

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

**PUC Bureau of Investigation and
Enforcement vs.
Columbia Gas of Pennsylvania, Inc.**

**Public Meeting of May 12, 2022
3005572-OSA
Docket No. M-2021-3005572**

MOTION OF CHAIRMAN GLADYS BROWN DUTRIEUILLE

On February 8, 2019, the Commission's independent Bureau of Investigation and Enforcement (I&E) initiated an informal investigation of Columbia Gas of PA, Inc. relating to alleged over-pressurization events that occurred on Columbia Gas' Fayetteville and Rimersburg distribution systems. Specifically, the alleged over-pressurizations occurred between January 9, 2018 and January 12, 2018, on the Fayetteville distribution system and between May 16, 2018 and June 12, 2018, on the Rimersburg system.

On June 8, 2021, I&E and Columbia Gas filed a Joint Petition for Approval of Settlement with respect to the informal investigation conducted by I&E. Both Parties filed Statements in Support of the Settlement. The Parties submit that the proposed Settlement is in the public interest and is consistent with the Commission's Policy Statement at 52 Pa. Code § 69.1201, Factors and Standards for Evaluating Litigated and Settled Proceedings Involving Violations of the Public Utility Code and Commission Regulations.

The proposed Settlement provides that Columbia Gas agrees to pay a total civil penalty of \$535,000 not recoverable in rates. Additionally, Columbia agrees to an extensive list of modifications of business practices with regard to how the utility inspects, monitors, maintains, and operates bypass valves across its Pennsylvania service territory.

The Commission issued the Tentative Order requesting comments regarding the proposed Settlement on February 3, 2022. On February 24, 2022, comments to the proposed Settlement were received from Richard C. Culbertson, the Office of Consumer Advocate (OCA), and from Columbia Gas.

Upon review of the Settlement and Statements in Support of same, the limited record, and the Comments filed in response to the Tentative Order, I believe that further development of a complete record is necessary before the Commission renders a decision on appropriate remedies in relation to the Rimersburg and Fayetteville System events.

It is clear from the OCA's Comments, and those submitted by Columbia Gas itself, that the Settlement is not clear on the issue of exactly what facilities required replacement. In addition, the Parties appear to be in disagreement about Columbia Gas's ability to seek recovery of the cost of replacement facilities in rate base. Finally, the record is not clear on what damage to customer property resulted due to the over-pressurization events. These issues must be elucidated further in order for the Commission to rule and make a well-reasoned determination on whether the Settlement terms are in the public interest.

THEREFORE, I MOVE THAT:

1. The Joint Petition for Approval of Settlement filed on June 8, 2021, between the Commission's Bureau of Investigation and Enforcement and Columbia Gas of PA, Inc. is denied.
2. That this matter is referred to the Commission's Bureau of Investigation and Enforcement for such further proceedings as deemed necessary and appropriate.
3. The Office of Special Assistants shall prepare an opinion and order consistent with this Motion.
4. A copy of the Opinion and Order shall be served on the Office of Consumer Advocate, the Office of Small Business Advocate, and Mr. Richard C. Culbertson.

May 12, 2022
Date



Gladys Brown Dutrieuille, Chairman