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Attorney for Enbridge Gas Utah

BEFORE THE UNDERGROUND FACILITIES
DAMAGE DISPUTE BOARD

Request of KCI Inc. for Arbitration	Docket No. 25-999-13 Enbridge Gas Utah's Response to Arbitration Request: Declined
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Enbridge Gas Utah ("Enbridge"), through counsel and pursuant to Utah Code Ann. § 54-8a-13, hereby responds to the Public Service Commission's Notice Regarding Request for Arbitration dated May 14, 2025, issued in the above-captioned matter, as follows:

Arbitration before the Underground Facilities Damage Dispute Board may be conducted only "upon agreement of the disputing parties." Utah Code Ann. § 54-8a-13(5). As acknowledged by KCI Inc., in its arbitration request, Enbridge and KCI Inc., are currently engaged in litigation before the Utah Third Judicial District Court pertaining to the same underground damage dispute upon which KCI Inc.

now requests arbitration through this docket.¹ Because this dispute is currently pending before a state court of proper jurisdiction, Enbridge respectfully declines to engage in arbitration before the Board.

RESPECTFULLY SUBMITTED this 3rd day of June, 2025.

/s/ Cody G. Kesler
Senior Legal Counsel
Enbridge Gas Utah

¹ Third Judicial District, Salt Lake County, State of Utah, Case Number: 259912597

Certificate of Service

I certify that on June 3, 2025, a true and correct copy of the foregoing document was delivered to the following as indicated below:

By USPS:

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