

The Commission has party and subject-matter jurisdiction. Complainant has failed to prove facts which would entitle her to relief under Section 54-7-20, UCA 1953, as amended. That statute entitles a customer to reparations only upon a showing of charges beyond Respondent's published tariff, or a discriminatory application of the tariff. The facts alleged by Complainant do not indicate such overcharge or discrimination.

Respondent is, under the law, not only allowed but required to charge in accordance with its tariff in order to prevent invidious discrimination among customers. Accordingly, the charges imposed on Complainant are lawful, and Respondent is entitled to collect the same. The complaint must be dismissed.

ORDER NOW, THEREFORE, IT IS HEREBY ORDERED that:

The complaint of JENNIFER C. MACARTHUR against MOUNTAIN FUEL SUPPLY, INC., be, and the same hereby is, dismissed.

If JENNIFER C. MACARTHUR wishes to proceed further, JENNIFER C. MACARTHUR has 20 days from the date of this Order in which to file with the Commission a written petition for review or reconsideration. Failure so to do will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 10th day of June, 1999.

/s/ A. Robert Thurman
Administrative Law Judge

Approved and Confirmed this 10th day of June, 1999, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary