 had -- had stated.

11 The other thing that I've noticed as -- as
12 I've talked with the people who are setting up these --
13 these meters and getting these new customers ready is
14 that customers will coordinate with us as their propane
15 is getting empty. So they will -- they will use up as
16 much propane. They've already paid for it. So they'll
17 use up as much propane as they can, and then as their
18 tank is emptying, that's when they'll connect to natural
19 gas. So I don't think that the safety issue has been as
20 much of an issue as what was brought up in that original
21 Eureka case.

22 We do continue to work with customers as our
23 employees are out there talking with them. Before a
24 city inspector, we will be having those same
25 conversations about how to make sure your propane tank

1 is safe and kind of coordinating with them. So we're
2 doing that in every area that we -- that we go to to
3 make sure that everything is safe as it can.

4 Q. Okay. Thank you very much. That was -- that
5 was very helpful.

6 A. You're welcome.

7 Q. That's all I have.

8 A. Okay.

9 Q. Thank you very much.

10 A. Thank you.

11 PRESIDING OFFICER: Ms. Schmid, would you like
12 to call your first witness?

13 MS. SCHMID: Yes. The Division would like to
14 call its first and only witness, Tyler McIntosh.

15 PRESIDING OFFICER: Thank you.

16 Good morning, Mr. McIntosh.

17 MR. McINTOSH: Good morning.

18 PRESIDING OFFICER: Your microphone is working
19 good?

20 MR. McINTOSH: Yeah.

21 PRESIDING OFFICER: Do you swear to tell the
22 truth?

23 MR. McINTOSH: I do.

24 PRESIDING OFFICER: Great. Thanks.

25 Please proceed.

1 MS. SCHMID: Thank you.

2 TYLER McINTOSH

3 was sworn and testified as follows:

4 DIRECT EXAMINATION

5 BY MS. SCHMID:

6 Q. Mr. McIntosh, could you please state and spell
7 your full name for the record.

8 A. My name is Tyler McIntosh. That's T-y-l-e-r
9 M-c-I-n-t-o-s-h.

10 Q. Is the "C" a capital letter "C" or a small
11 "c"?

12 A. Well -- so the "c" is a small "c," and the "I"
13 is a capital "I."

14 Q. Thank you.

15 A. Thanks for clarifying.

16 Q. Could you please state your employer, your job
17 title, and your business address.

18 A. Yep. I work with the Division of Public
19 Utilities. I'm a utility analyst, and my address is
20 160 East 300 South, Salt Lake City, Utah.

21 Q. Because we haven't heard from you as often as
22 we have heard of some of the Division's other witnesses,
23 can you please briefly describe your educational
24 experience for the record?

25 A. I can. I received a dual bachelor's degree

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1 from the University of Utah in finance and information
2 systems and -- yeah.

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

6 A. I have.

7 Q. Did that involvement include reviewing the
8 testimonies, the exhibits, data responses, having
9 discussions with the Company and others, question mark?

10 A. Yes, all of the above.

11 Q. Thank you.

12 A. Uh-huh.

13 Q. Were you involved in the preparation and
14 filing of your direct testimony?

15 A. I was.

16 Q. Were you involved in the discussions,
17 negotiations, and the resulting settlement in this
18 docket?

19 A. I was.

20 Q. Is it your understanding that while the Office
21 did not file testimony in this docket, it has
22 represented that it does not oppose the stipulation?

23 A. That is correct.

24 Q. Do you have a summary to present today?

25 A. I do.

1 Q. Please proceed.

2 A. Okay. In Docket 23-057-13, Dominion Energy --
3 and I'll refer to them as "DEU" or "the Company" -- asks
4 for the Commission approval to extend service to Genola,
5 Utah. The Company and DEU now seek Commission approval
6 of the filed settlement stipulation addressing extending
7 service to Genola.

8 Genola is a city in Utah County with a
9 population of approximately 1,593 residents and covers
10 approximately 6.2 square miles. The Genola expansion
11 has the potential to serve approximately 507 customers
12 and will not require new high pressure pipe or
13 additional regulator sanctions.

14 In 2018, the Utah legislature passed House
15 Bill 422, which provided an opportunity for rural
16 communities to obtain natural gas services which would
17 be funded by the rest of the Company's customer base.

18 On December 1st, 2023, the Division submitted
19 direct testimony in the docket. The Division and the
20 Company were active parties to this docket. After the
21 Division filed its direct testimony, the Company and the
22 Division engaged in arm's-length settlement discussions
23 and negotiations and resulted in the settlement
24 stipulation before you.

25 Of particular importance to the Division are

1 the settlement stipulation provisions addressing that
2 the infrastructure expansion meets the requirement for
3 Section 54-17-401 and is just and reasonable and in the
4 public interest.

5 Of particular importance to the Division are
6 the following provisions in the stipulation. In
7 paragraph 8, it states that the Dominion Energy will
8 file all necessary permits for -- for the Genola
9 expansion when they are finalized and executed.
10 Paragraph 9 prevents excess project spending without
11 additional approval from the Commission, and
12 paragraph 10 affirms that the Company will work with the
13 city of Genola for safe conversion to natural gas
14 services.

15 A Commission Statute 54-7-1 states, and I
16 quote in part, "Informal resolution, by agreement of the
17 parties, of matters before the commission is encouraged"
18 for various reasons, such as minimizing the time and
19 expense required to resolve disputes.

20 To approve a settlement, the Commission must
21 find that the settlement proposal is just and reasonable
22 in result and that the recorded evidence supports a
23 finding that the settlement proposal is just and
24 reasonable in result.

25 The Division has analyzed the filings in this

1 docket and engaged in meaningful and robust settlement
2 discussions leading to the filing of the settlement in
3 this case. It is the testimony of the Division that the
4 settlement stipulation is just and reasonable in result,
5 supported by recorded evidence, and in the public
6 interest. The Division respectfully requests that the
7 Commission approve the settlement stipulation as filed
8 to extend natural gas services to Genola.

9 That concludes my summary.

10 Q. Thank you.

11 MS. SCHMID: Mr. McIntosh is available for
12 cross-examination questions and questions from the
13 hearing officer.

14 PRESIDING OFFICER: Thank you very much.

15 Dominion, any questions for this witness?

16 MS. CLARK: Yeah, just a couple.

17 CROSS-EXAMINATION

18 BY MS. CLARK:

19 Q. Mr. McIntosh, you were in the hearing room
20 when Mr. Summers was being questioned by the Commission
21 Hearing Officer, were you not?

22 A. I was.

23 Q. And does the Division have an opinion about
24 how these permits should be filed, whether they should
25 be filed at the end in one tranche or whether they

1 should be filed on a rolling basis as received?

2 A. I don't -- to the Division, I don't think --
3 it doesn't matter. Either way.

4 Q. Okay. Thank you.

5 A. Yep.

6 MS. CLARK: I don't have any further
7 questions.

8 PRESIDING OFFICER: Thank you. That took one
9 off my list.

10 EXAMINATION

11 BY PRESIDING OFFICER:

12 Q. Mr. McIntosh, I do have one follow-up
13 question, though, with respect to paragraph 10.

14 A. Yeah.

15 Q. What is the Division -- speaking for the
16 Division, what is the Division's understanding of what
17 it means in paragraph 10 for Dominion to work with
18 Genola?

19 A. From my understanding, it means that the
20 Company, Dominion, would do -- would work with the city
21 of Genola to make sure that the proper steps are taken
22 to make sure that the conversion to natural gas is done
23 in a safe and correct way.

24 Q. Okay.

25 A. That's my understanding.

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1 Q. And you were in here when you heard
2 Mr. Summers testify about questions I had on that
3 paragraph; correct?

4 A. Correct.

5 Q. Okay. Was there anything that you heard
6 Mr. Summers testify about that the Division disagrees
7 with?

8 A. No.

9 Q. Okay. Thank you.

10 PRESIDING OFFICER: I don't really have any
11 other questions, but while you're on the stand, the
12 stipulation, the joint motion earlier -- I don't think
13 it included the actual settlement stipulation, did it?

14 MS. CLARK: I may not have included the actual
15 settlement stipulation. I may have referred only to
16 exhibits. I would amend that motion to include the
17 application and the settlement stipulation as well.

18 PRESIDING OFFICER: Okay. And that was a
19 joint motion. Do you still join that motion,
20 Ms. Schmid?

21 MS. SCHMID: Yes.

22 PRESIDING OFFICER: Okay. That motion, as
23 amended, is granted.

24 (DEU's Application and the Settlement
25 Stipulation admitted into evidence.)

1 MS. CLARK: Thank you.

2 PRESIDING OFFICER: I have nothing further for
3 you.

4 MR. McINTOSH: All right.

5 PRESIDING OFFICER: Thank you.

6 MR. McINTOSH: Thank you.

7 PRESIDING OFFICER: Okay. Well, that's
8 everyone's witnesses. That's all my questions.
9 Everybody else's questions. I think we're finished.
10 Thank you very much for your preparation today and your
11 appearance today.

12 It's my understanding -- does everybody agree
13 that the statutory deadline on this is March 6th?

14 MS. CLARK: Subject to check. For whatever
15 reason I was thinking March 8th but --

16 PRESIDING OFFICER: Okay.

17 MS. CLARK: -- thereabouts.

18 PRESIDING OFFICER: Could be a G --

19 MS. CLARK: I'd have to count the days.

20 PRESIDING OFFICER: Okay. Somewhere in early
21 March. Okay. So we're aware of the statutory deadline.
22 Just wanted to let you know, and hopefully we'll get
23 this issued -- discussed and issued before that.

24 Is there anything else from anybody.

25 MS. CLARK: No.

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PRESIDING OFFICER: Okay. Then we are
adjourned. Thank you very much.

(This hearing was concluded at 9:30 a.m. MT.)

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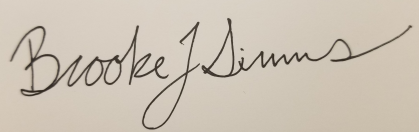
REPORTER'S CERTIFICATE

STATE OF UTAH)
)
COUNTY OF UTAH)

I, BROOKE SIMMS, an Idaho Certified Shorthand Reporter, Utah State Certified Court Reporter, and Registered Professional Reporter, hereby certify:

THAT the foregoing proceedings were taken before me at the time and place set forth in the caption hereof; 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 oral proceedings had, and of the whole thereof.

I have subscribed my name on this 5th day of February, 2024.



Brooke Simms, RPR, CCR, CSR
Idaho CSR No. 1174
Utah CCR No. 12335391-780

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[testimony - yards]

<p>testimony 5:22 6:9 7:5 8:17 9:19,22 10:3,7 11:11,15 18:6 22:14,21 23:19 23:21 25:3 thank 4:21 5:1 5:8,20 6:4,7,11 7:17 8:4 9:9,11 12:3,6,11 15:10,22,24 16:3 18:20 20:4,9,10,15 21:1,14 22:11 25:10,14 26:4 26:8 27:9 28:1 28:5,6,10 29:2 thanks 9:8 20:24 21:15 thereabouts 28:17 thereof 30:15 thing 18:2 19:11 things 17:1 think 4:13,15 7:9 13:6,13,24 14:3,7 15:13 17:20 18:22 19:19 26:2 27:12 28:9 thinking 28:15 thought 17:9 thursday 1:10</p>	<p>tied 16:8,8 time 4:7 9:10 14:23 15:7,9 24:18 30:10 times 18:4 timing 12:19 title 21:17 today 4:6 5:4 5:12 8:21 9:8 9:10 15:25 22:24 28:10,11 together 10:15 14:11 told 15:10 took 26:8 tracker 11:4,13 tranche 14:11 15:12 25:25 transcribed 30:12 transcript 30:14 transcription 30:13 true 30:14 truth 7:25 20:22 try 7:13 two 12:9,12,12 14:24 tyler 3:6 5:12 20:14 21:2,8</p>	<p style="text-align: center;">u</p> <p>uh 22:12 understand 6:18 16:7 understanding 14:14 15:5,11 15:15 22:20 26:16,19,25 28:12 university 22:1 use 19:15,17 used 7:21 17:10 using 19:1 utah 1:1,3,4,16 2:6,7 4:9,9 5:11 8:12 21:20 22:1 23:5,8,14 30:3 30:4,7,23 utilities 2:4 4:10 9:11 15:16 16:15 21:19 utility 21:19</p> <p style="text-align: center;">v</p> <p>various 24:18 verified 17:8 voluntary 14:5</p> <p style="text-align: center;">w</p> <p>waited 13:8 waiting 15:6 walk 10:23 want 15:19 19:6</p>	<p>wanted 9:10 28:22 washes 13:19 way 26:3,23 we've 13:2 18:24 week 14:24 welcome 20:6 wells 1:13 went 17:1 whoever's 4:16 wither's 10:7 withers 5:6 16:22 witness 5:4,12 7:16 15:23 20:12,14 25:15 witnesses 7:5 21:22 28:8 wonder 16:6 work 11:17 16:5,7,9,18 17:10 19:22 21:18 24:12 26:17,20 worked 16:23 working 18:8 20:18</p> <p style="text-align: center;">x</p> <p>x 3:1</p> <p style="text-align: center;">y</p> <p>y 21:8 yards 18:15</p>
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[yeah - yep]

yeah 4:13
14:12,18 15:15
16:11,13 18:9
20:20 22:2
25:16 26:14
yep 21:18 26:5

Utah Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

(E) Submission to Witness; Changes; Signing.

Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

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