

July 11, 2021

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 Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.
Docket No. R-2021-3024296

Dear Secretary Chiavetta:

This letter is regarding Lindsay A. Berkstresser's letter sent you.

The request to you is improper – what is submitted to the Commission for decisions in a rate case is up to the Commission to consider as shown and explained below.

The overall objective of this rate case is to provide justice to customers of Columbia Gas of Pennsylvania.

Justice comes with due process. Just and reasonable rates also come with due process. Due process is proportional to the amount and complexity at hand. Due process does not suppress evidence. Due process and fair proceedings do not favor one party over another.

Regulations are to support due process, optimum performance, and justice. when they do not, these are bad regulations and need to be changed. The Commission has the authority to amend and improve its regulations.

Bad regulations can be spotted – are they among other things “*arbitrary, capricious, an abuse of discretion*” as provided in the Federal Administrative Procedures Act of 1947. Federal Laws are the law of the land.

The US Constitution: ARTICLE VI. Clause 2. This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby; any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

Those writing regulations or standards should know how to write good regulations... This is expressed in President Obama's Executive Order 13563 Improving Regulation and Regulatory Review of January 18, 2011. <https://obamawhitehouse.archives.gov/the-press-office/2011/01/18/executive-order-13563-improving-regulation-and-regulatory-review>

*“[E]ach agency **must**, among other things: (4) to the extent feasible, **specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt;***

The performance objective includes are fair court actions that seek just and reasonable rates under Federal and Pennsylvania Law. Rather than submissions to the court ar limited to...

Ms. Berkstresser chose to apply restrictions of my voice in a very important issue on this \$98,300,000 rate case by referencing portions of the 52 Pa Code.

Her references did not include 52 Pa. Code Subchapter A. General Provisions 1.2. Liberal construction.

§ 1.2. Liberal construction.

- (a) *This subpart shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which it is applicable. (This is a performance standard) The Commission or presiding officer at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantive rights of the parties.*

(Note: The priority is *just* -- Speedy and inexpensive in of themselves may lead to injustice with a “ready-fire-aim” approach. Speed and expense need to be optimized per the facts and circumstances. A one size fits all approach is not appropriate to achieve justice. In other words, the court is expected to have internal controls that provide: effective and efficient operations, reliable reporting, and compliance with laws and regulations

- (b) *The singular includes the plural, and the plural, the singular. Words used in the masculine gender include the feminine and neuter. Words used in the past or present tense include the future.*

- (c) *The Commission or presiding officer at any stage of an action or proceeding may waive a requirement of this subpart when necessary or appropriate, if the waiver does not adversely affect a substantive right of a party.*

Note: It is the Commission or presiding officer who decides issues regarding the 52 Pa Code, not the Secretary.

- (d) *These liberal construction provisions apply with particularity in proceedings involving **pro se litigants.***

Note: I am a pro se litigant. My experiences in court and court procedures are extremely limited. My documents add to the considerations of good decision-making of the Commission. My ignorance of court proceedings should not be held against me to avoid justice.

Secretary Chiavetta, p

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission :
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v. : Docket No. R-2021-3024296
:
Columbia Gas of Pennsylvania, Inc. :

I hereby certify that I have this day served a true copy of the document, Richard C. Culbertson letter to Secretary Chiavetta in response the Columbia Gas letter of July 8, 2021 to disregard and stricken a prior submission in this proceeding, to the following persons listed below the in accordance with the requirements of 52 Pa. Code § 1.54
Dated this 11th day of July 2021.

SERVICE BY E-MAIL ONLY

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Pittsburgh, PA 15243
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Dated: July 11, 2021

lease process these documents in this rate case for the Commission's consideration.

Thank you, as always for your good work.

Sincerely,

Richard C Culbertson

1430 Bower Hill Road

Pittsburgh, PA 15243

Richard.c.culbertson@Gmail.com

609-410-0108

From Lindsay A. Berkstresser, Associate of Post and Schell for Columbia Gas of Pennsylvania.

"Dear Secretary Chiavetta:

Columbia Gas of Pennsylvania, Inc. ("Columbia") submits this letter to address the "Reply of Richard C. Culbertson to Columbia Gas of Pennsylvania, Inc.'s Answer to the Motion to Replace the Presiding Officer." On June 11, 2021, Richard C. Culbertson filed a Motion to Remove the Presiding Officer. On July 1, 2021, Columbia filed an Answer to Mr. Culbertson's Motion to Replace the Presiding Officer. On July 7, 2021, Mr. Culbertson filed a Reply to Columbia's Answer. The Commission's regulations do not provide for a party to file a reply to an answer. *See* 52 Pa. Code § 5.1 (Pleadings allowed) and 52 Pa. Code § 5.61(a)(1) (Answers to motions). Therefore, Columbia respectfully requests that Mr. Culbertson's Reply to Columbia's Answer be disregarded and stricken as an improper pleading.

Respectfully submitted,"

Thank you as always for your good work.

Sincerely,



Richard C Culbertson

1430 Bower Hill Road

Pittsburgh, PA 15243

Richard.c.culbertson@Gmail.com

609-410-0108