



US MAGNESIUM LLC

238 North 2200 West - Salt Lake City, UT 84116-2921

801/532-2043 - 800/262-9624 - FACSIMILE 801/534-1407

UTAH PUBLIC  
SERVICE COMMISSION

2009 FEB -5 P 3:35

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February 5, 2009

RECEIVED

Utah Division of Public Utilities  
P.O. Box 146751  
Salt Lake City, UT 84114-6751

RE : Revised Formal Complaint by US Magnesium Against Questar Gas Company

1. Complainant name – US Magnesium LLC
2. Complainant's complete address - 238 North 2200 West  
Salt Lake City , Utah 84106
3. Utility account numbers - 567776000 and 7677760000
4. Phone number - 532- 2043
5. Daytime message phone number – Same
6. The name of the utility with which you have the complaint - Questar
7. What did the utility do which you (the Complainant) think is illegal, unjust, or improper? Include exact dates, times, locations and persons involved, as closely as you can.

US Magnesium is a transportation customer of Questar Gas Company. US Magnesium has both firm transportation and non-firm transportation accounts. Questar Gas Company required US Magnesium LLC to have its gas delivered to a specific delivery point off of Kern River Pipeline and that requirement caused higher cost for natural gas deliveries to US Magnesium in excess of \$79,000. The specific dates that the utility required such deliveries off of Kern River Pipeline were April 2, 2008 – April 11, 2008. US Magnesium found out through its supplier that no other customers of the supplier had this same demand. When asked for specific information concerning what the basis of the restriction was and

what customers benefited from the imposition of restrictions on US Magnesium we were simply told that the utility could impose whatever restrictions on deliveries it so choose to impose. US Magnesium has been provided limited information as to the cause of such restrictions and if any other customers were required to take action. US Magnesium does not believe that the information provided to date that it should have been forced to take such actions and wants to be compensated for this restriction since the benefits of such restriction were provided to improve service to all utility customers at great expense to US Magnesium.

8. Why do you (the Complainant) think these activities are illegal, unjust or improper?

US Magnesium was forced to take actions that caused over \$79,000 in expense and that singling out US Magnesium for such actions rather than spreading such restrictions first to all interruptible customers and then to firm transport and all other customers including sales customers was discriminatory and punitive.

Utah State Statue in Section 54-3-8 states clearly that no public utility shall make or grant a preference or subject any person to any prejudice or disadvantage. US Magnesium was clearly forced to be disadvantaged economically by these actions. The statute goes on to state that no public utility shall establish or maintain any unreasonable difference as to rates, charges, service or in any other respect, either as between localities or as between classes of service. US Magnesium again was clearly subject to a difference in service based on the circumstances that occurred during the dates in which it was required to deliver its gas off of Kern River Pipeline rather than spreading those differences in service to all customers that received benefit from the line upgrade work that caused the circumstance.

9. What relief do you (the Complainant) request?

We request that the Commission find that the Utility did wrongfully discriminate and that the Utility did not have the unilateral ability to place such a cost burden upon a customer such as US Magnesium. US Magnesium may based on that finding seek relief in District Court with a finding in that jurisdiction requiring the Utility make US Magnesium whole for such extra cost as part of all costs that were incurred as part of some unknown maintenance process or actions from a third party that caused these damages.

10. A statement saying whether you permit (or allow) the commission to give access to any private information contained in the complaint you file or other documents to the public or any person who requests access to them.

We will permit any and all parties access to this information subject to the protective order as filed in the docket.

11. Signature of Complainant and the date signed.

By Mike Legge  
Mike Legge

Date February 5, 2009