

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the )  
Termination of Gas Service )  
where Life Support )  
Equipment is Used: Robin )  
Burgener )  
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DOCKET NO. 05-057-09  
REPORT AND ORDER OF DISMISSAL

ISSUED: August 29, 2005

By The Commission:

This matter came on for hearing before the Commission's Administrative Law Judge on August 22, 2005. Petitioner Questar Gas was represented by Lorrie Nielsen. Respondent Robin Burgener failed to appear. Commission staff attempts to contact Respondent were unsuccessful. However, an individual answering Respondent's telephone indicated that Respondent was aware of the August 22, 2005, hearing date and had filed for bankruptcy earlier that month.

At hearing, Petitioner indicated its willingness to enter into a deferred and budget billing payment plan with Respondent. Petitioner indicated it was unaware of any recent bankruptcy filing by Respondent. The Administrative Law Judge instructed Petitioner to contact Respondent to discuss payment plans and to inquire whether Respondent had recently filed for bankruptcy.

On August 22, 2005, Petitioner notified the Administrative Law Judge via telephone call and email that it had contacted Respondent and confirmed Respondent had filed for bankruptcy on August 15, 2005, resulting in no debt currently owed by Respondent to Petitioner.

Therefore, based upon the foregoing information, and for good cause appearing, the Administrative Law Judge enters the following proposed

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. The request by QUESTAR GAS for authorization to discontinue service to the residence of ROBIN BURGNER is dismissed.

2. Pursuant to *Utah Code Annotated* §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission 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 Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission'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 Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 29<sup>th</sup> day of August, 2005.

/s/ Steven F. Goodwill  
Administrative Law Judge

Approved and Confirmed this 29<sup>th</sup> day of August, 2005, as the Report and Order of the Public Service Commission of Utah.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

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