

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Formal Complaint of)
SUPERIOR AIR HANDLING)
CORPORATION)
Complainant)
vs.)
QUESTAR GAS COMPANY,)
Respondent)

DOCKET NO. 02-057-06
REPORT AND ORDER DENYING
MOTION TO DISMISS

AND

NOTICE OF HEARING

ISSUED: September 4, 2002

By the Commission:

REPORT AND ORDER

Superior Air Handling Corporation filed its Complaint in this matter on June 28, 2002. Respondent Questar Gas Company ("Questar") filed an Answer and Motion to Dismiss on August 6, 2002.

Having reviewed the allegations contained in the Complaint, and in the Answer and Motion to Dismiss, we find that issues of fact exist that preclude granting the Motion to Dismiss. In particular, the factual allegations of the parties directly conflict as to the cause(s) of the extraordinary level of usage billed after installation of the second meter, and Questar's explanation for that usage level is inadequate to support a motion to dismiss. The Motion to Dismiss is denied, and we will therefore schedule a hearing in this matter.

NOTICE OF HEARING

Notice is hereby given that a hearing, in the above-entitled matter, will be conducted by the Administrative Law Judge of the Public Service Commission of Utah on Tuesday, October 1, 2002, at 9:00 a.m., Fourth Floor Hearing Room #451, Heber M. Wells State Office building, 160 East 300 South, Salt Lake City, Utah. All parties have the right to be represented by legal counsel. Failure to bring legal counsel will constitute a waiver of the right to representation.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify Julie Orchard, Commission Secretary, at 160 East 300 South, Salt Lake City, Utah, 84111, (801)530-6713, at least three working days prior to the hearing.

Dated at Salt Lake City, Utah, this 4th day of September, 2002.

/s/ Douglas C. Tingey
Administrative Law Judge

Approved and confirmed this 4th day of September, 2002, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard,
Commission Secretary

G#30770