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File #: 170401

October 18, 2018

***VIA ELECTRONIC FILING***

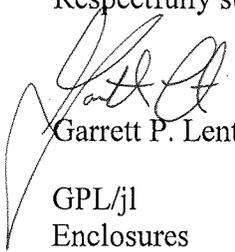
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement  
v. UGI Utilities, Inc. - Docket No. C-2018-3005151**

Dear Secretary Chiavetta:

Enclosed for filing is the Unopposed Motion of UGI Utilities, Inc. for Extension of Time to File an Answer in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Garrett P. Lent

GPL/jl  
Enclosures

cc: Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	Docket No. C-2018-3005151
Bureau of Investigation and Enforcement,	:	
	:	
Complainant,	:	
	:	
v.	:	
	:	
UGI Utilities, Inc.,	:	
	:	
Respondent.	:	
	:	

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**UNOPPOSED MOTION OF UGI UTILITIES, INC. FOR  
EXTENSION OF TIME TO FILE AN ANSWER**

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UGI Utilities, Inc. (“UGI”), by its counsel, hereby requests that the Pennsylvania Public Utility Commission (“Commission”) grant UGI an extension of twenty five (25) days to file an answer to the October 4, 2018 Formal Complaint of the Commission’s Bureau of Investigation and Enforcement (“I&E”) 52 Pa. Code § 1.15 (a)(1). In support thereof, UGI represents as follows:

1. On October 4, 2018, UGI was served with the above-captioned Formal Complaint. Under the Commission’s regulations, UGI’s Answer to the Formal Complaint would be due on October 24, 2018.
2. The Formal Complaint arises from an incident that occurred on July 2, 2017 in Millersville, PA.
3. The National Transportation Safety Board (“NTSB”) initiated an investigation of the incident. The NTSB released a draft report of the incident on June 18, 2018. The NTSB issued a Safety Recommendation Report, “Installation of PermaLock Mechanical Tapping Tee

Assemblies”, Recommendation Number P-18-001 through -004, dated June 18, 2018, in which the NTSB made four safety recommendation concerning mechanical tapping tee assemblies, of which two recommendations were directed to the manufacturer of the assemblies and two recommendations were directed to the Pipeline and Hazardous Materials Safety Administration (“PHMSA”). The NTSB’s investigation of the incident remains ongoing.

4. NTSB regulations prohibit UGI, as a party to the NTSB investigation, from disseminating information except for the limited purposes of supporting the NTSB investigation. Specifically, NTSB regulations prohibit Parties from releasing “[i]nformation related to the accident,” “[a]ny information collected or compiled by the NTSB as part of its investigation, such as photographs, visual representations of factual data, physical evidence from the scene of the accident, interview statements, wreckage documentation...;” and “[a]ny information regarding the status of an investigation, or activities conducted as part of the investigation.” 49 C.F.R. § 831.13(a)(1), (c). “Parties are prohibited from releasing information obtained during an investigation at any time prior to the NTSB’s public release of information...” *Id.* The regulations further provide that “[a]ny dissemination of factual information by a party may be made only as provided in this section.” *Id.* § 831.13(c)(2). The NTSB even goes so far as to prohibit Parties from disseminating information within the Parties’ organizations, unless the dissemination is to individuals within the organization “who have a need to know for the purpose addressing a safety issue including preventative or remedial actions.” *Id.* § 831.13(c)(3). “Any other release of factual information related to the investigation must be approved by the IIC prior to release....” *Id.* § 831.13(c)(4).

5. Therefore, as a Party to the NTSB investigation, UGI is prohibited from disseminating any information to the public relative to the incident except in the instance where

the investigator in charge of the NTSB investigation expressly approves such release of information. The investigator in charge has not yet released its hold on the dissemination of information.

6. UGI requested whether I&E would object to an extension of time to file an Answer to the Formal Complaint, while UGI assisted the NTSB in completing its investigation. Counsel for I&E indicated that I&E does not oppose a twenty-five (25) day extension, which would make UGI's Answer to the Formal Complaint due on November 19, 2018.

7. Section 1.15(a)(1) of the Commission's regulations states, "whenever under this title or by order of the Commission, or notice given thereunder, an act is required or allowed to be done at or within a specified time, the time fixed or the period of time prescribed may, by the Commission, the presiding officer or other authorized person, for good cause be extended upon motion made before expiration of the period originally prescribed or as previously extended." 52 Pa. Code § 1.15(a)(1). As such, the Commission, the presiding officer or other authorized person, may grant a request for an extension of time, prior to the originally prescribed deadline, upon a showing of "good cause."

8. Good cause for the requested extension exists because UGI is currently assisting the NTSB in completing its investigation. Thus, due to the Company being prohibited from disseminating information related to the scope of the NTSB investigation and the ongoing press of demands in that investigation, the requested twenty-five day extension is necessary for UGI to discharge its obligations, answer the Formal Complaint and assist the NTSB in completing its investigation.<sup>1</sup> The extension will also help ensure that the UGI's status as a party in both the

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<sup>1</sup> Prospectively, if UGI is unable to obtain a release from the NTSB on the hold of information needed to file its Answer to I&E's Formal Complaint and to avoid prejudice to its interests in this matter, UGI may request that the matter before the Commission be held in abeyance pending its ability to rely on information that is the subject of the NTSB investigation.

Formal Complaint initiated by I&E and in the ongoing investigation by the NTSB do not place UGI in jeopardy of violating NTSB regulation and otherwise conflict with one another.

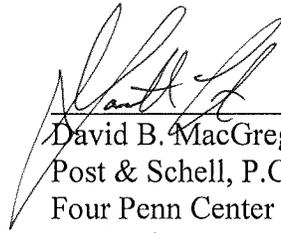
9. UGI further notes that I&E does not oppose the requested twenty-five day extension.

10. For these reasons, UGI submits good cause exists for the requested twenty-five day extension and that it will help secure the just, speedy and inefficient determination of the above-captioned matter.

WHEREFORE, for all the foregoing reasons, UGI Utilities, Inc. requests that Pennsylvania Public Utility Commission, the Presiding Officer or another authorized person grant this Motion and extend the time for UGI Utilities, Inc. to file an answer to the October 4, 2018 Formal Complaint until November 19, 2018.

Respectfully submitted,

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Date: October 18, 2018

*Counsel for UGI Utilities, Inc.*

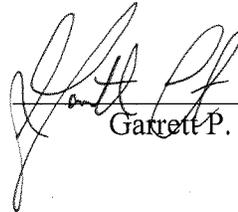
## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

### VIA E-MAIL & FIRST CLASS MAIL

Stephanie M. Wimer, Senior Prosecutor  
Michael L. Swindler, Deputy Chief Prosecutor  
Timothy K. McHugh, Prosecutor  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street, 2nd Floor West  
PO Box 3265  
Harrisburg, PA 17105-3265

Date: October 18, 2018



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Garrett P. Lent