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January 18, 2016

*VIA ELECTRONIC FILING*

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

RE: The Pennsylvania State University v. Columbia Gas of Pennsylvania, Inc.; Docket No. C-2016-2522399; **NOTICE OF WITHDRAWAL AND SATISFACTION OF AMENDED COMPLAINT**

Dear Secretary Chiavetta:

Enclosed please find The Pennsylvania State University's Notice of Withdrawal and Satisfaction of Amended Complaint in the above-referenced proceeding. Copies have been served in accordance with the attached Certificate of Service.

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

Very truly yours,

Thomas J. Sniscak  
Christopher M. Arfaa  
William E. Lehman

*Counsel to The Pennsylvania State University*

TJS/das  
Enclosure

cc: Administrative Law Judge Mary D. Long  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

The Pennsylvania State University

v.

Columbia Gas of Pennsylvania, Inc.

Docket No. C-2016-2522399

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**NOTICE OF WITHDRAWAL AND SATISFACTION OF  
AMENDED COMPLAINT FILED JULY 31, 2015 BY  
THE PENNSYLVANIA STATE UNIVERSITY**

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The Pennsylvania State University (“PSU”), by its attorneys, hereby submits its notice of withdrawal and certification of satisfaction of its Amended Complaint filed July 31, 2015 at Docket No. C-2015-2476623 and then re-docketed at the above-captioned docket<sup>1</sup> and avers and represents as follows:

1. During the course of Columbia Gas of Pennsylvania, Inc.’s (“Columbia”) general base rate case at Docket No. R-2015-2468056, PSU amended its original Complaint<sup>2</sup> against Columbia’s rate increase to raise service issues<sup>3</sup> stemming from (a) Columbia’s May 5, 2015 announcement of its intention to terminate of a portion of Columbia’s intrastate gas transmission line known as the Snowshoe Lateral,<sup>4</sup> which feeds gas received from the Columbia Transmission (“TCO”) interstate pipeline at Columbia’s Snowshoe, Pennsylvania Point of Delivery (“POD”)

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<sup>1</sup> Pursuant to the Commission’s December 3, 2015 Order referenced *infra.*, the Amended Complaint is to be re-docketed with a new “C” number and heard along with Columbia’s Snowshoe Lateral Abandonment Application Proceeding at Docket No. A-2015-2513395.

<sup>2</sup> The original rate case Complaint and the Amended Complaint were originally docketed at C-2015-2476623.

<sup>3</sup> Under 66 Pa. C.S. §§ 523(a) and 526 (b) the Commission can consider performance and service adequacy in general rate cases and may make adjustments based upon resolution of such issues.

<sup>4</sup> This pipeline currently delivers PSU’s gas to certain of its State College properties.

to the State College area and (b) Columbia's related acquisition of certain capacity from Dominion Transmission, Inc. ("DTI"), the second of three interstate pipelines that serve the State College area, and to request certain relief.<sup>5</sup>

2. To avoid delaying the August 27, 2015 partial or general settlement of the aforesaid rate case achieved by certain other parties and Columbia,<sup>6</sup> PSU and Columbia also on August 27, 2015 entered into and filed a Settlement Agreement ("PSU-Columbia Settlement") which, among other things, provided that the issues relating to Columbia's abandonment of the Snowshoe Lateral raised by PSU's Amended Complaint be severed and heard along with Columbia's Application to Abandon Service<sup>7</sup> regarding its proposed removal of a portion of the Snowshoe Lateral.

3. Since PSU's filing of the Amended Complaint on July 31, 2015, the circumstances have changed, and PSU no longer needs the relief requested in its Amended Complaint. Specifically, (a) the PSU-Columbia Settlement was approved by the Commission as in the public interest by Order entered on December 3, 2015 at Dockets R-2015-2468056, C-2015-2476623 *et. al.* and provides for, among other things, a major upgrade to the third<sup>8</sup> (Texas Eastern Transmission Corporation or "TETCO") interstate pipeline POD feeding the State College area if the Snowshoe lateral is abandoned in part, and (b) additional capacity unexpectedly became available from DTI by auction which PSU won as the successful bidder.

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<sup>5</sup> The rate case Complaint and Amended Complaint were originally docketed at C-2015-2476623.

<sup>6</sup> That general settlement included the reservation that PSU did not oppose the settlement rate increase and related terms contingent upon the PSU-Columbia settlement being approved.

<sup>7</sup> Docketed at A-2015-2513395.

<sup>8</sup> The three interstate pipelines available to feed the State College Area presently are TCO via the Snowshoe POD and Lateral, and DTI and TETCO at the Pleasant Gap PODs. The upgrade to the TETCO POD is intended to address physical restrictions at such POD.

4. Consequently, to avoid what now would be unnecessary and additional litigation and expense, and to conserve the time and resources of PSU, Columbia,<sup>9</sup> and the Commission, PSU hereby certifies that its Amended Complaint should be deemed and marked by the Commission as satisfied, withdrawn and closed.

Respectfully submitted,



Dated: January 18, 2016

Thomas J. Sniscak, Esquire  
Christopher M. Arfaa, Esquire  
William E. Lehman, Esquire  
Hawke McKeon & Sniscak LLP  
100 North Tenth Street  
Harrisburg, PA 17101

*Counsel for The Pennsylvania State University*

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<sup>9</sup> Columbia has indicated no objection to PSU's request that the amended complaint should be deemed and marked by the Commission as satisfied, withdrawn and closed.

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in the manner indicated below, and in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).


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Dated: January 18, 2016