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File #: 193132

June 21, 2022

***VIA ELECTRONIC FILING***

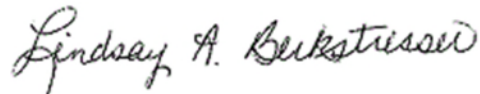
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: PA PUC v. Columbia Gas of Pennsylvania, Inc.  
Docket Nos. R-2022-3031211, et al.**

Dear Secretary Chiavetta:

Attached for filing is the Answer of Columbia Gas of Pennsylvania, Inc., to Richard C. Culbertson's Motion for a Special Investigation in the above-referenced proceedings. Copies will be provided per the attached Certificate of Service.

Respectfully submitted,



Lindsay A. Berkstresser

LAB/kl  
Attachment

cc: Honorable Christopher P. Pell (w/att.)  
Honorable John M. Coogan (w/att.)  
Certificate of Service

## CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing have been served upon the following persons, in the manner indicated, in accordance with the requirements of § 1.54 (relating to service by a participant).

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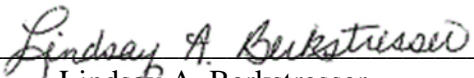
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Date: June 21, 2022

  
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Lindsay A. Berkstresser

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2022-3031211
Office of Small Business Advocate	:	C-2022-3031632
Office of Consumer Advocate	:	C-2022-3031767
Pennsylvania State University	:	C-2022-3031957
Columbia Industrial Intervenors	:	C-2022-3032178
Jose A. Serrano	:	C-2022-3031821
Constance Wile	:	C-2022-3031749
Richard C. Culbertson	:	C-2022-3032203
	:	
v.	:	
	:	
Columbia Gas of Pennsylvania, Inc	:	

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**ANSWER OF COLUMBIA GAS OF PENNSYLVANIA, INC.  
TO RICHARD C. CULBERTSON’S  
MOTION FOR A SPECIAL INVESTIGATION**

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TO ADMINISTRATIVE LAW JUDGES PELL AND COOGAN:

**I. INTRODUCTION**

On June 14, 2022, Richard C. Culbertson filed a “Motion for a Special Investigation” (hereinafter “Motion” or “Culbertson Motion”) related to the testimony of a witness who participated in the public input hearing held on June 1, 2022.<sup>1</sup> In his Motion, Mr. Culbertson requests that an investigation be initiated to address the issues raised in the public input hearing testimony.<sup>2</sup> In his Motion, Mr. Culbertson also presents arguments regarding other Pennsylvania utilities and the Pennsylvania Public Utility Commission (“Commission”).

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<sup>1</sup> On June 19, 2022, Mr. Culbertson sent an e-mail to the ALJs, with a copy to parties, seeking to supplement his Motion with further assertions. As explained subsequently in this Answer, Columbia will provide rebuttal to the issues raised at the public input hearing, including additional material identified in that e-mail.

<sup>2</sup> This Motion represents the second attempt by Mr. Culbertson to delay these proceedings through a demand for an “independent audit and investigation.” See Prehearing Order #3, dated May 16, 2022.

In accordance with the directive of Administrative Law Judges Christopher P. Pell and John Coogan (the “ALJs”) that any answer to Mr. Culbertson’s Motion be filed by June 21, 2022, Columbia hereby files this Answer to Mr. Culbertson’s Motion for a Special Investigation and requests that the Motion be denied. As explained herein, Mr. Culbertson’s request for a special investigation is not necessary because the issues raised in the public input hearing testimony are already being addressed as part of this rate case. Moreover, any complaints Mr. Culbertson has against other Pennsylvania utilities or the Commission are not related to Columbia and do not support an investigation of Columbia.

## **II. ARGUMENT**

### **A. MR. CULBERTSON’S REQUEST FOR A SPECIAL INVESTIGATION IS UNNECESSARY AND SHOULD BE DENIED.**

In the Motion, Mr. Culbertson requests that the ALJs initiate a special investigation into the testimony of a public input hearing witness who, according to Mr. Culbertson, testified that “Columbia’s practices may be illegal.” Culbertson Motion, p. 1. The public input hearing witness testified regarding gas safety, specifically the installation of curb valves and contractor training.<sup>3</sup> Tr. at 85-88. Mr. Culbertson requests an investigation into these issues. Culbertson Motion, p. 6.

Mr. Culbertson’s request for an investigation is unnecessary because these issues are already being investigated in this base rate case. The Commission initiated an investigation into Columbia’s proposed rate increase, which includes the issues identified in Mr. Culbertson’s Motion. *See Pa. PUC v. Columbia Gas of Pennsylvania, Inc.*, Docket No. R-2022-3031211 (Order entered April 14, 2022). With respect to the testimony of the public input hearing witness, that testimony is part of the record and will be considered in this case. Columbia intends to present

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<sup>3</sup> Although Mr. Culbertson’s Motion refers to the public input hearing witness as “XXXXX”, the witness publicly identified himself at the hearing.

evidence in response to the public input hearing testimony when its rebuttal testimony is submitted on July 6, 2022, in accordance with the procedural schedule established for this case. Moreover, issues pertaining to gas safety have been the subject of discovery in this case. Therefore, Mr. Culbertson's request for an investigation would be duplicative of the investigation of these issues that is already occurring, and his Motion should be denied.<sup>4</sup>

**B. MR. CULBERTSON'S COMPLAINTS REGARDING OTHER PENNSYLVANIA UTILITIES AND THE COMMISSION ARE OUTSIDE THE SCOPE OF THIS BASE RATE PROCEEDING AND DO NOT PROVIDE SUPPORT FOR THE REQUESTED INVESTIGATION REGARDING COLUMBIA.**

In his Motion, Mr. Culbertson claims that there is "disorder in the Commission's supervision of public utilities." Culbertson Motion, p. 7. He also claims that "the Commission has not installed effective internal controls over public utilities, which has allowed public utilities to establish a culture of abuse of customers." Culbertson Motion, p. 12. Whatever complaints Mr. Culbertson has against the Commission are not appropriate for this proceeding, which is an investigation of a single utility's proposed base rate increase. Issues related to the Commission generally should be raised in a generic proceeding, with proper notice to all potentially affected entities. Moreover, Mr. Culbertson's general complaints about the Commission do not provide support for his requested investigation of Columbia. Columbia does not have control over how the Commission operates or how it oversees jurisdictional utilities.

Mr. Culbertson raises various allegations regarding other Pennsylvania utilities. He cites an incident that occurred in PECO's service territory. Culbertson Motion, p. 8. He claims that the service he receives from Peoples Natural Gas at his other properties is inadequate, particularly

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<sup>4</sup> The public input hearing witness also referenced an incident that occurred in Washington County, Pennsylvania. Tr. at 85. That incident is the subject of a pending investigation in a separate case at Docket No. M-2022-3012079. A duplicative investigation of that incident is unnecessary.

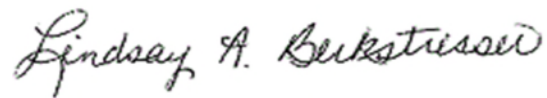
with respect to his service line. Culbertson Motion, p. 9. He alleges that Duquesne Light Company caused damage at his home while replacing a pole. Culbertson Motion, pp. 10-11. None of these issues are related to Columbia, and they are not relevant to Columbia's rate case. The complaints that Mr. Culbertson has raised against other utilities provide no support for his requested investigation of Columbia.

For the reasons explained above, none of the arguments in Mr. Culbertson's Motion support initiating a special investigation separate from the investigation that is currently ongoing in this base rate proceeding. Therefore, Columbia requests that the Motion be denied and that Mr. Culbertson's request for a special investigation be rejected.

**III. CONCLUSION**

WHEREFORE, Columbia Gas of Pennsylvania, Inc. respectfully requests that the Motion of Richard C. Culbertson for a Special Investigation be denied.

Respectfully submitted,



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Date: June 21, 2022



## VERIFICATION

I, Nicole Paloney, hereby state that the facts above set forth are true and correct (or 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 made herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: June 21, 2022

Nicole Paloney  
Nicole Paloney  
Director of Rates and Regulatory Affairs  
Columbia Gas of Pennsylvania, Inc.