

**54-4-13.4 Natural gas fueling stations and facilities -- Recovery of expenditures for stations and facilities.**

- (1) The commission shall find that a gas corporation's expenditures for the construction, operation, and maintenance of natural gas fueling stations and appurtenant natural gas facilities for use by the state, political subdivisions of the state, and the public are in the public interest and are just and reasonable, if:
  - (a) the gas corporation's expenditures for the fueling stations and appurtenant facilities:
    - (i) are prudently incurred; and
    - (ii) do not exceed \$5,000,000 in any calendar year, unless the commission determines after the first year, through the general rate making process, that a higher amount is appropriate and in the best interest of the public;
  - (b) the gas corporation shows that the estimated annual incremental increase in revenue related to the stations and facilities exceeds 50% of the annual revenue requirement of the stations and facilities; and
  - (c) the stations and facilities are in service and are being used and are useful.
- (2)
  - (a) A gas corporation may seek the recovery of expenditures under Subsection (1) through a mechanism designed to track and collect the expenditures between general rate cases.
  - (b)
    - (i) The commission shall allow a gas corporation to recover, through an incremental surcharge to all of its rate classes, expenditures that the gas corporation incurs that are directly related to the construction, operation, and maintenance of the stations and facilities described in Subsection (1), reduced by revenues the gas corporation receives during the same time period directly attributable to the stations and facilities.
    - (ii) The commission shall assign a surcharge under Subsection (2)(b)(i) to each rate class based upon the pro rata share, approved by the commission, of the tariff revenue ordered in the gas corporation's most recent general rate case.
    - (iii) A gas corporation may file an application to adjust a surcharge under Subsection (2)(b)(i) as frequently as semiannually.
    - (iv) At the gas corporation's next general rate case, the commission shall include in base rates all expenditures that the gas corporation prudently incurs associated with a surcharge under Subsection (2)(b)(i).

Enacted by Chapter 311, 2013 General Session