

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Formal Complaint of )  
Riddle Services, Inc., against Questar Gas ) DOCKET NO. 09-057-06  
Company ) REPORT AND ORDER  
)  
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ISSUED: April 23, 2009

By The Commission:

This matter is before the Commission on Riddle Services, Inc. and Gary B. Riddle's formal complaint against Questar Gas for 1) alleged "dirty gas" which caused damaged equipment or caused a leak, and 2) other for transferring a past-due account from one of his properties to another.

On December 10, 2002, Questar began serving Riddle Services' Taylorsville Property with natural gas service. In June 2006 the primary name on the account was changed to Iron Rod Ranch, Ltd. Mr. Riddle is one of the partners in Iron Rod Ranch. The address listed with the State of Utah for Riddle Services is the Taylorsville Property.

The gas usage on the Taylorsville Property increased significantly beginning in April 2008, and remained high until July 2008. For example, the gas usage increased from \$707.13 in April 2007 to \$2,886.84 in July 2008, and from 64.93 in June 2007 to \$1,237.54 in June 2008. Questar noted that non-residential accounts tend to be more volatile, with greater fluctuations in usage than residential gas accounts, even during the summer. In July 2008, Mr. Riddle contacted Questar to complain about the higher than normal gas usage on the Taylorsville Property. He and the customer service representative discussed possibilities for the high usage, including, incorrect meter reading and leaks on the customer's side of the point of delivery. Mr.

Riddle, however, did not report an odor that would indicate a leak. He requested that the gas service be terminated for the rest of the summer to avoid any more problems.

On July 8, 2008, a Questar technician shut-off gas at the Taylorsville Property and sealed the meter as requested by Mr. Riddle. After shut-off, the meter did not record any gas flow. Nor did the technician report any evidence of a leak at the meter. Questar sent a final bill to Iron Rod Ranch for \$1,886.46. That bill was not paid and on September 15, 2008, and pursuant to R746-200-4G, Questar transferred the balance together with interest owing to another non-residential account also in Iron Rod Ranch's name, but at a different West Jordan location (West Jordan Property). The amount transferred was \$1,905.31, which was not paid initially.

Questar then sent notice of delinquency in September 2008 to Iron Rod Ranch's mailing address, and stated that failure to pay the balance due on the West Jordan Property would subject the account to termination for non-payment. On September 26, 2008, Mr. Riddle stated that his Taylorsville Property had not been using gas at the time of the shutoff. The customer service representative told him that the meter had not recorded any usage since shutoff, and therefore the leak, if any, would have to be on the customer's side of the meter. Because payment was not forthcoming on the account arrearages, on October 8, 2008, the Company left an urgent notice at the West Jordan Property stating that if payment was not received in 48 hours, the gas service would be terminated. On October 9, 2008 Mr. Riddle called complaining about alleged "dirty gas", and stating that the "dirty gas" was causing his equipment to leak. He did not, however, offer to pay the arrearage. Subsequently, service was terminated on October

15, 2008. On October 28, 2008, Mr. Riddle again called to complain about “dirty gas” and also protested the transfer of the Taylorsville Property bill to the West Jordan Property account. Questar again demanded payment before restoring service.

In October 2008, a routine meter reading showed that the seal placed on the meter at the Taylorsville Property had been broken and additional gas used. Questar sent a notice to the user to initiate gas service in its name within 48 hours or face account termination and plugging of the meter. On November 5, 2008, Mr. Riddle paid \$2,005.97 to have gas restored to the West Jordan and Taylorsville Properties and to prevent shutoff at the Taylorsville Property.

On November 13, 2008, Mr. Riddle filed his informal complaint and later filed a formal complaint on February 10, 2009. In his informal complaint, Mr. Riddle complained that Questar sold Riddle Services “dirty gas” between April and July 2008, which “clogged a valve and caused it to leak . . . .” Further he claims that the “dirty gas” “rotted out” the diaphragm or that “something is lodged in the gas diaphragm” of his equipment—both of which are caused by “dirty gas” sold to him by Questar. He also complained that “Questar Gas has not been meeting the national standard for gas quality since the law was passed in 1992.” However, Questar did not know to which 1992 law Mr. Riddle was referring, nor did Mr. Riddle state what law he was referencing.

The Division filed its Recommendation on March 11, 2009 and recommended dismissal of the Complaint. The Division of Public Utilities (Division) stated that it asked Mr. Riddle more information about the alleged 1992 law but he did not provide any further information on such a law. The Division also stated that it did not find any evidence to support

Mr. Riddle's claim of alleged "dirty gas" that would have caused damage to his equipment. It stated that Questar did not have language in its tariff that limited dust and dirt in gas limits. It found that Questar properly maintained that Mr. Riddle and/or his companies were responsible for maintaining, at their expense, "all pipes and appliances necessary to utilize service that are located beyond the Company's point of delivery . . . ." *Tariff, § 7.04*. Additionally, the Division also agreed with Questar that its Tariff plainly states the customer is responsible for any damage, cost, or expense "at or on the customer's side of the point of delivery." *Tariff, §7.02*. The Division also noted that Commission Rule R746-200-4G permits Questar to transfer unpaid bills from inactive or past-due accounts to active accounts between similar classes of service, as was done here. The Division ultimately concluded that Questar had not violated any Tariff provision, Commission Rule, or state law.

Therefore, based on the findings submitted above, and based on the moving and responding papers submitted as follows, the Commission finds that Questar did not violate any provisions of its Tariff, nor any Commission Rules, nor state statute as alleged by Mr. Riddle. There is no evidence of any "dirty gas" sold as alleged by Mr. Riddle. There is also no evidence of any 1992 law that Questar has violated in the provisioning of its gas to Mr. Riddle and his companies. The Commission also finds that the transfer of balance from the Taylorsville Property to the West Jordan Property was permissible and not violative of the Tariff or Commission Rules. Therefore, the Commission orders as follows:

**ORDER**

1. The formal complaint of Riddle Services, Inc. and Gary B. Riddle is dismissed;

2. The Company shall be free to pursue any means of collection for any amounts owing by any of the following: Riddle Services, Inc.; Iron Rod Ranch, Ltd.; and Gary B. Riddle;
3. Pursuant to Utah Code § 63G-4-301 and 54-7-15, an aggrieved party may request agency review or rehearing of this Order by filing a written 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 does not 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 §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 23<sup>rd</sup> day of April, 2009.

/s/ Ruben H. Arredondo  
Administrative Law Judge

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Approved and confirmed this 23<sup>rd</sup> day of April, 2009, as the Report and Order of  
the Public Service Commission of Utah.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary  
G#61538