

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of Enbridge Gas Utah to Extend Natural Gas Service to Portage, Utah	<u>DOCKET NO. 24-057-13</u> <u>ORDER</u>
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ISSUED: August 11, 2025

SYNOPSIS

The Public Service Commission (PSC) approves Enbridge Gas Utah's (EGU) Request for Review and Consideration of an Order to Proceed filed in the referenced docket.

PROCEDURAL BACKGROUND

On June 23, 2025, pursuant to Utah Code § 54-17-404 and Utah Admin. Code R746-440-3, EGU filed a Request for Review and Consideration of an Order to Proceed ("Request").¹ The Request seeks PSC review and approval of a new route associated with the Portage Rural Expansion Project ("Project"), which was previously approved in the Order Approving Settlement Stipulation issued February 21, 2025 ("Order").²

The PSC issued an Action Request on June 27, 2025, and a Notice of Filing and Comment Period on June 30, 2025. On July 9, 2025, the Division of Public Utilities (DPU) filed comments regarding the Request ("DPU Comments"). On July 28, 2025,

¹ The Request is supported by direct testimony of William S. Radford and Austin C. Summers, each with accompanying exhibits.

² *Application of Enbridge Gas Utah to Extend Natural Gas Service to Portage, Utah*, Docket No. 24-057-13, Order Approving Settlement Stipulation, issued February 21, 2025.

EGU filed reply comments (“EGU Reply Comments”). No other comments were filed, and the Request is unopposed.

On August 1, 2025, the PSC issued a Request for Response (“PSC Notice”) to EGU and DPU seeking a verified statement confirming that “all terms of the Settlement Stipulation [entered into as part of the Order will] remain in full force and effect if the Request is granted.”³ EGU and DPU filed verified statements providing this confirmation.

BACKGROUND

EGU's Request seeks the PSC's (a) review and consideration of certain changes in the route approved in the Order; (b) approval of the costs outlined in the Request; and (c) issuance of an Order to Proceed with this approved resource decision.⁴

EGU states it refined the route and costs associated with the Project after the Order was issued. Specifically, EGU has identified a “route that reduces the overall pipeline length and minimizes the footage of easements to be purchased for the [P]roject.”⁵ EGU also states that the anticipated cost of the new route will not increase, the change does not impact the Project's qualifications under applicable law, and completion of the Project is still in the best interests of ratepayers.⁶ Additionally, EGU states that the Request and associated supporting testimony fully complies with the

³ *PSC Notice* at 1.

⁴ *See Request* at 1.

⁵ *Id.* at 2, ¶ 4.

⁶ *See id.*

relevant statutes and regulations, and demonstrates that issuance of an Order to Proceed by the PSC is in the public interest.⁷

DPU Comments

DPU recommends the PSC approve the Request. DPU affirms EGU's representations that the new route reduces the Project's pipeline length and that the "new route will be no more expensive than the one ... authorized" in the Order.⁸ DPU also states that it reviewed the statutory requirements that address a change in circumstance, specifically Utah Code § 54-17-404(1)(a) and Utah Admin. Code R746-440-3, and concludes that EGU "appears compliant thus far in providing the evidence required to support an Order to Proceed as requested in the [Request]."⁹

EGU Reply Comments

EGU states that it reviewed DPU's comments "and has no opposition to the findings or recommendations contained therein."¹⁰

DISCUSSION, FINDINGS OF FACT, AND CONCLUSIONS OF LAW

The Voluntary Resource Decision Act ("Act") provides utility companies an opportunity to seek an Order to Proceed, which involves PSC review and determination of whether the utility should proceed with the implementation of an

⁷ See *id.* at 4, ¶ 8. See also, EGU Exhibit 5.01 for a list of applicable statutes and regulations and where in the Request EGU satisfies each requirement.

⁸ DPU Comments at 2.

⁹ DPU Comments at 3.

¹⁰ EGU Reply Comments at 2.

approved resource decision due to a change in circumstances or projected costs.¹¹ Utah Admin. Code R746-440-3 provides further guidance to help the PSC determine whether to approve a utility company's request for an Order to Proceed. EGU is seeking an Order to Proceed due to the changes in the Project's proposed route, as outlined in the Request.

In evaluating whether to approve an Order to Proceed, we must determine whether such approval (a) complies with applicable statutes and rules and (b) is in the public interest, taking into consideration certain factors.¹² These factors are the potential benefits to previously unserved rural areas; the potential of new customers; natural gas consumption; and revenues, costs, and other factors determined by the PSC to be relevant.¹³ For purposes of this order, the PSC also takes into consideration that, other than the changes set forth in the Request, EGU and DPU confirm that "all terms of the Settlement Stipulation [entered into as part of the Order will] remain in full force and effect if the Request is granted."¹⁴

Considering the specific requirements of the Act and our discussion above, the PSC finds and concludes EGU filed all the information required by the Act and Utah Admin. Code R746-440-3.¹⁵ The PSC also finds and concludes approval of the Request

¹¹ See Utah Code Ann. § 54-17-404(1).

¹² See *id.* and § 54-17-402(3)(b)(ii).

¹³ See Utah Code Ann. § 54-17-402(3)(b)(ii)(A)-(D).

¹⁴ See EGU Verified Statement at 2; DPU Verified Response at 1.

¹⁵ See *e.g.*, EGU Exhibit 5.01.

is in the public interest, as confirmed by consideration of the submissions in this matter, including the direct testimony of EGU's witnesses and EGU's and DPU's confirmation concerning the previous settlement stipulation underlying the Order.

The PSC concludes that the record supports our finding that the change in route presented in the Request does not change our initial determination that EGU's resource decision to build the Project is in the public interest.

ORDER

Based on the discussion, findings of fact, and conclusions of law referenced above, we approve the Request and issue an Order to Proceed with this previously approved resource decision.

DATED at Salt Lake City, Utah, August 11, 2025.

/s/ John E. Delaney
Presiding Officer

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Approved and confirmed August 11, 2025, as the Order of the Public Service
Commission of Utah.

/s/ Jerry D. Fenn, Chair

/s/ David R. Clark, Commissioner

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

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#340980

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 August 11, 2025, a true and correct copy of the foregoing was delivered upon the following as indicated below:

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