

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

EnergyMark LLC, Vineyard Oil & Gas	:	
Company, Mid American Natural	:	
Resources LLC, and Total Energy	:	
Resources LLC,	:	C-2020-3019621
Complainants	:	
v.	:	
	:	
National Fuel Gas Distribution Corporation	:	
Respondent	:	

**PREHEARING CONFERENCE MEMORANDUM
OF THE
PENNSYLVANIA INDEPENDENT OIL & GAS ASSOCIATION**

To the Honorable Dennis J. Buckley, Deputy Chief Administrative Law Judge:

Pursuant to Section 333 of the Public Utility Code, 66 Pa.C.S. § 333, the Pennsylvania Independent Oil & Gas Association (PIOGA) submits this prehearing conference memorandum.

BRIEF HISTORY OF PROCEEDING

1. On April 27, 2020, EnergyMark LLC, Vineyard Oil & Gas Company, Mid American Natural Resources LLC and Total Energy Resources LLC (Joint Complainants) filed the above-captioned complaint with the Pennsylvania Public Utility Commission (“Commission”) alleging: that NFGD’s tariff contains unreasonable provisions regarding data security; that the data security requirements provisions of the tariff are unreasonable; that the data security requirements provisions of the tariff grant NFGD illegal authority to supervise NGSs in abrogation of the Commission’s exclusive right to do so; and that NFGD had misrepresented the basis of its data security requirements provisions of the tariff to the Joint Complainants and to the Commission, rendering the tariff void *ab initio*.

2. On November 23, 2020, the Commission issued the Notice of Prehearing Conference in this matter.

3. On January 15, 2021, PIOGA filed and served its petition to intervene in this matter.

ISSUES TO BE ADDRESSED

4. If permitted to intervene, PIOGA intends to address issues related to the statements in its petition to intervene as well as issues raised in the complaint. PIOGA reserves the right to identify, address and raise other issues that may affect the interests of PIOGA and its members as well as to address issues raised by other parties that may affect those interests.

WITNESS AND SUBJECT MATTER OF TESTIMONY

5. PIOGA has not yet determined the witnesses it intends to present to address the issues identified above.

PROPOSED LITIGATION SCHEDULE

6. The schedule proposed by the Joint Complainants is acceptable to PIOGA.

DISCOVERY AND PROTECTIVE ORDER

7. The proposals in the Joint Complainants prehearing memorandum are acceptable to PIOGA.

SERVICE OF DOCUMENTS

8. The proposals in the Joint Complainants prehearing memorandum are acceptable to PIOGA.

SETTLEMENT

9. PIOGA is amenable to settlement discussions with any and all parties.

Respectfully submitted,

A handwritten signature in blue ink that reads "Kevin J. Moody". The signature is written in a cursive style with a long horizontal stroke at the end.

Kevin J. Moody, Esquire
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Dated: January 15, 2021

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of PIOGA's Petition to Intervene upon the persons listed below in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Via Email

The Honorable Dennis J. Buckley, Administrative Law Judge
debuckley@pa.gov

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Date: January 15, 2021

