

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Termination of Gas)
Service where Life Support Equipment is)
Used: Edward Wallace)

DOCKET NO. 03-057-11
REPORT AND ORDER

ISSUED: January 2, 2004

SYNOPSIS

QUESTAR GAS COMPANY having petitioned for Commission authorization to terminate, for nonpayment of applicable charges, the utility service of EDWARD WALLACE, at premises where life support equipment is allegedly located, and the parties having agreed on a payment plan for continued gas service, the agreed upon payment plan is approved.

By the Commission:

QUESTAR GAS COMPANY (hereinafter "Petitioner") filed its petition seeking authorization to terminate the utility service of EDWARD WALLACE (hereinafter "Respondent" or "Mr. Wallace") at Respondent's home, which is allegedly the location of life support appliances. Respondent was properly notified of the petition and filed a written request for a hearing.

This matter came on for hearing before the Commission's Administrative Law Judge on December 18, 2003, pursuant to an Amended Notice of Hearing issued December 2, 2003. Petitioner was represented by Colleen Larkin Bell and presented the testimony of Lorrie Nielsen. Due to an accident on his way to the hearing, in which Mr. Wallace sustained minor injuries, Mr. Wallace did not appear at the hearing, but did appear shortly after the hearing was concluded. At that time the parties met and agreed on a resolution of the past due amount, and a payment plan for continuing gas service. Specifically, the parties agreed to put Mr. Wallace on an equal payment plan, initially to be \$70.00 per month, for continuing service.

The Administrative Law Judge, having been fully advised in the premises, now enters the following proposed order.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. Respondent EDWARD WALLACE shall make monthly payments to Petitioner, on or before the due date of each statement for services rendered by Petitioner, each such payment to be for the full amount of the equal payment amount to be initially set at \$70.00 per month.
2. If Respondent fails to make the payments agreed to, Petitioner shall have the right to disconnect service to Respondent's residence in accordance with Petitioner's regulations and tariff provisions, and the applicable rules and regulations of the Commission, notwithstanding the fact that a resident at the Respondent's residence may be using life-support equipment. In that case Petitioner is authorized to terminate the utility service of Respondent for nonpayment of applicable charges without further hearing before or order from the Commission.
3. At least 48 hours prior to terminating said service, Petitioner shall notify the appropriate Utah State social services agencies of this Order and the pending termination.
4. Any person aggrieved by this Order may petition the Commission for review/rehearing pursuant to *Utah Administrative Procedures Act, Utah Code Ann. §63-46b-1 et seq.* Failure to do so will preclude judicial review of the grounds not identified for review. *Utah Code Ann. §54-7-15.*

DATED at Salt Lake City, Utah, this 2nd day of January, 2004.

/s/ Douglas Tingey
Administrative Law Judge

Approved and Confirmed this 2nd day of January, 2004, as the Report and Order of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#36425