



COMMONWEALTH OF PENNSYLVANIA

March 28, 2022

E-FILED

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**Re: Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.
2022 Base Rate Filing / Docket No. R-2022-3031211**

Dear Secretary Chiavetta:

Enclosed please find the Complaint, Public Statement, and Verification, on behalf of the Office of Small Business Advocate (“OSBA”), in the above-captioned proceeding.

Copies will be served on all known parties in this proceeding, as indicated on the attached Certificate of Service.

If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/ Steven C. Gray

Steven C. Gray
Senior Supervising
Assistant Small Business Advocate
Attorney I.D. No. 77538

Enclosures

cc: Robert D. Knecht
Mark Ewen
Parties of Record

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

| | | |
|---|---|----------------------------------|
| Pennsylvania Public Utility Commission | : | |
| | : | |
| v. | : | Docket No. R-2022-3031211 |
| | : | |
| Columbia Gas of Pennsylvania, Inc. | : | |

**COMPLAINT OF THE
SMALL BUSINESS ADVOCATE**

1. The Complainant is:

The Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
(717) 783-2525

2. The name and address of the attorney for the Office of Small Business Advocate (“OSBA”) is:

Steven C. Gray
Senior Supervising
Assistant Small Business Advocate
Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
(717) 783-2525

3. The respondent utility is:

Columbia Gas of Pennsylvania, Inc.
NiSource
800 North Third Street
Suite 204
Harrisburg, PA 17102

4. The Complainant is authorized and directed by the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50, to represent the interests of small business consumers of utility services in matters before the Pennsylvania Public Utility Commission (“Commission”).

5. This Complaint is filed against the rates, terms, and other provisions of Supplement No. 337 to Tariff Gas Pa. P.U.C. No. 9 (“Supplement No. 337”), which was filed with the Commission on March 18, 2022, by Columbia Gas of Pennsylvania, Inc. (“Columbia” or the “Company”). The rates set forth in Supplement No. 337, if approved by the Commission, would increase Columbia’s annual jurisdictional revenues by approximately \$82.2 million.

6. After preliminary review of the materials filed by the Company in support of the proposed Supplement No. 337, Complainant believes, and therefore avers, that those materials may be insufficient to justify the rate increase requested and that the Company’s present and proposed rates, rules, and conditions of service may be unjust, unreasonable, unduly discriminatory, and otherwise contrary to law, particularly as they pertain to Columbia’s small business customers.

7. Complainant believes, and therefore avers, that Columbia’s proposed tariff changes, proposed rates, rate design, and revenue allocation are or may be unjust, unreasonable, and unlawfully discriminatory in violation of, *inter alia*, Sections 1301 and 1304 of the Public Utility Code, 66 Pa.C.S. §§1301 and 1304, and, furthermore, are contrary to appropriate public policy, sound ratemaking considerations, and may not be supported by the materials filed by Columbia.

8. In view of the foregoing, the Small Business Advocate respectfully requests that the Pennsylvania Public Utility Commission:

- A. Suspend and investigate the operation of Supplement No. 337;
- B. At the conclusion of such investigation, reject the proposed new rates and other tariff changes in Supplement No. 337 to the extent required to make certain that Columbia's rates are lawful, just, reasonable, and not unduly discriminatory to small business customers; and
- C. Grant such other relief as may be necessary or appropriate.

Respectfully submitted,

/s/ Steven C. Gray

Steven C. Gray
Senior Supervising
Assistant Small Business Advocate
Attorney ID No. 77538

Office of Small Business Advocate
555 Walnut Street
Forum Place, 1st Floor
Harrisburg, PA 17101
(717) 783-2525
(717) 783-2831 (fax)

Dated: March 28, 2022

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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| Pennsylvania Public Utility Commission | : | |
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| | : | Docket No. R-2022-3031211 |
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| | : | |
| Columbia Gas of Pennsylvania, Inc. | | |

**PUBLIC STATEMENT OF
THE OFFICE OF SMALL BUSINESS ADVOCATE**

The Small Business Advocate is authorized and directed to represent the interest of small business consumers of utility services in Pennsylvania under the provisions of the Small Business Advocate Act, Act 181 of 1988, 73 P.S. §§ 399.41 - 399.50 (“Act”). The Act further provides that the Small Business Advocate is to issue publicly a written statement stating concisely the specific interest of small business consumers to be protected by his initiation of or intervention in any proceeding involving those interests before the Public Utility Commission (“Commission”) or any other agency or court. This public statement relates to the filing today by the Small Business Advocate of a complaint against the proposed base rate tariff filings of Columbia Gas of Pennsylvania, Inc. (“Columbia” or the “Company”), which would increase the annual operating revenue of Columbia by approximately \$82.2 million per year.

The Small Business Advocate files this formal complaint against the Company’s proposed base rate tariff filings to protect the interests of the Columbia’s small business customers. A thorough inquiry by the Commission into all elements of the Company’s proposed base rate tariff filings is necessary to ensure that the tariff filings are lawful, just, reasonable, and not discriminatory to Columbia’s small business customers.

In view of the foregoing, the Small Business Advocate will participate in proceedings before the Public Utility Commission to investigate the reasonableness of the proposed base rate tariff filings. The Small Business Advocate will ask the Commission to deny any proposed new rates and other tariff changes that apply to small business customers that are not proven by Columbia to be lawful, just, reasonable, and not discriminatory to the Company's small business customers.

Dated: March 28, 2022

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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VERIFICATION

I, Steven C. Gray, hereby state that the facts set forth herein above are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: March 28, 2022

/s/ Steven C. Gray

(Signature)

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served via email (*unless other noted below*) upon the following persons, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

The Honorable Charles E. Rainey Jr.
Chief Administrative Law Judge
Pennsylvania Public Utility Commission
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Harrisburg, PA 17120
crainey@pa.gov

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DATE: March 28, 2022

/s/ Steven C. Gray

Steven C. Gray
Senior Supervising
Assistant Small Business Advocate
Attorney ID No. 77538