

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigations and Enforcement,	:	
Complainant	:	
	:	
v.	:	
	:	Docket No. C-2014-2402746
Snyder Brothers, Inc.,	:	
Respondent	:	
	:	

**PETITION TO INTERVENE
OF THE PENNSYLVANIA INDEPENDENT OIL & GAS ASSOCIATION**

Pursuant to 52 Pa. Code §§ 5.72-5.75, the Pennsylvania Independent Oil & Gas Association (PIOGA) petitions to intervene in this matter involving issues of importance to its producer members engaged in extracting natural gas from unconventional formations. In support of its intervention, PIOGA avers as follows:

1. PIOGA is the comprehensive trade association representing oil and natural gas interests throughout Pennsylvania.¹ PIOGA has over 900 members interested in natural gas development, including oil and natural gas producers, drilling contractors and service companies, as well as various professional firms, individuals and royalty owners. Some PIOGA members are involved in producing natural gas from unconventional formations and are subject to the local impact fee imposed by Act 13 of 2012.

2. PIOGA's attorney is:
Kevin J. Moody, Esquire
General Counsel
Pennsylvania Independent Oil & Gas Association
212 Locust Street, Suite 300
Harrisburg, PA 17101-1510
Phone: (717) 234-8525; Fax: (717) 234-8812
kevin@pioga.org

¹ Effective April 1, 2010, the Pennsylvania Oil and Gas Association (POGAM) merged into the Independent Oil and Gas Association of Pennsylvania (IOGA of PA) and the name of the organization changed to Pennsylvania Independent Oil & Gas Association (PIOGA).

3. On January 17, 2014, the Pennsylvania Public Utility Commission's Bureau of Investigations and Enforcement (BI&E) filed and served a complaint in this proceeding alleging that Snyder Brothers, Inc. (SBI) should have paid impact fees for calendar years 2011 and 2012 on unconventional wells SBI characterized as "stripper wells" but that BI&E characterizes as "vertical gas wells."

4. As part of a coalition of producers (PIOGA, Marcellus Shale Coalition and Associated Petroleum Industries of PA, a division of API; collectively "Producers") engaged in the extraction of natural gas from unconventional formations and subject to the Act 13 local impact fee, PIOGA submitted comments to the Commission's March 15, 2012 Tentative Implementation concerning Act 13 at Docket No. M-2012-2288561. The Commission accepted some of the Producers' comments in its Final Implementation Order entered May 10, 2012.

5. The following PIOGA producer members filed objections/appeals with the Commission alleging they had erroneously paid impact fees for calendar year 2011 on unconventional wells they characterized as stripper wells:

- Energy Corporation of America, Docket No. M-2012-2322701
- Wilmoth Interests, Inc., Docket No. M-2012-2323383
- CNX Gas Company LLC, Docket No. M-2012-2323637
- Consol Energy Inc. d/b/a CNX Gas Company LLC, Docket No. M-2012-2324068

PIOGA's understanding is that these proceedings were closed administratively without a formal Commission determination of the issues raised because Act 13 contains no provision for refunding impact fees.

6. The Commission's resolution of the issues raised by BI&E's complaint will directly affect PIOGA and its producer members, in addition to SBI, subject to the Act 13 local impact fees.

7. PIOGA and its producer members subject to Act 13 local impact fees will also be bound by the Commission's resolution of issues raised in this proceeding.

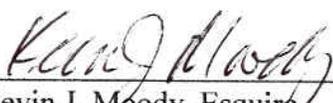
8. PIOGA's interests and the interests of its unconventional producer members are not adequately represented by SBI or any other party that may seek to intervene in this proceeding, including other individual producers.

9. PIOGA's intervention is also in the public interest. As stated above, PIOGA has participated in the Commission's proceeding implementing the Act 13 local impact fee, and the extensive experience of PIOGA and its unconventional producer members enables PIOGA to contribute to the full development of the record for the Commission's decision in this proceeding.

10. PIOGA disagrees with BI&E's interpretation of the relevant Act 13 provisions and associated questions of law.

WHEREFORE, the Pennsylvania Independent Oil & Gas Association respectfully requests that its petition to intervene in this proceeding be granted.

Respectfully submitted,



Kevin J. Moody, Esquire
General Counsel
PIOGA
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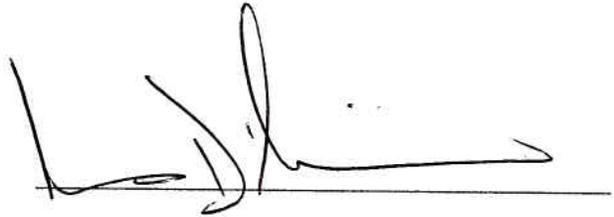
Dated: February 11, 2014

VERIFICATION

I, Lou D'Amico, President and Executive Director, Pennsylvania Independent Oil and Gas Association, hereby state that the facts set forth 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:

2-4-14

A handwritten signature in black ink, appearing to read "Lou D'Amico", is written over a horizontal line. The signature is stylized and cursive.

CERTIFICATE OF SERVICE

I hereby certify that this day, February 11, 2014, I served a copies of the foregoing Petition to Intervene of the Pennsylvania Independent Oil & Gas Association on the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

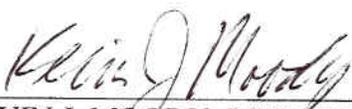
VIA E-MAIL & FIRST CLASS MAIL

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