

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Application of Enbridge Gas Utah for
Renewal of the Low-Income Assistance
Program Portal

DOCKET NO. 25-057-04

ORDER

ISSUED: April 8, 2025

On January 27, 2025, Enbridge Gas Utah (EGU) filed the above-captioned application and accompanying exhibits (“Application”) with the Public Service Commission (PSC). The Application requests the PSC to allow EGU to continue using its software web portal (“Portal”) in connection with the low-income assistance program and “waive certain requirements of Utah Admin. Code ... R746-406 for another year.”¹ On January 29, 2025, the PSC issued a Notice of Filing and Comment Period providing that any person could submit comments by February 28, 2025, and reply comments by March 17, 2025. The Division of Public Utilities (DPU) filed comments on February 25, 2025 (“DPU Comments”). EGU filed reply comments on March 4, 2025. No other comments were filed.

BACKGROUND

Utah Admin. Code R746-460-3(1)(g) allows large scale utilities to share customer data, such as billing and usage data “with the prior approval of the [PSC].”² In the docket approving the Initial Waiver, the PSC granted a waiver requested by EGU

¹ Application at 1. The PSC previously granted a similar waiver and approved EGU’s request to allow certain State agencies to use the Portal to view customer usage and billing data to administer certain low-income assistance programs. See *Application of Dominion Energy Utah for a Waiver of Utah Admin. Code R746-460 to Allow Sharing with Low Income Assistance Program Administrators*, Docket No. 22-057-19, Order Granting in Part and Denying in Part Motion for Waiver, issued November 17, 2022 (the “Initial Waiver”).

² Utah Admin. Code R746-460-3(1)(g).

relating to the Portal and adopted the DPU's recommended safeguards as to that waiver.³ In a subsequent docket, the PSC extended the Initial Waiver and granted EGU's request to expand the use of, or access to, the Portal by entities participating in the Utah Weatherization Assistance Program for purposes of administering "low-income assistance programs under the same terms and conditions set forth in the [Initial Waiver]."⁴

The Application thus seeks, in essence, a continuation for one additional year of that which the PSC approved in the Initial Waiver and the Expanded Waiver dockets.

THE APPLICATION AND COMMENTS⁵

THE APPLICATION

The Application provides an overview of the low-income assistance program, and a discussion of the Initial Waiver and Expanded Waiver dockets. The Application also provides specific information relating to its compliance with the orders issued in the Initial Waiver and Expanded Waiver dockets, and concludes "[a]pproval of the waiver [requested in the Application] for another year is just, reasonable[,] and in the public interest."⁶

³ See Application at 3.

⁴ *Application of Enbridge Gas Utah for Approval to Expand the Purpose of the Low-Income Portal, and Add Authorized Agencies*, Docket No. 24-057-12, Order issued October 24, 2024 at 10 (the "Expanded Waiver").

⁵ EGU's reply comments merely agree with DPU's support of continued use of the Portal.

⁶ Application at 7.

DPU Comments

The DPU recounts the background of the Initial Waiver and Expanded Waiver dockets and recommends approving the Application. In making the recommendation, DPU states it “is unaware of any instances that would suggest that the safeguards [established in the orders on the Initial Waiver and Expanded Waiver dockets] are insufficient or that additional safeguards are necessary at this time.”⁷ DPU concludes that the continuation of use and access to the Portal is in the public interest and recommends the PSC grant EGU’s request.

FINDINGS AND CONCLUSIONS

Utah Admin. Code R746-1-109 allows the PSC to grant a request to deviate from a rule provided the movant has shown compliance would impose a hardship that outweighs the benefits of the rule. The PSC previously granted a waiver, and expanded the scope of that waiver, relating to the Portal for the reasons established and explained in the orders on the Initial Waiver and Expanded Waiver dockets. The Application, and DPU’s Comments, show that the rationale in those orders continues to support EGU’s request in this docket.

Based on the Application and DPU’s Comments, and the reasoning of the Initial Waiver and Expanded Waiver orders, we find and conclude that EGU’s previous claim of administrative burden versus the benefits of strictly complying with the

⁷ DPU Comments at 3.

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requirements of Utah Admin. Code R746-460 continues to be a valid basis for the continuation of the waiver EGU seeks in the Application.

ORDER

Based on our findings and conclusions above, we grant the Application and approve the continued use of the Portal for an additional year under the same terms and conditions as required in the orders issued in the Initial Waiver and Expanded Waiver dockets governing Portal access.

DATED at Salt Lake City, Utah, April 8, 2025.

/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#339139

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 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 April 8, 2025, a true and correct copy of the foregoing was delivered upon the following as indicated below:

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