

Public Hearing - January 24, 2025

1 - BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

2  
3 Application of Enbridge ) DOCKET NO. 24-057-25

4 Gas Utah to Change the )

5 Rural Expansion Rate )

6 )

7 Application of Enbridge ) DOCKET NO. 24-057-26

8 Gas Utah for an Adjustment )

9 to the Daily )

10 Transportation Imbalance )

11 Charge )

12 )

13 Pass-Through Application ) DOCKET NO. 25-057-01

14 of Enbridge Gas Utah for )

15 an Adjustment in Rates and )

16 Charges for Natural Gas )

17 Service in Utah )

18  
19 JANUARY 24, 2025

20  
21 9:00 A.M. TO 10:24 A.M.

22  
23 REPORTER: SEAN P. SAMPSON, RPR

24 CERTIFIED COURT REPORTER FOR THE STATE OF UTAH

25 (ATTENDED BY VIDEO)

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A P P E A R A N C E S

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P R O C E E D I N G S

JOHN DELANEY: Good morning, everyone. My name's John Delaney, and I'm the commission's designated presiding officer for this hearing today. Today is January 24th, 2025, and it's about 9:00 a.m. This is the date and time that is scheduled for the consolidated virtual hearing in three dockets.

First docket is docket 24-057-25, which is the Application of Enbridge Gas Utah to Change the Rural Expansion Rate.

Second docket is 24-057-26, which is the Application of Enbridge Gas Utah For an Adjustment to the Daily Transportation Imbalance Charge.

And finally, the third docket is docket 25-057-01, and that is the Pass-Through Application of Enbridge Gas Utah for an Adjustment in Rates and Charges for Natural Gas Service in Utah.

Okay. Why don't we start with appearances, and let's start with Enbridge, please.

JENNIFFER CLARK: Thanks so much. My name is Jenniffer Clark, and I'm counsel for Enbridge Gas Utah.

And I have with me three witnesses today, one for each docket. In the first docket we'll have Austin Summers speaking on behalf of the company, in the second we'll have Tyson Lowder, and in the third we'll have

1 Austin Stewart.

2 JOHN DELANEY: When you said first, second, and  
3 third, were you going in order? 25, 26, 20 -- or, 01?

4 JENNIFFER CLARK: I was, yeah.

5 JOHN DELANEY: Okay. Thank you. Ms. Schmid.

6 PATRICIA SCHMID: Thank you, good morning. The  
7 division -- I'm Patricia Schmid from the Attorney  
8 General's Office representing the Division.

9 The Division has two witnesses for these three  
10 dockets: Mr. Eric Orton and Mr. Ryan Daigle. And  
11 embarrassingly, I am trying to figure out which docket  
12 Mr. Orton is in because it's not in my notes.

13 I believe he is doing the rural expansion  
14 change. Is that correct, Eric? Thank you. Okay. I'm  
15 recovered now. Thanks. That's it.

16 JOHN DELANEY: Okay. Thank you very much.

17 I've got a few preliminary matters, and I'll  
18 just go through them. And if you all have any -- well,  
19 actually, does anybody have any preliminary matters right  
20 now before I jump into mine? Okay.

21 JENNIFFER CLARK: I do, just by way of heads  
22 up. You will have noticed that the division submitted an  
23 updated and corrected Exhibit 1.06. We agree with those,  
24 and our witness intends to adopt them, and we will offer  
25 that exhibit as -- into the record.

1           And then we will also identify a small  
2           typographical error in the Division's memo. It's a  
3           little unorthodox, but we believe it will help the  
4           hearing move pretty smoothly, and Ms. Schmid and I have  
5           already discussed it. I just wanted to give you a heads  
6           up.

7           JOHN DELANEY: Okay. Thank you for that heads  
8           up. I had prepared because of -- for you guys not having  
9           done this, having not gotten any reply comments.

10           And so while you all may do that, we may still  
11           end up doing my very long line of questioning to make  
12           sure that the record is where I think it needs to be, and  
13           that we get the clarity, because I'm still quite  
14           confused, that we need.

15           So thank you for your cooperation in what your  
16           witnesses will provide, and let's see if I can avoid  
17           overlap. And if I can't, then I can't.

18           PATRICIA SCHMID: That's okay. All right.

19           JOHN DELANEY: Okay. So that brings us to my  
20           first preliminary matter, which is a clear record on  
21           this.

22           And I guess I'm -- I'm always a clear record  
23           guy, but because I'm confused I'm more of a clear record  
24           guy today.

25           So Sean is our court reporter, and I am, as

1 usual, going to allow Sean to interrupt anybody at  
2 anytime if Sean is having a difficult time getting the  
3 clarity that he believes he needs for the transcript. So  
4 don't be offended. Sean, there's your carte blanche.

5 And I think I've already answered this other  
6 question, but Enbridge did not file a reply, correct?

7 JENNIFFER CLARK: We did not.

8 JOHN DELANEY: All right. So, and then -- and  
9 this is why I was asking the order of the witnesses,  
10 Ms. Clark, because for various reasons which might become  
11 clear if we were to proceed along my lines, we're going  
12 to go in a different order. We're going to do the  
13 pass-through first. So 25-057-01.

14 Then we are going to do the tick docket, which  
15 is the 24-057-26.

16 Then we will conclude with the RERA docket,  
17 which is the 24-057-25.

18 Does that present any issues respect to witness  
19 availability, Ms. Clark?

20 JENNIFFER CLARK: No. No, that's fine. We're  
21 all here.

22 JOHN DELANEY: Ms. Schmid? Okay.

23 PATRICIA SCHMID: No issues from the Division.

24 JOHN DELANEY: And I don't know that this is  
25 the right way to do it, but it seemed to reconcile some

1 lingering confusions I had in my mind. So that's what  
2 we're going to start with.

3 So let's start with the first docket, which  
4 is -- let's start with the first docket, yes. Which is  
5 25-057-01.

6 Please, Ms. Clark, call your first witness.

7 JENNIFFER CLARK: Thank you so much. The  
8 company calls Austin Stewart.

9 JOHN DELANEY: Hello, Mr. Stewart. Sorry, I  
10 don't see you on the screen.

11 JENNIFFER CLARK: Mr. Stewart, can you please  
12 speak so you can pop onto the main screen?

13 AUSTIN STEWART: Oh, yes. Can you see me now?

14 JOHN DELANEY: I'm sorry, I'm toggling  
15 between -- I'm on a laptop and --

16 AUSTIN STEWART: Can you -- I turned on my  
17 video. Can you see me?

18 JENNIFFER CLARK: There you are. I see you.

19 JOHN DELANEY: You do see him? I -- sorry, I  
20 don't see him. Ms. Schmid, do you see Mr. --

21 PATRICIA SCHMID: I too am toggling. Hold on  
22 just one moment.

23 AUSTIN STEWART: I unmuted my laptop.

24 PATRICIA SCHMID: Yeah, I see him now.

25 JOHN DELANEY: Oh, I do too now in the upper



1 left-hand cor- -- I got it. Great shirt/tie combination,  
2 right? That's the guy?

3 AUSTIN STEWART: Correct.

4 JOHN DELANEY: Wonderful, thank you very much.  
5 Okay. Mr. Stewart, do you swear to tell the truth today?

6 AUSTIN STEWART: Yes.

7 JOHN DELANEY: Thank you very much. You're  
8 sworn. Please proceed.

9 JENNIFFER CLARK: Thank you.

10 AUSTIN STEWART,  
11 called as a witness herein, having been first duly sworn  
12 to tell the truth, was examined and testified as follows:

13 EXAMINATION

14 BY JENNIFFER CLARK:

15 Q. Mr. Stewart, please state your name and  
16 business address for the record.

17 A. My name is Austin Stewart. My business address  
18 is 333 South State Street, Salt Lake City, Utah.

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

20 A. I am a Regulatory Analyst 3.

21 Q. And, Mr. Stewart, did you prepare or cause to  
22 be prepared the application in this matter and the  
23 accompanying Exhibits 1.1 through 1.10?

24 A. Yes.

25 Q. Do you have any corrections to any of those

1 exhibits?

2 A. Yes, I do.

3 In relation to the comments given by the  
4 Division of Public Utilities, there are two changes to be  
5 made in the EGU application.

6 On page 1 in the first paragraph, "\$10.05"  
7 should say "\$10.02," and "1.55 percent" should say  
8 "1.54 percent."

9 Also, on page 9 in Section 21, "1.55" should  
10 say "1.54 percent," and "\$10.05" should say "\$10.02."

11 The Company also adopts the corrections made in  
12 the Division's comments to Exhibit 1.06U. These changes  
13 do not have any effect on the rates filed in this  
14 pass-through filing.

15 Q. Mr. Stewart, with those corrections and the  
16 adoption of EGU Exhibit 1.06U, do you adopt the contents  
17 of those documents as your testimony today?

18 A. Yes.

19 JENNIFFER CLARK: The Company moves for the  
20 admission of the application and accompanying  
21 Exhibits 1.1 through 1.10. And, in addition, EGU  
22 Exhibit 1.06U, which was offered by the Division. And we  
23 move for those to be admitted into the record.

24 JOHN DELANEY: Thank you. Any objection,  
25 Ms. Schmid, to that motion? You have to say it audibly.

1 PATRICIA SCHMID: No objection.

2 JOHN DELANEY: Thank you. The motion is  
3 granted.

4 JENNIFFER CLARK: Thank you so much.

5 Q. (By Jenniffer Clark) Mr. Stewart, would you  
6 please summarize the relief the Company seeks in this  
7 docket?

8 A. Yes. In Pass-Through Docket number 25-057-01,  
9 Enbridge Gas respectfully asks the Utah Public Service  
10 Commission for approval of 654,242,827 in Utah gas  
11 coverage. This represents an overall decrease of about  
12 17.3 million.

13 The components of this decrease are, first, a  
14 decrease of about 15.1 million in commodity costs; and  
15 second, a decrease of about 1.1 million in supplier  
16 non-gas costs.

17 The decrease being proposed is due to an over  
18 collection of commodity expense within the 191 account.  
19 As always, the cost to purchase gas was developed using  
20 the forecast gas prices from both S&P Global Platts  
21 forecast and Platts New York and Platts New York  
22 Mercantile Exchange Forward Curve.

23 In the previous pass-through filings filed on  
24 October 1st, 2024, the Company was permitted to keep the  
25 commodity amortization rate at 0 to help avoid

1 unnecessary rate volatility and increase rate  
2 stabilization.

3 As promised, the Company monitored the balance  
4 of the account to determine an appropriate time to file  
5 for an adjustment. The Company views this filing as a  
6 time to adjust rates.

7 The 191 account is still over collected, and  
8 the Company would like to return that money to customers.  
9 Additionally, we are at a point in the winter season that  
10 customers can take advantage of this decrease.

11 The Company requests to amortize the over  
12 collected 191 account amount of approximately  
13 \$60 million, which leads to the credit amortization  
14 charges shown in EGU Exhibit 1.5, page 6.

15 RIN proceeds of 238,000 -- approximately  
16 238,000 were generated through the companies TNG station  
17 decreasing the NGV class commodity by a credit of  
18 approximately \$1.19.

19 The company requests to amortize the  
20 under-collected SNG costs of about 14.7 million, which  
21 leads to a credit amortization charges also shown in EGU  
22 Exhibit 1.5, page 6.

23 If this application is approved, a typical Utah  
24 GS customer using 70 decatherms per year would see a  
25 decrease of \$10.02, or a total annual decrease of about

1 1.54 percent.

2 These rates are just, reasonable, and in the  
3 public interest; therefore, we request the proposed rates  
4 be allowed to go into effect on February 1st, 2025, on an  
5 interim basis. That concludes my summary.

6 JENNIFFER CLARK: Thank you, Mr. Stewart.  
7 Mr. Stewart is now available for cross-examination and  
8 also questions from the Hearing Officer.

9 JOHN DELANEY: Thank you very much.  
10 Ms. Schmid, any questions for this witness?

11 PATRICIA SCHMID: No questions. Thank you.

12 JOHN DELANEY: Thank you.

13 EXAMINATION

14 BY JOHN DELANEY:

15 Q. Well, Mr. Stewart, I do have some questions,  
16 and I'm trying to -- I mean, if you were here at the very  
17 beginning you heard my long rambling explanation of where  
18 I might go. But given your summary, I'm going to try  
19 -- I'm going to try to not overly duplicate, but I do  
20 have some questions for you?

21 One thing I'll ask you in advance, do you have  
22 the Division's comments filed on January 21st, 2025,  
23 which included what is now called Exhibit 1.06U?

24 A. Yes, I have those in front of me.

25 Q. Okay, great. Keep them handy, please.

1           So are you familiar with those comments and  
2           that exhibit?

3           A.    Yes.

4           Q.    Thank you.  I've got to just -- I've got to  
5           ask, why didn't EGU file this exhibit?  Why did it happen  
6           this way?  Why did -- so this is a corrected exhibit by  
7           EGU, correct?

8           A.    Yes.

9           Q.    Okay.  And you've adopted it, this 1.06U, as  
10          EGU's exhibit, right?

11          A.    Correct.

12          Q.    So why didn't EGU file this on its own  
13          beforehand?

14          A.    So, originally, it was an oversight of an error  
15          that was made in the filing.  And at the point that the  
16          Division had let us know that they found the mistake, we  
17          had told them that they could proceed to file the  
18          exhibit.

19          Q.    Okay, thank you.

20                 And the reason I raise that is not to be  
21          persnickety or to, you know, bother anybody, but I was  
22          left to rely upon DPU's representation of what you all  
23          had said about this issue that was identified as  
24          a "error."

25                 So, thus, in my rambling introduction today

1 about why I might have a lot a lot of questions and being  
2 confused. But as I said, I think your summary's gone a  
3 long way to clarifying that.

4 But in the future, think -- just think a little  
5 longer about, "How is this going to shake out?" Relative  
6 to any hearing, for example.

7 Because -- just think it through, okay? That's  
8 all. Thank you.

9 A. Yeah, thank you.

10 Q. But I am going to have to ask you some  
11 questions about what was represented by DPU because I  
12 don't have anything from you. So I've got to confirm  
13 some things.

14 So if you have that document, the comments  
15 dated January 21 in front of you. These should be pretty  
16 quick.

17 A. Yes, okay.

18 Q. Okay. I want to make sure -- I just want this  
19 on the record.

20 So this application will result in an annual  
21 decrease in the bill of a typical GS customer using 70  
22 decatherms per year, correct?

23 A. Yes.

24 Q. Okay. In those comments of DPU, it represents  
25 that Exhibit 1.06, when originally filed by EGU, was

1 incorrect. You agree with that position, right?

2 A. Yes.

3 Q. Okay. And based on your changes that you  
4 testified about, I don't need to worry about that one.

5 Okay. There's some -- I'm confused by the  
6 EGU -- I mean, sorry, the DPU quote -- well, there's a  
7 quotation in the comments on page 2, I think. And I just  
8 want you to look at that for a moment with me because I'm  
9 pretty sure I understand it, but I need your help, and  
10 then I'll get final help from EGU -- or, I mean DPU.

11 But on page 2, the first full paragraph  
12 addressing this docket. So it's headed "Docket  
13 25-057-01." Do you see that heading on page 2 of the  
14 comments?

15 A. Yes.

16 Q. Okay. So if we go down there's a discussion  
17 that begins with "for verification."

18 In essence, it says that when DPU identified  
19 this error, which was incorrect in the filing, the  
20 Division asked the Company for verification.

21 So that looks like it's the second to last full  
22 sentence in that paragraph. Can you see that the  
23 Division asked the Company for verification?

24 A. Yes.

25 Q. Okay. So I'm just going to read that. So,



1 "The Division asked the Company for verification of the  
2 originally filed numbers and received the following reply  
3 in an e-mail from the company," comma, quote, "'The  
4 pass-through rate adjustment was incorrectly filed with  
5 rates from July 1, 2024. The corrected exhibit for the  
6 pass-through is attached as EGU Exhibit 1.6U period.'"   
7 Period, quote.

8 Were you the author of this e-mail and this  
9 correspondence with DPU?

10 A. So for this e-mail I was not.

11 Q. Do you know who was?

12 A. I believe I do, yes.

13 Q. Have you seen this e-mail?

14 A. Actually, I -- yes, I have seen this e-mail.

15 Q. Okay. Because what I'm -- where I'm going here  
16 is, then if we read the next -- it continues, this last  
17 sentence says, "This does not affect the calculated rates  
18 in Exhibit 1.1 through 1.10, and the tariff sheets are  
19 correct.'" Period, quote.

20 So I'm trying to find out what EGU said or  
21 didn't say because this last sentence is a -- closes with  
22 a quote. There's not an opening quote, but there's a  
23 closing quote to the preceding sentence.

24 So I'm sorry to bother you with this. I will  
25 similarly bother DPU, but since we don't have anything

1 I'd like to know, is that the representation that the  
2 Company made, that this does not affect the calculated  
3 rates in those exhibits and that the tariff sheets are  
4 correct?

5 A. Yes. So I'll make two comments to that. So  
6 I'm looking at the e-mail right now in front of me, and  
7 in that e-mail it said, "The Pass Through was incorrectly  
8 filed with November 1st, 2024, rates, and the Rural  
9 Expansion Rate Adjustment was incorrectly filed with  
10 rates from July 1st, 2024."

11 So the rates for the pass-through were  
12 incorrectly filed with those November 1st rates. And it  
13 looks like the comments in the DPU might have  
14 been -- just had one date wrong there, but they are  
15 correct by saying that that mistake does not affect the  
16 calculated rate in Exhibits 1.7 to 1.10, and the tariff  
17 sheets are indeed correct.

18 Q. Okay, that's helpful. I spent a lot of time  
19 determining on my own that November 1st was the date, not  
20 July 1st, but I'll double check that with DPU if  
21 appropriate.

22 You're looking at the source e-mail, correct,  
23 Mr. Stewart?

24 A. Yes, I have it printed out in front of me.

25 Q. Okay, thank you. Okay. So back to this

1 document. I think I know the answer to this, but for the  
2 record, why don't you state why Exhibit 1.06U does not  
3 affect the calculated rates in Exhibits 1.7 through 1.10.

4 A. So the purpose of this exhibit is just to show  
5 a comparison of what rates previously were to what rates  
6 will be, given that this pass-through goes into effect.

7 So in the original file of the EGU Exhibit  
8 1.06, we were comparing the rates that we are proposing  
9 to rates that were effective November 1st, 2024.

10 However, we -- myself, I lack to see that there  
11 were rates that were approved that were going to be filed  
12 on January 1st, 2025.

13 And so the rates themselves that were proposed  
14 did not change. It's just what those rates were compared  
15 to is what changed.

16 Q. Okay, thank you very much. That was a very  
17 helpful explanation.

18 And then, finally, on this point, you did  
19 testify that with respect to that paragraph that I was  
20 struggling with that, in fact, the tariff sheets are  
21 correct; that's accurate, right?

22 A. Yes.

23 Q. And I know you didn't write this, but I'm not  
24 quite sure who said what. So it's referring to tariff  
25 sheets that are correct. May I extend that by saying

1 that those tariff sheets actually are Exhibits 1.07 to  
2 1.10?

3 A. Yes, that's correct.

4 Q. Okay. All right. Last two questions.

5 So is it EGU's position that the errors in this  
6 docket does not impact any of the financial analysis  
7 reflected in the application, or in any other -- in any  
8 of the other exhibits filed by EGU in this application?  
9 I can break that down if that was too --

10 A. Yes. Yeah, break that down. I want to say  
11 yes, but let's break that down a little.

12 Q. Okay, I appreciate that. What I'm trying to  
13 get at here is, we have a filing date, we have deadlines,  
14 and we have certain latitudes relative to what needs to  
15 be accurate and correct within a period of time.

16 So the first -- so the question is hinged on  
17 that this error does not do any of the following. So the  
18 error does not impact any of the financial analysis  
19 reflected in the application; is that accurate?

20 A. Yes. It does not.

21 Q. Okay. The error also does not affect any of  
22 the financial analysis that is offered or may be offered  
23 in any of the exhibits filed with the application in this  
24 docket, correct?

25 A. Correct.

1 Q. Okay. And then, finally, the error does not  
2 affect the ultimate rate changes as requested in the  
3 tariff sheets as submitted, correct?

4 A. Correct.

5 JOHN DELANEY: Okay, thank you. That's all I  
6 have. Thank you very much.

7 Why don't we move to the Division, please.

8 PATRICIA SCHMID: Thank you. The Division's  
9 witness for this docket, the Pass-Through Docket  
10 25-057-01, is Mr. Ryan Daigle. I will note that  
11 Mr. Daigle prepared a joint memorandum in confidential  
12 and redacted form covering both the 01 Pass-Through  
13 Docket and the Transportation and Balance Charge Docket,  
14 which is the 26 docket.

15 May Mr. Daigle please be sworn?

16 JOHN DELANEY: Yes, thank you very much. Good  
17 morning, Mr. Daigle.

18 RYAN DAIGLE: Good morning.

19 JOHN DELANEY: Do you swear to tell the truth?

20 RYAN DAIGLE: I do.

21 JOHN DELANEY: Great. Thank you. Ms. Schmid,  
22 please proceed.

23 PATRICIA SCHMID: Thank you.

24 RYAN DAIGLE,  
25 called as a witness herein, having been first duly sworn

1 to tell the truth, was examined and testified as follows:

2 EXAMINATION

3 BY PATRICIA SCHMID:

4 Q. Did you -- Mr. Daigle, could you please state  
5 your employer, your title, and your business address.

6 A. I work for the Division of Public Utilities as  
7 a Utility Analyst. My business address is 160 East 3400  
8 South, Salt Lake City, UT 84114.

9 Q. Have you participated in the 01 docket on  
10 behalf of the Division?

11 A. I have.

12 Q. Have you reviewed the application and had  
13 discussions with the Company in this -- regarding this  
14 docket?

15 A. Yes, I have.

16 Q. Did you -- and I'm going to break my next  
17 question up into the memo itself and then the exhibit.

18 Did you prepare or cause to be prepared the  
19 Division's Memorandum in this docket filed on January  
20 21st in confidential and redacted form?

21 A. I did.

22 Q. Do you have any changes or corrections to that  
23 memorandum insofar as it addresses the 01 docket?

24 A. I do, and hopefully this will clear up some of  
25 the questions the Presiding Officer had for EGU earlier.

1           On page 2 of the initial comments, in the  
2           section under the heading "Docket Number 25-057-01,"  
3           where the company is quoted, "The Pass-Through rate  
4           adjustment was incorrectly filed with rates from July  
5           1st, 2024," the month should be corrected from "July" to  
6           "November," and it also looks like there is an extra,  
7           unnecessary quotation mark after the final sentence in  
8           that same paragraph ending, "Tariff sheets are correct."

9           Q.    And we have discussed it just moments ago, but  
10          is it correct that the Company provided the Division the  
11          copy of the attachment?

12          A.    That is true.

13          Q.    And is it your testimony that what is attached  
14          to your memo is a true and correct copy of what the  
15          Company provided?

16          A.    It is.

17          Q.    And is it also correct that you had discussions  
18          with the Company about attaching its revised exhibit to  
19          the Division's memo?

20          A.    That is correct.  Yes, I did have conversations  
21          with them.

22                PATRICIA SCHMID:  Thank you.  What I would like  
23                to do is move for the admission of the Division's January  
24                21st Memo in Confidential and Redacted Form, as  
25                corrected.

1           At this point, since the DEU -- sorry, since  
2           the Enbridge exhibit has already been admitted, I'm not  
3           going to move for its admission, but I will note that we  
4           just had a discussion about how it became attached to our  
5           memorandum.

6           With that long explanation, the Division would  
7           like to move for the admission of its January 21st  
8           memorandum in the 01 docket.

9           JOHN DELANEY: Okay. So just to be clear, you  
10          in essence want to move for the admission of the comments  
11          without the exhibit?

12          PATRICIA SCHMID: If it would be easier we  
13          could also move to have the exhibit admitted as part of  
14          our comments with the explanations that have been given.  
15          I wasn't -- I'm not exactly sure what I should do.

16          JOHN DELANEY: You know, I think duplicating  
17          the Exhibit 1.06U is fine at this point, and since the  
18          division's memo or comments were a self-contained  
19          document, I think it makes sense.

20          I'll ask Ms. Clark if she has any objection to  
21          either the motion as made or as modified by me.

22          JENNIFFER CLARK: No. No objection. We  
23          support it either way.

24          JOHN DELANEY: Okay. Let's just do it the easy  
25          way and admit the entire thing.



1 PATRICIA SCHMID: Perfect.

2 JOHN DELANEY: Okay. So your motion as  
3 modified is granted. Thank you.

4 Q. (By Patricia Schmid) Mr. Daigle, do you have a  
5 summary to present?

6 A. I do.

7 Q. Does your summary contain any confidential  
8 information?

9 A. It does not.

10 Q. Thank you. With that, could you please present  
11 your summary?

12 A. In Docket No. 25-057-01, or the 191  
13 Pass-Through Application, Enbridge Gas Utah, or Enbridge,  
14 requests approval for a decrease of \$17,391,911 in its  
15 Utah natural gas rates.

16 The company proposes to increase the base gas  
17 commodity rates for the GS and FS classes from the  
18 previously approved \$4.25170 to \$4.60945 per decatherm  
19 and change the commodity amortization rate from \$0 per  
20 decatherm to \$0.49090 per decatherm as a credit.

21 Enbridge states in their application the  
22 driving force behind the requested decrease is an over  
23 collection within the 191 amortization account.

24 At the time of filing, the 191 account was over  
25 collected by approximately \$60 million, which has

1 influenced the rate change from a debit amortization rate  
2 to a credit amortization rate.

3 If this application is approved, a typical GS  
4 residential customer using 70 decatherms per year will  
5 see a decrease in their total annual bill of \$10.02 or  
6 1.54 percent.

7 If all dockets are approved, the total impact  
8 to a customer's bill who uses 70 decatherms per year is  
9 \$9.04, or a 1.39 percent decrease.

10 After reviewing the Company's application,  
11 exhibits, and prior 191 pass-through filings, the  
12 Division recommends the Commission approve Enbridge's  
13 requested rate decrease in this application.

14 The proposed change is in the public interest  
15 and represents just and reasonable rates. Because the  
16 191 is subject to a Division audit, the Division  
17 recommends the Division approve the requested rate change  
18 on an interim basis in this docket with an effective date  
19 of February 1st, 2025.

20 This concludes my summary.

21 Q. Thank you. Mr. Daigle, in your summary you  
22 referenced the net effect of all the changes in the  
23 dockets.

24 What dockets, in addition to this 01 docket,  
25 were you referring to?

1 A. The Pass-Through Application, 25-057-01, and  
2 the Rural Expansion, 24-057-25.

3 PATRICIA SCHMID: Thank you. With that,  
4 Mr. Daigle is available for cross-examination questions  
5 and questions from the Presiding Officer.

6 JOHN DELANEY: Thank you very much. Ms. Clark,  
7 any questions for Mr. Daigle?

8 JENNIFFER CLARK: We have no questions. Thank  
9 you.

10 JOHN DELANEY: Okay, thank you. Good morning,  
11 Mr. Daigle, I do have a couple of questions, although  
12 your corrections and your summary was very, very, very  
13 helpful. Thank you. So now I've got to cherry-pick. So  
14 give me a minute. Let's stay on the theme of corrections  
15 for one -- for a moment.

16 EXAMINATION

17 BY JOHN DELANEY:

18 Q. I'm assuming you have the comments -- the  
19 January 21 comments available at your fingertips?

20 A. My initial comments?

21 Q. Yeah. Well, when you say "initial,"  
22 weren't there only set of comments?

23 A. Yes, but that's the title of the document.

24 Q. Oh, I'm sorry. Yeah. I'm using the date  
25 instead of the title. Yes, your initial comments.

1 A. Yes, they're available.

2 Q. Great. So if we look at that section of that  
3 document on page 2 that you previously made some  
4 corrections to, which is titled "Docket 25-057-01," and  
5 if I didn't hear this I apologize, but I'm going to ask  
6 it again.

7 If -- beginning with the second -- the third  
8 full sentence, which begins, "If the Commission  
9 approves." Do you see --

10 A. Okay.

11 Q. -- that sentence? Okay. So let me read this  
12 for a moment.

13 "If the Commission approves the proposed rate,"  
14 comma, "a typical GS customer using 70 decatherms per  
15 year will see a decrease in their total annual bill of  
16 approximately \$10.02, or 1.54 percent." Period.

17 "Exhibit 1.6, as originally filed," comma,  
18 "shows the monthly change to a typical GS customer of  
19 \$10.05 per year, or 1.55 percent." Period.

20 "This was incorrect in the initial filing."  
21 Period. "The attached corrected exhibit, 1.6U, shows  
22 that the annual increase is not \$10.05 but rather \$10.02  
23 per year, or 1.54."

24 Did you follow me on that?

25 A. Yes, that should be decrease.

1 Q. Okay. So on that last sentence, "annual  
2 increase" should be "decrease"?

3 A. Correct.

4 Q. Okay, great. Thank you. I'm going to try to  
5 be really efficient on this one.

6 You, were present when Mr. Stewart testified  
7 just a few minutes ago, correct?

8 A. I was.

9 Q. And you listened to that testimony?

10 A. I did.

11 Q. Okay. So is there anything that you dispute or  
12 disagree with regarding his testimony?

13 A. No, I agree with his comments.

14 Q. Okay, thank you. And based on your correction  
15 of the erroneous -- the erroneous close quotation mark,  
16 you remember that testimony?

17 A. I do.

18 Q. Okay. It's the Division's position that the  
19 corrected Exhibit 1.06U does not affect the calculated  
20 rates in Exhibits 1.7 through 1.10 and that the tariff  
21 sheets are correct; is that accurate?

22 A. That is our position, yes.

23 Q. Okay.

24 A. That is our position.

25 Q. Okay. I know now where the quotation belongs.

1           Okay. The final question is -- I want your  
2 thoughts on this, but it is a question.

3           But on that same page, the last full paragraph  
4 on page 2 prior to the "LNG Facility" heading.

5           A. Yes.

6           Q. There's a discussion of what I'll call "The  
7 30-day Rule," which is something that exists in statute  
8 and rules, as noted in your comments.

9           And so I guess my question is, given  
10 Mr. Stewart's testimony and your position that the  
11 calculated rates in Exhibits 1.7 through 1.10 are  
12 accurate, and the tariff sheets are correct as originally  
13 filed, I'm trying to understand why you think the 30-Day  
14 Rule might apply here. Is it based just on the filing  
15 date, or is it based on --

16          A. Yes.

17          Q. -- some substantive change?

18          A. The filing date.

19          Q. Okay. So this is where I'd like your thoughts  
20 on this, because by my calculations --

21          A. It may be 30 --

22          Q. -- the 30 day -- I'm sorry. I'm sorry, what's  
23 that?

24          A. My apologies.

25          Q. No, that's okay. Go ahead. Say what you were

1 going to say.

2 A. By your calculation it is past that -- it is  
3 within that requirement.

4 Q. Well, it falls actually on the exact date,  
5 which falls on a Saturday, which is, you know, another X  
6 factor.

7 So I just wanted to get a better understanding  
8 of your position because I think -- I think we're in  
9 compliance with the 30-Day Rule from a filing date and  
10 effective date perspective, but I would welcome any other  
11 point of view.

12 A. In my attempt to be preventative I've created  
13 more confusion. My apologies.

14 Q. That's okay. That's okay. So by my  
15 calculations, filing on the 2nd and then beginning  
16 counting on the 3rd, the day after the action, that would  
17 take us through Saturday, February 1st, which is when  
18 they -- the entity has requested the effective date.

19 And if you want to do a quick math check I'd  
20 welcome it, but otherwise let's just stick with that.

21 JOHN DELANEY: Okay. Okay, thank you,  
22 Mr. Daigle. We are finished. I have no further  
23 questions for you on this docket, but we'll see each  
24 other again soon.

25 Okay. Why don't we move onto the next docket,

1 which is the -- which is docket 24-057-26, which is the  
2 Transportation Imbalance Charge docket.

3 And I'll ask Ms. Clark, please call your first  
4 witness.

5 JENNIFFER CLARK: The Company calls Tyson  
6 Lowder, and I will ask Mr. Lowder to unmute briefly so he  
7 can be seen on your screen.

8 TYSON LOWDER: Good morning, everyone.

9 JOHN DELANEY: Okay. Hi, Mr. Lowder. Good  
10 morning. Can you hear me?

11 TYSON LOWDER: Yep, I can hear you.

12 JOHN DELANEY: Okay, thank you. Do you swear  
13 to tell the truth?

14 TYSON LOWDER: I do.

15 JOHN DELANEY: Okay, thank you. You are sworn.  
16 Ms. Clark, please proceed.

17 JENNIFFER CLARK: Thank you so much.

18 TYSON LOWDER,  
19 called as a witness herein, having been first duly sworn  
20 to tell the truth, was examined and testified as follows:

21 EXAMINATION

22 BY JENNIFFER CLARK:

23 Q. Mr. Lowder, will you please state your full  
24 name and business address for the record.

25 A. Yes, it's Tyson Lowder and the address is 333



1 South State Street, Salt Lake City, Utah, 84111.

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

3 A. I'm a Regulatory Analyst 2.

4 Q. Mr. Lowder, did you prepare or cause to be  
5 prepared the application in this matter, as well as  
6 accompanying Exhibits 1.1 through 1.5?

7 A. I did.

8 Q. And do you adopt the contents of those  
9 documents as your testimony today?

10 A. I do.

11 JENNIFFER CLARK: The Company moves to admit  
12 the Application in this matter, as well as the  
13 accompanying Exhibits 1.1 through 1.5.

14 JOHN DELANEY: Thank you very much.  
15 Ms. Schmid, any objection to the motion?

16 PATRICIA SCHMID: No objection.

17 JOHN DELANEY: Thank you. The motion is  
18 granted.

19 JENNIFFER CLARK: Thank you.

20 Q. (By Jenniffer Clark) Mr. Lowder, can you  
21 please summarize the relief the Company seeks in this  
22 docket?

23 A. Yes. In this docket the Company requests an  
24 adjustment to the transportation imbalance charge to  
25 appropriately collect costs that are associated with

1 managing the imbalanced decatherms that have been  
2 transported on the on the Company's distribution system.

3 The proposed imbalance charge reflects the cost  
4 borne by the Company to manage the net imbalance  
5 decatherms. This is calculated by total cost divided  
6 over the -- divided by the imbalanced decatherms for each  
7 transportation service customer that are over the  
8 5 percent tolerance threshold.

9 The resulting imbalance rate of 7.64 cents is a  
10 9.4 percent increase than the current transportation  
11 charge in effect.

12 This charge will only be applied to the  
13 transportation service volumes that differ from nominated  
14 volumes more than 5 percent. The transportation  
15 imbalance charge continues to serve its intended purpose  
16 and is just, reasonable, and in the public interest.

17 The Company requests approval of these interim  
18 rates effective February 1st, 2025.

19 This concludes my summary.

20 JENNIFFER CLARK: Mr. Lowder is now available  
21 for cross-examination and questions from the Hearing  
22 Officer.

23 JOHN DELANEY: Thank you very much.  
24 Ms. Schmid, any questions for Mr. Lowder?

25 PATRICIA SCHMID: No questions for Mr. Lowder.

1 Thank you.

2 JOHN DELANEY: Thank you. I do have a couple  
3 of questions for you, Mr. Lowder. Good morning.

4 TYSON LOWDER: Good morning.

5 EXAMINATION

6 BY JOHN DELANEY:

7 Q. Do you have DPU's initial comments dated  
8 January 21st, 2025, available?

9 A. Yes, I do.

10 Q. Okay. I'd like you to flip to page 9 of that  
11 document.

12 A. Okay.

13 Q. Okay. So in that first incomplete paragraph,  
14 the paragraph begins at the top of the page with the  
15 word, "Rate." Do you see that paragraph?

16 A. Yes, I do.

17 Q. Okay. DPU's comments note that it had to  
18 request from EGU information that the Commission had  
19 previously ordered EGU to provide with filings like this.

20 Do you dispute that assertion?

21 A. No. Yeah, we -- I do see that here, and we did  
22 send that over to them, the corrected one.

23 Q. Okay. So the answer to my question is "no,"  
24 you don't dispute it, right?

25 A. Correct.

1 Q. Okay. Because then DPU does further note that  
2 EGU did provide, that same day, the information that it  
3 was supposed to provide in the first instance.

4 So my question to you, is there something else  
5 that the Commission needs to do to help EGU provide what  
6 it's been ordered to provide without making the Division  
7 have to take the laboring oar to get it?

8 A. No. That was -- that was just an oversight on  
9 our part here. We just updated the wrong model, but I've  
10 corrected that going forward and it shouldn't be an issue  
11 again.

12 Q. Okay. Thank you very much.

13 And I guess the final question I -- it's not  
14 substantively confusing, but it's kind of procedurally  
15 confusing, which is -- so if this was a corrected  
16 exhibit, as DPU's comments suggest, why wasn't that filed  
17 with the PSC?

18 A. I'm not sure why we didn't get that filed. We  
19 just responded to the e-mail to Mr. Daigle.

20 Q. But as it stands now, the docket --

21 A. And --

22 Q. Let me just ask this.

23 As it stands now, the docket has an exhibit as  
24 part of it that is either, I guess, the best way to say  
25 it would be "incomplete." Isn't that accurate?

1           A.    I wouldn't say it was incomplete as far as the  
2           correct data's there for what we're filing, but it does  
3           have that missing historical data.

4           Q.    Well, let me ask it this way.  Next time we  
5           have one of these dockets there will be an -- there will  
6           be attached to the application an exhibit that has  
7           certain data, and in this case I don't know what the  
8           exhibit number is because it's not provided, but let's  
9           just call it "Exhibit 1.1."

10                  And 1.1 is something that you will attach to  
11           the application.  That's one hand.

12                  The other hand is, we have DPU's needs, as  
13           reflected in a previous Commission order, for certain  
14           data.  I think those are one in the same.  Are they not?

15                  That is, Exhibit 1.1 would be the exhibit that  
16           has the data that DPU needs to do its analysis.  If  
17           that's inaccurate just tell me, and we'll talk through  
18           it.

19           A.    No, that is correct.

20           Q.    Okay.  So then I'm going to circle back, and  
21           I'm going to say, again, the corrected exhibit that was  
22           provided to DPU corrects an exhibit that is already  
23           pending in the docket, right?

24           A.    Correct.

25           Q.    Therefore, the existing docket exhibit

1 is -- I'll use the word "incorrect." I used the word  
2 "incomplete," but I'll use the word "incorrect" because  
3 you didn't like "incomplete." Is that right?

4 A. Correct.

5 Q. Okay. Well, we can address that in a couple of  
6 different ways later. I just wanted to get your take on  
7 that. Thank you.

8 JOHN DELANEY: Okay. That's all the questions  
9 I have. Thank you, Mr. Lowder.

10 JENNIFFER CLARK: May I offer two questions on  
11 redirect of Mr. Lowder?

12 JOHN DELANEY: Oh, yes, please. Ms. Schmid,  
13 are you okay with that?

14 PATRICIA SCHMID: That is fine with the  
15 Division. Thank you.

16 JOHN DELANEY: Okay. Please, Ms. Clark.

17 JENNIFFER CLARK: Thank you so much. I only  
18 have a couple of questions, Mr. Lowder.

19 FURTHER EXAMINATION

20 BY JENNIFFER CLARK:

21 Q. We just spent a little bit of time talking  
22 about an exhibit that is incorrect or incomplete, choose  
23 the word you like the best.

24 Would the Company be willing to submit a  
25 supplemental filing today with the corrected exhibit

1 containing complete information as ordered by the  
2 commission?

3 A. We would.

4 JENNIFFER CLARK: Thank you. I have nothing  
5 further.

6 JOHN DELANEY: Thank you very much. And I have  
7 no follow-up to the follow-up. So please, Ms. Schmid,  
8 feel free to call your witness, Mr. Daigle, on this.

9 PATRICIA SCHMID: Thank you. The Division  
10 calls Mr. Daigle. He's been previously sworn this  
11 morning in the 01 docket. I don't know if you would like  
12 to swear him in again in this docket or if it passes  
13 through.

14 JOHN DELANEY: Well, we've already done  
15 duplicate exhibit admissions. So let's just stick with  
16 one swearing in.

17 PATRICIA SCHMID: Thank you.

18 RYAN DAIGLE,  
19 called as a witness herein, having been previously duly  
20 sworn to tell the truth, was examined and testified as  
21 follows:

22 EXAMINATION

23 BY PATRICIA SCHMID:

24 Q. Mr. Daigle, are you the same Mr. Daigle who  
25 testified earlier this morning that you are employed by

1 the Division of Public Utilities, that you prepared and  
2 caused to be filed the memorandum in the 26 docket which  
3 was combined with the Pass-Through Memorandum in the 01  
4 docket, and you also as part of that memorandum you filed  
5 included a corrected or a changed, or whatever we want to  
6 call it -- I'll call it a new exhibit from Enbridge; is  
7 that correct?

8 A. No, I did not submit any corrected exhibits for  
9 the 24-057-26 application.

10 Q. I'm sorry, I was confused. Okay.

11 The corrected exhibit referred then only to the  
12 01 docket; is that correct?

13 A. That is correct.

14 Q. Okay. Thank you for the clarification.

15 While we're on that subject, should the  
16 occasion arise again that Enbridge needs to file a  
17 correction to one of its exhibits, will the DE- -- will  
18 the Division, rather than attach the corrected exhibit to  
19 its memorandum, request that Enbridge file the corrected  
20 whatever on its own?

21 A. Yes.

22 Q. Thank you. Do you have any changes or  
23 corrections to your memorandum in the 26 docket insofar  
24 as there are the provisions relating to that part of the  
25 memorandum addressing the 26 docket?



1 A. I do not.

2 Q. With that, do you adopt the comments in the  
3 memorandum insofar as they pertain to the 26 docket as  
4 your testimony here today?

5 A. I do.

6 Q. Do you have a summary to present?

7 A. I do.

8 Q. Please proceed. Oh, one question.

9 Does your summary include any confidential  
10 information?

11 A. It does not.

12 Q. Thank you. Please proceed with your summary.

13 JOHN DELANEY: Would you -- hold on one second,  
14 Mr. Daigle.

15 Would you like to admit -- move to admit before  
16 his summary? You can do it after if you were going to do  
17 it after, but up to you.

18 PATRICIA SCHMID: Let's do it now while we're  
19 talking about that, and I would like to move to admit the  
20 memorandum in its entirety, which includes the corrected  
21 exhibit from the other docket just to make the record  
22 complete on what we're doing. And I'm also going to  
23 recommend that in the future, and maybe I should just say  
24 this to the Division, that we file separate memorandums  
25 for each docket.

1           JOHN DELANEY: Well, I -- let me just back off  
2 your motion for one second. Because from what I  
3 understand from Ms. Clark, and I will ask your witness  
4 this, but is that Enbridge will, in fact, file the  
5 corrected exhibit -- what's the number, Mr. Daigle? Just  
6 tell me that.

7           RYAN DAIGLE: The number of the exhibit?

8           JOHN DELANEY: Yeah, the exhibit.

9           RYAN DAIGLE: You are correct, it is  
10 Exhibit 1.1.

11           JOHN DELANEY: Wow, that was a really good  
12 guess. That Enbridge will be filing today Exhibit 1.1  
13 which was provided to the Division and was therefore able  
14 to be used in its analysis in making its recommendation  
15 today.

16           And so with respect to your motion, why -- how  
17 about if its framed as to what was filed by the Division?

18           PATRICIA SCHMID: That is a much better way of  
19 saying it, and I will propose that the motion be changed  
20 to ask for that.

21           JOHN DELANEY: Okay, thank you. Ms. Clark, if  
22 you're clear on that, any objections?

23           JENNIFER CLARK: I have no objection, and I  
24 confirm that we will submit an updated Exhibit 1.1 today.

25           JOHN DELANEY: Thank you very much.

1 Mr. Daigle, I interrupted you. Please proceed.

2 RYAN DAIGLE: Thank you.

3 In its application in this docket, Enbridge  
4 requests to adjust the daily transportation imbalance  
5 charge, or TIC, pursuant to the order in docket number  
6 14-057-31.

7 The TIC was established to charge  
8 transportation customers for the supplier non-gas  
9 services which are being used on the Company's natural  
10 gas distribution network. The calculation of this rate  
11 is based on the methodology approved in docket number  
12 14-057-31 and is to be adjusted with each 191  
13 pass-through and in the next general rate case.

14 This was the third TIC adjustment in 2024, and  
15 the proposed adjustment represents an increase from  
16 \$0.06982 per decatherm to \$0.07641 per decatherm and is  
17 calculated based on the actual volumes of gas used by the  
18 transportation customers for the 12 months ended November  
19 30th, 2024. This rate applies to customers who are  
20 taking service under the transportation rate schedules,  
21 and any amount collected is credited to GS customers  
22 through the 191 account.

23 This TIC rate does not impact all  
24 transportation customers and applies only when a  
25 customer's nominations are outside of a plus or minus

1 5 percent daily tolerance limit.

2 Transportation customers can minimize or  
3 entirely normalize the TIC through accurate daily gas  
4 nominations.

5 After reviewing the Company's application,  
6 exhibits, and prior TIC filings, the Division recommends  
7 the Commission approve Enbridge's request. The proposed  
8 change is in the public interest and represents just and  
9 reasonable rates.

10 Because the 191 account is subject to a  
11 Division's audit -- to a Division audit, excuse me, the  
12 Division recommends the Commission approve the requested  
13 rate change on an interim basis in this docket with an  
14 effective date of February 1st, 2025.

15 This concludes my summary. Thank you.

16 Q. (By Patricia Schmid) And just to be clear,  
17 what you are asking the Commission to approve in this  
18 docket is the TIC rate; is that correct?

19 A. That is correct.

20 Q. On an interim basis? Okay. Thank you.

21 PATRICIA SCHMID: I have nothing further.  
22 Mr. Daigle is available for cross-examination questions  
23 and questions from the presiding officer.

24 JOHN DELANEY: Thank you. Ms. Clark, any  
25 questions for Mr. Daigle on this docket?

1 JENNIFFER CLARK: I have no questions. Thank  
2 you.

3 JOHN DELANEY: Okay. Thank you. I do have a  
4 couple of questions for you, Mr. Daigle.

5 EXAMINATION

6 BY JOHN DELANEY:

7 Q. You heard Mr. Lowder's testimony with respect  
8 to this docket, right?

9 A. I did.

10 Q. Okay. Again, in an effort to be efficient, is  
11 there anything you disagree with or dispute as testified  
12 to by Mr. Lowder?

13 A. Not that I can recall.

14 Q. Okay. And I'll ask this in a different way.

15 Do you have any objection -- or the Division  
16 have any objection to the proposal that Enbridge submit  
17 the corrected Exhibit 1.1 to be included in this docket?

18 A. I do not object to that.

19 Q. Okay, thanks.

20 JOHN DELANEY: And this isn't a question, this  
21 is just a commentary to everybody. You know, one of the  
22 things, you know, I really -- I think the intention  
23 behind the -- the confusion behind all this stuff was  
24 based on great intent, and the intention was just to help  
25 make it more efficient.

1           And what I want to make clear is that, you  
2 know, I don't know that I really care how we get the  
3 exhibits, but that the issue becomes two things.

4           One is, A, we want the exhibits, for sure. But  
5 B, we need some sort of orientation as to what's going  
6 on. And that kind of begins with when something is  
7 called an "error" and then things are done differently,  
8 that compounds the level of analysis that my intuition  
9 says I need to do and understand, and consequently  
10 I -- you know, I overcomplicate things myself.

11           So I don't know that I really mind how things  
12 come in, but at the end of the day we need it, and an  
13 orientation would be helpful for two reasons.

14           One is to help this poor suffering ALJ, but the  
15 other is we're creating a record, and the record  
16 lives -- the record is there for a reason, and it lives  
17 for a long, long time.

18           And so reinventing confusing -- reinventing the  
19 narrative behind a confusing situation often doesn't  
20 succeed later. And so doing it a different way probably  
21 would kill two birds with one stone. One is it would  
22 help the ALJ; and two, it would preserve the record for  
23 later review if necessary by a third-party.

24           That all being said, I appreciate, I think, the  
25 intention behind what was done to get us to where we have

1 now worked through it. So, thank you, but going forward  
2 let's just keep those other things in thought.

3 And, Mr. Daigle, you didn't even -- I could  
4 have excused you, I'm sorry. You're -- you're -- I have  
5 no questions for you, and that wasn't for you.

6 RYAN DAIGLE: Thank you.

7 JOHN DELANEY: That's just -- okay. Well, I  
8 think that's it with the TIC docket. Why don't we move  
9 to the RERA docket, which is docket 24-057-25.

10 And, Ms. Clark, if you want to call your first  
11 witness. Or your witness, sorry.

12 JENNIFFER CLARK: Our first and only witness.  
13 The Company calls Austin Summers.

14 JOHN DELANEY: Yes, I misspoke. Good morning,  
15 Mr. Summers.

16 AUSTIN SUMMERS: Good morning.

17 JOHN DELANEY: Do you swear to tell the truth?

18 AUSTIN SUMMERS: I do.

19 JOHN DELANEY: Thank you. You're sworn.

20 Please proceed, Ms. Clark.

21 AUSTIN SUMMERS,  
22 called as a witness herein, having been first duly sworn  
23 to tell the truth, was examined and testified as follows:

24 EXAMINATION

25 BY JENNIFFER CLARK:

1 Q. Mr. Summers, can you please state your name and  
2 business address for the record.

3 A. Yes, my name is Austin Summers. My business  
4 address is 333 South State Street, Salt Lake City, Utah.

5 Q. And, Mr. Summers, what position do you hold  
6 with the Company?

7 A. I am the manager of rates and regulation.

8 Q. Mr. Summers, did you prepare or cause to be  
9 prepared the application in this docket, along with  
10 accompanying Exhibits 1.1 to 1.11?

11 A. Yes.

12 Q. And do you have any corrections to any of those  
13 documents?

14 A. I do, unfortunately, have a correction. Before  
15 I walk you through that, I'll just apologize for the  
16 confusion. In these dockets we have heard and understand  
17 and will take action based on the Hearing Officer's  
18 recommendation this morning.

19 With that, I will move to -- I'll walk you  
20 through my corrections. This was due to a catch made by  
21 the Division of Public Utilities, and it was mentioned in  
22 its comments. They provided an updated Exhibit 1.6U.

23 This change to the application is just due to  
24 the original Exhibit 1.6 using outdated rates.

25 So if you are looking at the application, I



1 will have you look at page 1 in the second paragraph of  
2 that application. It refers to -- it's on the second  
3 line there, and it says, "Yearly bills of 96.10 or .10  
4 percent."

5 That should be "0.98 or .15 percent."

6 That same correction would need to be made on  
7 page 3 in paragraph 7, closer to the end of the  
8 application.

9 This correction, just to be clear, does not  
10 affect any of the calculated rates that we're using. So  
11 the tariff sheet in Exhibits 1.7, 8, 9, and 10, those are  
12 all correct. This was just a comparison to the prior  
13 rates and the prior -- the date used for the prior rates  
14 was incorrect.

15 Q. And is that a comprehensive statement of  
16 corrections that you have? There's nothing further?

17 A. Yes, that's it.

18 Q. Thank you. And, Mr. Summers, with  
19 those corrections and your statement that the EGU  
20 Exhibit 1.06U provided by the Division is accurate, would  
21 you adopt the application and the accompanying exhibits,  
22 as corrected today and as updated in EGU 1.06U, as your  
23 testimony today?

24 A. Yes.

25 JENNIFER CLARK: The Company moves for the

1 admission of the application, accompanying Exhibits 1.01  
2 through 1.11, and also the admission of EGU Exhibit 1.06U  
3 attached to the Division's memo.

4 JOHN DELANEY: Thank you. Ms. Schmid, any  
5 objection to that motion?

6 PATRICIA SCHMID: No objection.

7 JOHN DELANEY: Okay. The motion's granted.

8 JENNIFFER CLARK: Thank you so much.

9 Q. (By Jenniffer Clark) Mr. Summers, would you  
10 please summarize the relief the Company seeks in this  
11 docket?

12 A. Yes. In docket number 24-057-25, Enbridge Gas  
13 is requesting rate recovery for investment made in the  
14 rural expansion projects from December 1st, 2023, through  
15 November 30th, 2024, and including the cost of the high  
16 pressure and intermediate high pressure mains that were  
17 installed to serve Green River and Genola.

18 It also includes the cost of the service lines  
19 that have already been installed and are serving new  
20 customers in Goshen, Elberta, Green River, and Genola.

21 This is the Company's third request under the  
22 rural expansion tracker model that was approved by the  
23 Commission in docket 19-057-31.

24 Though these communities are all being served,  
25 all but Eureka still have service lines being installed.

1 The cost of additional service lines will be brought to  
2 the Commission in future applications.

3 The investment in this docket provides the  
4 requested incremental revenue requirement of \$1,785,133.  
5 A typical GS residential customer using 70 decatherms per  
6 year will see an increase in their annual bill of \$0.98,  
7 or about -- or -- sorry, or 0.15 percent. These changes  
8 are just, reasonable, and in the public interest, and we  
9 request Commission approval of the interim rates and  
10 effective date of February 1st, 2025.

11 And that concludes my summary.

12 Q. One more question, Mr. Summers. A few more  
13 questions.

14 Have you reviewed the Division's memo in this  
15 docket?

16 A. I have.

17 Q. And do you have any clarifications you'd like  
18 to offer to the information provided there?

19 A. Yeah, I do. I have worked with the Division as  
20 it prepared its memo in this docket, and I appreciate the  
21 work that went into those comments.

22 My understanding is the Division is going to  
23 mention a minor error on the table of page 3 of its  
24 comments. And that error is just that -- let me get  
25 there, and I'll walk you through it.

1           On page 3 there's a table that is referred to  
2 as "Budgeted versus Actual Rural Expansion Project  
3 Costs."

4           And on the line for Goshen/Alberta, the budget  
5 number there reads "12,397,172." That number should read  
6 "13,297,172." So just the "2" and the "3" were  
7 transposed there, which made it look like the  
8 Goshen/Alberta project was over budget, but it is in fact  
9 still under budget.

10           That -- and that is -- I think that's the  
11 correction to that -- to the Division's comments.

12           JENNIFFER CLARK: Thank you, Mr. Summers.  
13 Mr. Summers is now available for cross-examination and  
14 questions from the Hearing Officer.

15           JOHN DELANEY: Thank you very much.  
16 Ms. Schmid, any questions for Mr. Summers?

17           PATRICIA SCHMID: No.

18           JOHN DELANEY: Okay. I do have a couple of  
19 questions, but as has happened with earlier witnesses you  
20 went a long way to clearing up some confusion I had. So  
21 bear with me so that I can cherry-pick here from my  
22 notes.

23           Okay. I think this is going to be one question  
24 with some sub parts, and I just want it clean on the  
25 record. So it's up to the questioner to ask a clean

1 question. We'll see if that happens.

2 EXAMINATION

3 BY JOHN DELANEY:

4 Q. And it is a similar question to that which I  
5 asked Mr. Stewart about the -- these errors not affecting  
6 certain things. And you did articulate at least one of  
7 the components, but I'm going to go through the three  
8 that I went through with him.

9 So the first question is, is it EGU's position  
10 that the error in this docket does not impact any of the  
11 financial analysis reflected in the application?

12 A. That is correct.

13 Q. Okay, thank you. Second, is it EGU's position  
14 that the error in this docket does not affect or impact  
15 any of the exhibits, other than the original Exhibit 1.6  
16 filed by EGU in this docket?

17 A. That is also correct, yes.

18 Q. Thank you. The third one, is it EGU's position  
19 that the error in this docket does not affect the  
20 ultimate rate change -- the rate changes requested in the  
21 tariff sheets as originally submitted?

22 A. That is also EGU's position. That's correct.

23 JOHN DELANEY: Thank you very much. That's all  
24 I have.

25 AUSTIN SUMMERS: Thank you.

1 JOHN DELANEY: Okay, Ms. Schmid, if you'd like  
2 to call your witness.

3 PATRICIA SCHMID: Yes. The Division would like  
4 to call Mr. Eric Orton as its witness. May he please be  
5 sworn?

6 JOHN DELANEY: Yes, he may. Good morning,  
7 Mr. Orton.

8 ERIC ORTON: Good morning.

9 JOHN DELANEY: Oh, there you are. Do you swear  
10 to tell the truth?

11 ERIC ORTON: Yes, I do.

12 JOHN DELANEY: Thank you very much.  
13 Ms. Schmid, please proceed.

14 PATRICIA SCHMID: Thank you.

15 ERIC ORTON,  
16 called as a witness herein, having been first duly sworn  
17 to tell the truth, was examined and testified as follows:

18 EXAMINATION

19 BY PATRICIA SCHMID:

20 Q. Mr. Orton, could you please state and spell  
21 your name for the record.

22 A. My name is Eric Orton. That's E-r-i-c  
23 O-r-t-o-n.

24 Q. Are you employed by the Division, and have you  
25 worked for the Division on this docket?

1 A. I have and I am.

2 Q. What is your title?

3 A. I'm a -- I am a utility technical consultant.

4 Q. And your business address?

5 A. 160 East 300 South in Salt Lake City in the  
6 Heber Wells Building.

7 Q. Did you prepare and cause to be filed the  
8 Division's memorandum in this docket dated January 21st,  
9 2025?

10 A. I did.

11 Q. Do you have any changes or corrections to that  
12 document?

13 A. I do.

14 Q. Please proceed.

15 A. Thank you. If you'll turn to page 3 in my  
16 Action Request Response, the chart Mr. Summers referred  
17 to is accurate.

18 I need to -- let me rephrase the way I said  
19 that. His correction is what it should be, 13,297,172.  
20 That also, though, by correcting that, it eliminates the  
21 need for three words in the last sentence above that  
22 chart, which are "except Goshen/Alberta." Those words  
23 should be stricken.

24 So it should read -- that last sentence should  
25 read, "The specific budget information is contained below

1 and shows that all projects are currently within budget."

2 I have one more correction. On page 5 in the  
3 conclusion section, my last sentence begins, "The  
4 proposed rates are just," et cetera.

5 I should have said, "The proposed interim rates  
6 are just, reasonable, and in the public interest."

7 Those are the only corrections I'm aware of.

8 Q. Thank you. With those corrections, do you  
9 adopt that Action Request Response, which I've also  
10 described as a memorandum, as part of your testimony  
11 today?

12 A. I do.

13 Q. Were you here when Mr. Delaney, the Presiding  
14 Officer, asked Mr. Summers some questions about the  
15 Enbridge exhibit attached to the DPU document?

16 A. I was here.

17 Q. I'm going to ask you those questions, and we'll  
18 see if it helps the process or not.

19 Is it the DPU's position that the error does  
20 not affect the financial analysis and conclusions in the  
21 January 21st document?

22 A. It is our position that the rates in the tariff  
23 are correct.

24 Q. Does it affect any other exhibits?

25 A. Not that I know of.



1 Q. And does it affect the tariff sheets?

2 A. No.

3 Q. Okay, thank you. With that, do you have a  
4 summary to present today?

5 A. I do.

6 Q. Please -- and -- please proceed.

7 A. Based on our preliminary review of the  
8 application, the Division recommends the Commission  
9 approve the proposed rates in this Rural Expansion Rate  
10 Adjustment filing as requested by Enbridge on an interim  
11 basis with an effective date of February 1st, 2025.

12 The purpose of this filing for Enbridge is to  
13 obtain rate recovery in the distribution non-gas cost  
14 portions of its Utah natural gas schedules, pursuant to  
15 Section 9.02 of its tariff.

16 The current proposal represents a revenue  
17 requirement increase of \$1.785 million.

18 The Division recommends that the on an interim  
19 basis until the Division can complete its audit review,  
20 at which time it will make a final recommendation to the  
21 Commission to include any prudently incurred costs in  
22 general rates as part of the general -- next general rate  
23 case. Thank you.

24 Q. Did you hear Mr. Summers --

25 JOHN DELANEY: Ms. Schmid, I'm sorry, you've

1 cut out.

2 PATRICIA SCHMID: Sorry, because I hit mute.

3 JOHN DELANEY: That's okay. You -- I lost you  
4 at, "Did you hear Mr. Summers," and then nothing.

5 PATRICIA SCHMID: Thank you.

6 Q. (By Patricia Schmid) Did you hear Mr. Summers'  
7 explanation of how the corrected Enbridge exhibit ended  
8 up being attached to the Division's document?

9 A. I recall that.

10 Q. Do you have any reason to dispute or change any  
11 of his representations?

12 A. No, I think that was accurate.

13 PATRICIA SCHMID: Thank you. With that the  
14 Division would like to move for the admission of its  
15 Memorandum or Action Request Response and the attached  
16 exhibit, which as we've discussed is from Enbridge, in  
17 docket number 24-057-25.

18 JOHN DELANEY: Thank you. Any objection to the  
19 motion, Ms. Clark?

20 JENNIFFER CLARK: No objection.

21 JOHN DELANEY: Thank you. The motion's  
22 granted.

23 PATRICIA SCHMID: Thank you. Mr. Orton is  
24 available for cross-examination questions and questions  
25 from the Presiding Officer. Thank you.

1                   JOHN DELANEY: Thank you. Ms. Clark, any  
2 questions for Mr. Orton?

3                   JENNIFFER CLARK: I do not have questions for  
4 Mr. Orton. Thank you.

5                   JOHN DELANEY: Thank you. Mr. Orton, I do have  
6 one question.

7   EXAMINATION

8                   BY JOHN DELANEY:

9                   Q. We've gotten to this point and I think  
10 everything -- I think the record is clear. So that the  
11 only question I have for you --

12                  A. Mm-hm.

13                  Q. -- is, is there anything that you dispute or  
14 disagree with regarding Mr. Summers' testimony on this  
15 docket?

16                  A. No.

17                  JOHN DELANEY: Okay. That's all I have. Yes,  
18 that's all I have. Does anybody have anything else?

19                  JENNIFFER CLARK: Nothing from me.

20                  PATRICIA SCHMID: And nothing further from the  
21 Division.

22                  JOHN DELANEY: Thank you. Three dockets up,  
23 three dockets down. We're mindful of the requested  
24 effective dates and we will issue orders in due course.  
25 Thanks a lot for everyone's preparation and time and

1 patience today. Have a nice weekend. We'll be  
2 adjourned.

3 (Proceedings adjourned at 10:24 A.M.)  
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REPORTER'S CERTIFICATE

STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

I, Sean Sampson, Registered Professional Reporter, do hereby certify:

That the foregoing proceeding was taken down by me in stenotype on January 24, 2025, at the place therein named, and was thereafter transcribed and that a true and correct transcription of said proceeding is set forth in the preceding pages.

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 event thereof.

WITNESS MY HAND this 6th day of March, 2025.



SEAN SAMPSON, RPR

[0 - 25-057-01]

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<b>0</b> 11:25 25:19	<b>1.10.</b> 10:21	<b>13,297,172</b> 52:6	17:5 18:8,10
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<b>0.07641</b> 43:16	<b>1.11</b> 48:10 50:2	<b>14-057-31</b> 43:6	43:14,19 50:15
<b>0.15</b> 51:7	<b>1.19.</b> 12:18	43:12	<b>2025</b> 1:19 4:5
<b>0.49090</b> 25:20	<b>1.39</b> 26:9	<b>14.7</b> 12:20	13:4,22 19:12
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[admit - attended]

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[conclusion - daigle]

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[docket - event]

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[everybody - first]

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[flip - helps]

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[hi - john]

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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.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored

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