

Richard. C. Culbertson  
1430 Bower Hill Road  
Pittsburgh, PA 15243  
609-410-0108

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***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 PUC v. Columbia Gas of Pennsylvania, Inc.  
Docket No. M-2022-3012079, Destruction by Explosion of 100 Park Lane Caused by  
Columbia Gas of Pennsylvania, and the 65-page, Revised Joint Petition for Approval  
of Settlement dated February 27, 2023.**

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Dear Secretary Chiavetta:

I thank the Commission for the opportunity to provide public comments and for considering my comments of July 17, 2022, regarding the July 31, 2019, home explosion at 100 Park Lane, North Franklin Township, Washington County, Pennsylvania. Stakeholder and interest party input can be valuable for the Commission's decision-makers.

I also thank the Commission for sending the matter back to the Commission's Inspections and Enforcement (I&E) Bureau for additional work.

As per the Commission's Order and Opinion, I received the Commission's Order and Opinion. I was not, however, served with the 65-page, Revised Joint Petition for Approval of Settlement with attachments and appendices dated February 27, 2023.

Regardless, as a discerning and engaged Columbia Gas, NiSource, and the Commission stakeholder, I believe I must speak out again.

As before, my comments are meant to be constructive for the rightful benefit of all stakeholders, especially the innocent people that were needlessly harmed. My comments are also meant to be constructive for Columbia Gas of Pennsylvania and its parent NiSource.

Without a serious change in business practices and improvements in internal controls, the public will still be subject to undue risk. That is my professional opinion as an asset management expert and leader in the writing and vetting of international asset management standards – ISO 55000 Asset Management and ASTM International E53 Asset Management. Utility distribution company management is all about asset management.

The comments in this submission cannot be fully understood without reviewing my initial submission and other pertinent documents. In summary, they include:

PUC Docket <https://www.puc.pa.gov/docket/M-2022-3012079>

Initial Settlement Agreement <https://www.puc.pa.gov/pcdocs/1736596.pdf>

PUC request for Comments <https://www.puc.pa.gov/pcdocs/1748748.pdf>

My Comments <https://www.puc.pa.gov/pcdocs/1752075.pdf>

PUC rejection of proposed Settlement and OPINION AND ORDER  
<https://www.puc.pa.gov/pcdocs/1768744.pdf> and

Revised Joint Petition for Approval of Settlement <https://www.puc.pa.gov/pcdocs/1775392.pdf>

I have spent considerable time reading and marking up the 65-page, Revised Joint Petition for Approval of Settlement with attachments and appendices dated February 27, 2023. If properly considered adequately, it will be valuable to all stakeholders.

My overall assessment is that this Settlement will not cause sufficient improvements in Columbia’s operations to prevent, detect and correct similar high-risk situations. As a result, the Commission and the public should expect similar harm to the customers, the public, and communities, which will further degrade the reputations of the Commission, Columbia Gas, and other natural gas distribution companies.

In two words, the Revised Joint Petition, in my informed opinion, is **appalling and unacceptable**.

The document certainly does not lead to justice for the harmed innocent people of North Franklyn Township.

For the fine amount of \$990,000, per the Settlement, the Commission, as well as other persons, will forgive and forget the wrongs of Columbia Gas of Pennsylvania in this incident.

Paragraph 57 of the Settlement in part -- *“Nor may this settlement be used by any other person or entity as a concession or admission of fact or law.”*

The public and the innocent people of North Franklyn Township should not forgive and forget.

The work of the Commission's Investigation and Enforcement Bureau, in my opinion, was and is substandard<sup>1</sup> in the areas of diligence, attitude, objectivity<sup>2</sup>, and timeliness, thus unreliable.

The Pennsylvania Legislature and the public expects, as provided in Pennsylvania law, the Bureau of Investigation and Enforcement to actually do the job of professional investigations and enforcement.<sup>3</sup>

The explosion caused by Columbia should not be treated as a one-off but a systemic corporate noncompliant performance. The explosions, fires, and death in Massachusetts resulted in a fine of \$56,000,000 and expulsion from the state. The Commission's I&E Bureau should

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<sup>1</sup> The work of auditing and investigating are closely aligned and both require professionalism.

From the GAO Yellow Book <https://www.gao.gov/assets/gao-21-368g.pdf>

*“Requirement: Professional Judgment*

*3.109 Auditors must use professional judgment in planning and conducting the engagement and in reporting the results*

*3.110 Professional judgment includes exercising reasonable care and professional skepticism. Reasonable care includes acting diligently in accordance with applicable professional standards and ethical principles. Attributes of professional skepticism include a questioning mind, awareness of conditions that may indicate possible misstatement owing to error or fraud, and a critical assessment of evidence. Professional skepticism includes being alert to, for example, evidence that contradicts other evidence obtained or information that brings into question the reliability of documents or responses to inquiries to be used as evidence. Further, it includes a mindset in which auditors assume that management is neither dishonest nor of unquestioned honesty. Auditors may accept records and documents as genuine unless they have reason to believe the contrary. Auditors may consider documenting procedures undertaken to support their application of professional skepticism in highly judgmental or subjective areas under audit.”*

<sup>2</sup> *“3.11 Auditors’ objectivity in discharging their professional responsibilities is the basis for the credibility of auditing in the government sector. Objectivity includes independence of mind and appearance when conducting engagements, maintaining an attitude of impartiality, having intellectual honesty, and being free of conflicts of interest. Maintaining objectivity includes a continuing assessment of relationships with audited entities and other stakeholders in the context of the auditors’ responsibility to the public. The concepts of objectivity and independence are closely related. Independence impairments affect auditors’ objectivity.”*

<sup>3</sup> The Pennsylvania Public Utility Code – “Title 66 § 501. General powers.

- (a) Enforcement of provisions of part --In addition to any powers expressly enumerated in this part, the commission shall have full power and authority, **and it shall be its duty to enforce**, execute and carry out, by its regulations, orders, or otherwise, all and singular, the provisions of this part, and the full intent thereof; and shall have the power to rescind or modify any such regulations or orders.”
- (b) (b) Administrative authority and regulations. --The commission shall have general administrative power and authority to supervise and regulate all public utilities doing business within this Commonwealth. The commission may make such regulations, **not inconsistent with law**, as may be necessary or proper in the exercise of its powers or for the performance of its duties.

have been aware of the infractions of Columbia Gas in Massachusetts.

Per the Revised Joint Petition for Approval of Settlement of February 27, 2023, I&E performed an “informal investigation.” However, if the incident was sufficiently significant to require reporting to Federal authorities, it should be sufficiently significant to do a formal investigation – among other things, one that actually identifies the background of NiSource<sup>4</sup> companies and Columbia Gas of Pennsylvania, the sequence of events, root causes, and identifies wrongdoing, weaknesses, deficiencies, the actors of the contractor and actors of Columbia Gas/NiSource. (Certain internal policies and information technology may be owned, operated, and controlled at the parent, NiSource level.)

The attitude, quality, and approach to an investigation greatly impacts the integrity of enforcement.

The Settlement was reached amicably. It is not in the public interest for I&E to approach the investigation and enforcement that almost killed four people amicably.

The explosion of the home and resulting injuries of at least four people – the homeowner and leadership of the North Franklyn Township Volunteer Fire Company was a reportable incident per Federal regulations 49 CFR 191.3. <https://www.ecfr.gov/current/title-49/subtitle-B/chapter-I/subchapter-D/part-191>

***“Incident*** means any of the following events:

(1) An event that involves a release of gas from a pipeline... that results in one or more of the following consequences:

(i) A death, or **personal injury necessitating in-patient hospitalization;**

(ii) **Estimated property damage of \$122,000 or more, including loss to the operator and others, or both, but excluding the cost of gas lost.**”

49 CFR § 191.5 Immediate notice of certain incidents. Each notice required by paragraph (a) of this section must be made to the National Response Center either by telephone to 800-424-8802 (in Washington, DC, 202 267-2675) or electronically at <http://www.nrc.uscg.mil> and must include the following information:

(1) Names of operator and person making report and their telephone numbers.

(2) The location of the incident.

(3) The time of the incident

(4) The number of fatalities and personal injuries, if any.

(5) **All other significant facts that are known by the operator that are relevant to the**

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<sup>4</sup> Violations of the Parent company NiSource: Penalty total since 2000: **\$678,036,930 and Number of records: 57**  
<https://violationtracker.goodjobsfirst.org/parent/nisource>

*cause of the incident or extent of the damages.*

*(c) Within 48 hours after the confirmed discovery of an incident, to the extent practicable, an operator must revise or confirm its initial telephonic notice required in paragraph (b) of this section with an estimate of the amount of product released, an estimate of the number of fatalities and injuries, and all other significant facts that are known by the operator that are relevant to the cause of the incident or extent of the damages. If there are no changes or revisions to the initial report, the operator must confirm the estimates in its initial report.*

What the Commission must know and interested parties and stakeholders want to know, were these reports submitted, what were the contents, and did Columbia fulfill and comply with its regulatory obligations? These reports should have been included in I&E's report to the Commission – decision-makers have a need to know. It must be assumed when Columbia submitted these reports to the Federal Government, they included various admissions similar to those of President and COO of Columbia Gas Mike Huwar, as provided and shown below.

After the incident, *“NORTH FRANKLIN TOWNSHIP (KDKA) ‘We Are Deeply Sorry’: Columbia Gas Takes Responsibility For Washington County Explosion -- Columbia Gas is taking responsibility for a large explosion that leveled a home and sent five people to the hospital in Washington County.*

*The gas company held a news conference Thursday afternoon to update the public on the latest developments. They say the investigation could take some time.*

*“Our customers deserve safe, reliable delivery of natural gas,” President and COO of Columbia Gas Mike Huwar said. **“We failed to deliver on this mission, and for that we are deeply sorry.”***

*“While our processes are designed to catch such anomalies; unfortunately, the combination of our review process, including our initial project design process and our additional secondary field survey that we completed, we did not identify that fact that the home was connected to the section of gas main that was being upgraded,” Huwar said.*  
<https://www.cbsnews.com/pittsburgh/news/columbia-gas-claims-responsibility-north-franklin-township-explosion/>

*“Because of that, a necessary pressure regulator was never added to the home, resulting in the blast.”*

*“When the new system was engaged, and because the pressure regulator was not added, the elevated pressure lead to a leak, which caused the explosion,” Huwar said.*

**The Proposed Revised Joint Petition for Approval of Settlement is fatally flawed, not trustworthy, not in the public interest, and must be rejected again.**

**The settlement agreement ignores the admissions of the Company President after the incident. From the Revised Settlement, there were no admissions.** <sup>5</sup>

**The Commission denied the first settlement agreement with its order of December 8, 2022, because:**

*[W]e are unable to make an informed determination on this matter without information regarding the following:*

- (1) whether any remedial measures stemming from the 2018 MA Event were recommended for Columbia Gas and, if so, whether they were effectuated;*
  - (2) an estimated timeline for completion of each of the 23 corrective actions proposed in the Settlement; and*
  - (3) an accounting of the monetary damage caused by the explosion and if Columbia Gas ratepayers will be responsible for the financial liability associated with the explosion.*
- For these reasons, we deny the Settlement in its current form.*

**Culbertson Comment:**

**The proposed revised Settlement also does not satisfactorily provide information regarding the three areas of concern as they are not deemed reliably current, accurate, and complete.**

NiSource/Columbia Gas states some of the recommendations were effectuated prior to the explosion in Washington County. Columbia makes assertions of work completed in Attachments 1 and 2. Without third-party validations, these assertions are unreliable.

The explosions in Massachusetts and Washington County were partially caused by the work and judgment of contractors. Attachments 1 and 2 do not include applicability and better oversight, training, and compliance of contractors.

All contractor work not firsthand quality inspected by Columbia's qualified employees should be deemed substandard work and not recoverable in rates per Title 66 § 1359. Projects.

The Commission should adopt and use when doing investigations of utility-caused reportable incidents the U.S. Department of Justice Criminal Division Evaluation of Corporate

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<sup>5</sup> See Appendix C: COLUMBIA GAS OF PENNSYLVANIA, INC.'s STATEMENT IN SUPPORT OF SETTLEMENT AGREEMENT 8. The Parties' agreement to settle the matters described in I&E's averments **was made without any admission** or prejudice to any position that they might adopt during any subsequent administrative or court proceeding of whatever nature,

Compliance Programs. <https://www.justice.gov/criminal-fraud/page/file/937501/download>

[T]here are three “fundamental questions” a prosecutor should ask:

1. Is the corporation’s compliance program well designed?
2. Is the program being applied earnestly and in good faith? In other words, is the program adequately resourced and empowered to function effectively?
3. Does the corporation’s compliance program work in practice?

**We know from the explosion and injuries that whatever Columbia had in its operations did not work. Then a prosecutor should have determined the facts with questions 1 and 2.**

*“Is the Corporation’s Compliance Program Adequately Resourced and Empowered to Function Effectively?”*

*Even a well-designed compliance program may be unsuccessful in practice if implementation is lax, under-resourced, or otherwise ineffective. Prosecutors are instructed to probe specifically whether a compliance program is a “paper program” or one implemented, resourced, reviewed, and revised, as appropriate, in an effective manner.”*

**Is the NiSource/ Columbia compliance program a paper program? Failures show the program is not to be trusted.**

NiSource has adopted Safety Management System ANSI/API 1173 Pipeline Safety Management System Requirements, but Columbia Gas of Pennsylvania has been slow to adopt it. The standard was first issued in July 2015.

At the PUC’s Public Input Hearing of the 2022 Rate Case of Columbia Gas, a 30-year front-line Columbia Gas employee, George Mulligan, provided sworn public testimony that Columbia’s contractors were not working safely and his concerns were so great that he was compelled to do the right thing and publicly and testify against his company.

There is no indication I&E followed up on his concerns. Unsafe practices lead to gas explosions.

Columbia/ NiSource needs many more George Mulligans with knowledge, care, courage, and tenacity. Assessing overall risk is beyond the tested competence of individuals’ covered tasks.

I tried to follow up on his concerns with interrogatories in the rate case – but Columbia objected; I appealed to the administrative law judges to compel the interrogatories to be delivered and answered by the employee but was denied. This shows Columbia was not cooperative in getting to the truth and facts of what caused the incident in Washington County.

The standard ANSI/API 1173 Safety Management System will only work if “*the following **principles** on which to base a safety management system recommended practice: **Commitment, leadership, and oversight from top management are vital to the overall success of a PSMS. ... The creation of a learning environment for continuous improvement is achieved by investigating incidents thoroughly, fostering non-punitive reporting systems, and communicating lessons learned.**”*

### **The incident in Merrimack Valley, MA, in September 2018**

There are close similarities between the NiSource company incidents of the Merrimack Valley, MA, 2018 and the one in Washington County, PA, 2019 -- overpressurizaion, primary work performed by contractors and workers where assumed to be qualified by 49 CFR 192.803

*“49 CFR § 192.803 Definitions.*

***Abnormal operating condition** means a condition identified by the operator that may indicate a malfunction of a component or deviation from normal operations that may:*

*(a) Indicate a condition exceeding design limits; or*

*(b) Result in a hazard(s) to persons, property, or the environment.*

*Qualified means that an individual has been evaluated and can: Perform assigned covered tasks; and **Recognize and react to abnormal operating conditions.**”*

Columbia Gas of Pennsylvania workers, engineers, and management, as well as contractor workers, engineers, and management, proved themselves, with the incident, to be unqualified to do the work as they did not “**Recognize and react to abnormal operating conditions.**”

All involved should have been deemed to be unqualified until these individuals understood the wrongs, participated in remedial actions, completed retraining, and were tested. There was no indication that that happened.

See the **NTSB Document Completed Investigation PLD18MR003**, Event Date 9/13/2018, Location - Merrimack Valley, MA

<https://www.nts.gov/investigations/Pages/pld18mr003.aspx>

In Columbia Attachment 1, a table is provided corresponding with the NTSB “recommendations.”

Columbia Attachment (2) is the estimated timeline for the completion of each of the 23 corrective actions proposed in the Settlement.

**NTSB Recommendations:**

<https://data.nts.gov/carol-main-public/sr-details/P-18-006>

**Safety Recommendation P-18-006**

TO NISOURCE: Revise the engineering plan and constructability review process across all of your subsidiaries to ensure that all applicable departments review construction documents for accuracy, completeness, and correctness, and that the documents or plans be sealed by a professional engineer prior to commencing work. **(Urgent)**

## Recommendation Details

 [Original recommendation transmittal letter](#)

Overall status	 Closed - Acceptable Action
Mode	 Pipeline
On Most Wanted List	No
Priority level	Urgent
Times reiterated	0
Is hazmat	Yes
Is NPRM	No
SR coding	Personnel, Training / proficiency / check Procedures / Regulations, Oversight/Auditing Quality / Safety Management, Safety policy and objectives
Date issued	11/15/2018
Overall date closed	10/24/2019

**Culbertson Comments:** Even though this recommendation had an Urgent priority, It appears NiSource did not fulfill the recommendation in a timely manner. If the recommendation had been fulfilled, the incident in Washington County might not have occurred.

## Safety Recommendation P-18-007

TO NISOURCE: Review and ensure that all records and documentation of your natural gas systems are traceable, reliable, and complete. (Urgent)

### Recommendation Details

 [Original recommendation transmittal letter](#)

Overall status	 Closed - Acceptable Action
Mode	 Pipeline
On Most Wanted List	No
Priority level	Urgent
Times reiterated	0
Is hazmat	Yes
Is NPRM	No
SR coding	Quality / Safety Management, Safety policy and objectives
Date issued	11/15/2018
Overall date closed	07/22/2019

**Culbertson Comments:** In that, the explosion in Washington County occurred on July 31, 2019, just a few days after the recommendation was supposed to have been effectuated. Did NiSource fulfill the recommended requirement? No. Poor records contributed to the incident. Columbia Attachment 1 is not current, accurate, or complete – thus unreliable for decision-making purposes of the Commission.

<https://data.nts.gov/carol-main-public/sr-details/P-18-008>

### Safety Recommendation P-18-008

**TO NISOURCE: Apply management of change process to all changes to adequately identify system threats that could result in a common mode failure. (Urgent)**

## Recommendation Details

 [Original recommendation transmittal letter](#)

Overall status	 Closed - Acceptable Action
Mode	 Pipeline
On Most Wanted List	No
Priority level	Urgent
Times reiterated	0
Is hazmat	Yes
Is NPRM	No
SR coding	Quality / Safety Management, Safety risk management Quality / Safety Management, Safety assurance
Date issued	11/15/2018
Overall date closed	10/24/2019

**Culbertson Comments:** Even though this recommendation had an Urgent priority, It appears Columbia/NiSource may not have fulfilled the recommendation in a timely manner. See letter of December 14, 2018, from Hamrock CEO of NiSource to Robert Sumwalt, Chairman of the NTSB, regarding the Safety Management [https://i.heart.com/v3/re/new\\_assets/ffb1d375-fad9-454c-90a8-7ddc57dd6241](https://i.heart.com/v3/re/new_assets/ffb1d375-fad9-454c-90a8-7ddc57dd6241) (A NiSource representative was involved in the writing and vetting the ANSI/API 1173 standard prior to publication in 2015.) If the standards had been used, the incident might not have occurred. See PA Title 66 § 2203 Standards and “§ 2205. *Duties of natural gas distribution companies. (a) Integrity of distribution system.—(1) Each natural gas distribution company **shall** maintain the integrity of its distribution system at least in conformity with the standards established by the Federal Department of Transportation and **such other standards practiced by the industry** in a manner sufficient to provide safe and reliable service to all retail gas customers connected to its system consistent with this title and the Commission’s orders or regulations.*”

<https://data.nts.gov/carol-main-public/sr-details/P-18-009>

## Safety Recommendation P-18-009

**TO NISOURCE: Develop and implement control procedures during modifications to gas mains to mitigate the risks identified during management of change operations. Gas main pressures should be continually monitored during these modifications and assets should be placed at critical locations to immediately shut down the system if abnormal operations are detected. (Urgent)**

### Recommendation Details

 [Original recommendation transmittal letter](#)

Overall status	 Closed - Acceptable Action
Mode	 Pipeline
On Most Wanted List	No
Priority level	Urgent
Times reiterated	0
Is hazmat	Yes
Is NPRM	No
SR coding	Procedures / Regulations, Equipment certification Procedures / Regulations, Communication Procedures / Regulations, Maintenance/inspection
Date issued	11/15/2018
Overall date closed	07/22/2019

**Culbertson Comments:** The Washington County explosion occurred on July 31, 2019, just a few days after the Recommendation was Closed. Closed implies the recommendation was adopted, and the risk of like occurrences has been effectively mitigated. Closed also provides assurances to the Federal Government, state governments, and customers that NiSource companies are now safe from such incidents. So, what did NiSource do in Pennsylvania to close this recommendation? Misrepresentation? Why did the explosion occur? Root causes? Could Columbia “*immediately shut down the system if abnormal operations are detected*” – when, where, how, and who? Did NiSource just provide a paper solution? Is this recommendation just another paper solution? Is the work of contractors now safe? How do these new procedures and processes get to a contractor’s workers?

## Safety Recommendation P-19-016

TO THE 31 STATES THAT ALLOW EXEMPTIONS TO PROFESSIONAL ENGINEER APPROVAL AND STAMPING FOR NATURAL GAS INFRASTRUCTURE PROJECTS (ALABAMA, ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, CONNECTICUT, FLORIDA, GEORGIA, IDAHO, ILLINOIS, IOWA, KENTUCKY, LOUISIANA, MAINE, MARYLAND, MINNESOTA, MISSISSIPPI, MISSOURI, MONTANA, NEBRASKA, NEVADA, NEW YORK, NORTH CAROLINA, **PENNSYLVANIA**, SOUTH CAROLINA, SOUTH DAKOTA, TEXAS, UTAH, VIRGINIA, AND WYOMING): Remove the exemption so that all future natural gas infrastructure projects require licensed professional engineer approval and stamping.

### Recommendation Details

 [Original recommendation transmittal letter](#)

Overall status	 Open - Await Response
Mode	 Pipeline
On Most Wanted List	No
Priority level	Non-urgent
Times reiterated	0
Is hazmat	Yes
Is NPRM	No
SR coding	Personnel, Management / scheduling / staffing Personnel, Training / proficiency / check
Date issued	10/24/2019
Overall date closed	

**Commonwealth of Pennsylvania – “Open - Await Response”**

From the Commission's Order: *[W]e are unable to make an informed determination on this matter without information regarding the following:*

*(1) whether any remedial measures stemming from the 2018 MA Event were recommended for Columbia Gas and, if so, whether they were effectuated;*

**Conclusion** regarding remedial measures – **nonconclusive**.

**NiSource assertions to the NTSB that the NTSB recommendations have been satisfied and are in place were not reliable. There should be no assumptions that Columbia's Attachments 1 and 2 are reliable. The Commission should engage a third-party inspector to validate as provided in PA Title 66 § 516. Audits of certain utilities, (c) Use of independent auditing firms.**

From the Commission's Order *[W]e are unable to make an informed determination on this matter without information regarding the following:*

*(2) an estimated timeline for completion of each of the 23 corrective actions proposed in the Settlement; and*

### **Culbertson Comments**

As with Columbia's Attachment 1. Columbia's assertions may not be current, accurate, and complete and may not provide assurance that like occurrences will not happen again.

For example, No.5: *“Enhance **personnel** training, including field, management, supervision, and engineering. The Company must develop an uprate training module that incorporates the new procedural changes. This training should be provided to **all impacted employees**, including management and engineering staff, on three (3) year intervals. This training module must also address the low-pressure conversions, or re-qualifications”*

This only addresses the training of employees – the hands-on individuals at the work site were contractor employees. When a contractor employee finds that the provided maps are unreliable – the contractor should be able to stop work until the maps are deemed reliable. Columbia should not force contractors to use unreliable maps and records.

An independent and competent third party should be engaged to validate Columbia's assertions. That must be done before assessing a fine and reaching Settlement. Check the work before payment is made for the work.

Columbia claims they have made good faith efforts for corrections resulting from the July 31, 2019, explosion. If that is true, why were some of these completion dates made, or will be made in 2023? *“[T]he Company has provided good faith estimates for completion of those*

corrective measures, while also noting those corrective actions that have already been completed.” **Does that also mean if the Commission had not rejected the initial settlement recommendation, these completions in 2023 would not have been made?**

From the Commission’s Order [W]e are unable to make an informed determination on this matter without information regarding the following:

***(3) an accounting of the monetary damage caused by the explosion and if Columbia Gas ratepayers will be responsible for the financial liability associated with the explosion. For these reasons, we deny the Settlement in its current form.***

Columbia Attachment 3

Monetary Damages Resulting from North Franklin Event

Type of Damage	Amount
Property (Real & Personal) <sup>1</sup>	\$1,975,425.25
Alternate Cost of Living Expense (“ALE”) <sup>2</sup>	\$112,785.58
Personal Injury & Emotional Distress	\$1,004,500.00
<b>Total</b>	<b>\$3,092,710.83</b>

**\*All claims for monetary damages were paid through insurance** and therefore ratepayers were not responsible for the financial liability associated with the explosion.

**Culbertson Comment:** The table is not current, accurate, and complete for what the Commission wanted.

A public utility’s charging of costs that are or are not recoverable through customer billings is certainly within the scope of the Commission as well as protecting the public from a utility’s abuses, mischarging, and wrongdoing.

The monetary damage of the explosion to customers and others is not the same as what an insurance company will pay. Those harmed deserved restitution.

Damages to others’ property should have been for the current replacement cost.

18 CFR 201 - UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR NATURAL GAS COMPANIES SUBJECT TO THE PROVISIONS OF THE NATURAL GAS ACT provides accounting treatment for various costs of a gas utility.

<https://www.govinfo.gov/content/pkg/CFR-2022-title18-vol1/pdf/CFR-2022-title18-vol1-part201.pdf>

*“E. All amounts included in the accounts prescribed herein for gas plant and operating expenses shall be just and reasonable, and any payments or accruals by the utility in excess of just and reasonable charges shall be included in account 426.5, Other Deductions.”*

Events and associated cost objectives outside of normal operations may be allowable or unallowable costs for recovery.

Costs as a result of unreasonable, reckless, or illegal acts and mismanagement related to this incident are unallowable. The safeguards to avoid this incident were not put in place.

Terms that apply to reasonable costs include prudent, proper, and necessary costs.

Unallowable costs are to be charged to Other Income Deductions :

*“B. OTHER INCOME DEDUCTIONS*

*421.2 Loss on disposition of property.*

*425 Miscellaneous amortization.*

*426 [Reserved]*

*426.1 Donations.*

*426.2 Life insurance.*

*426.3 Penalties.*

*426.4 Expenditures for certain civic, political and related activities.*

*426.5 Other deductions. Total other income deductions. Total other income and deductions.”*

As a result, costs related to mismanagement should have been segregated from the normal operating cost. The costs of mismanagement and the cost to correct mismanagement are unallowable costs.

The table provided by Columbia Gas does not account for unallowable costs directly associated with the incident.

That would be all direct costs attributed to the occurrence, which would include all material and labor, managerial costs, services, restoration, equipment, removal of debris, internal and external investigations, rewriting policy, retraining, etc.

It is not in the best interest of the public to be short-changed regarding the actual cost of the incident. This is another reason the Commission should not accept the Revised Settlement Agreement.

**Other troubling observations included or excluded in the Settlement documentation that should be recognized that may have harmed the stakeholders, but not necessarily in the order of importance but may be primary reasons for the Commission to reject the Revised Settlement.**

1. The Settlement uses a strawman argument/ fallacy. First, create a strawman that misrepresents the situation, then argue against the strawman.
2. The Settlement Agreement uses the term “litigation” 16 times.  
The strawman argument regarding litigation on Page 19:  
*“The Parties submit that the Settlement Agreement is in the public interest because it effectively addresses I&E’s allegations that are the subject of the I&E informal investigation, addresses the concerns set forth in comments to the originally submitted settlement, as memorialized in the December 27 Order, promotes public and facility safety, and avoids the time and expense of litigation, which entails hearings, travel for Respondent’s witnesses, and the preparation and filing of briefs, exceptions, reply exceptions, as well as possible appeals.”*

All those excuses do not apply to this situation. **The Company president within a couple of hours of the incident and admitted fault of his company’s actions or omissions.** This Settlement is silent on those omissions. Was there an investigation of the incident?. The best way the Commission should have approached this incident was to accept Columbia’s admissions, find the root causes, coordinate with Federal authorities regarding the incident in Massachusetts (who approached the incident as criminal with involvement of the Federal Justice Department) and determine if NiSource/ Columbia misrepresented the status of their corrections to the NTSB, then coordinate corrections and punishment of Columbia Gas of Pennsylvania / NiSource.

A primary duty of the Commission is to enforce requirements – not settle with those who caused harm to the innocent. The Commission has supervisory power – Columbia does not. The investigative process should have been used to uncover and identify systemic weaknesses – not only with specific things, policy, processes -- but with a deficient management and corporate culture.

3. The Settlement was signed by a PUC employee and a NiSource employee. The NiSource employee apparently represents Columbia Gas. Does this NiSource employee have official signing authority on behalf of NiSource and Columbia Gas of Pennsylvania? It should not be assumed she does. She could have signing authority, but that should have been provided to the Commission as part of the due diligence processes.

Does this person have enforcement authority to deliver on commitments made in the Settlement? Most certainly not. Settlement agreements should be signed by one with official signing authority and corporate oversight and enforcement responsibilities – that is, the President and Chief Operating Officer of Columbia Gas of Pennsylvania, Mark Kempic.

4. Settlements arrived amicably between Columbia/ NiSource and the PUC do not fit well with the extreme consequences of Columbia’s wrongs.

The public is the “odd man out.” The signers of the Settlement may have known each other for many years, based upon social media, and from the outset, had an amicable relationship. The role and facts should determine the attitude and approach of the investigating prosecutor. “Amicable” feelings and attitudes can interfere with the rightful role and position and impede the investigator from seeing facts.

“Love is blind” was said in England -- centuries ago by Chaucer and Shakespeare. Seeking justice for the innocent requires unbiased, clear, and sharp eyes.

*“GAO Yellow book “3.11 Auditors’ [and investigators] objectivity in discharging their professional responsibilities is the basis for the credibility of auditing in the government sector. Objectivity includes independence of mind and appearance when conducting engagements, maintaining an attitude of impartiality, having intellectual honesty, and being free of conflicts of interest. Maintaining objectivity includes a continuing assessment of relationships with audited entities and other stakeholders in the context of the auditors’ responsibility to the public. The concepts of objectivity and independence are closely related. Independence impairments affect auditors’ objectivity.*

*Application Guidance: Professional Judgment*

*3.110 Professional judgment includes exercising reasonable care and professional skepticism. Reasonable care includes acting diligently in accordance with applicable professional standards and ethical principles. Attributes of professional skepticism include a questioning mind, awareness of conditions that may indicate possible misstatement owing to error or fraud, and a critical assessment of evidence. Professional skepticism includes being alert to, for example, evidence that contradicts other evidence obtained or information that brings into question the reliability of documents or responses to inquiries to be used as evidence. Further, it includes a mindset in which auditors assume that management is neither dishonest nor of unquestioned honesty.” (The GAO Yellow Book applies to the Commission as a recipient and consequence of a Federal grant under 2 CFR 200.)*

5. From the Settlement “14. The “Dewey Avenue Replacement Project” (“Project”) was a two-phase project initiated by Columbia Gas on March 8, 2019 to install new main and uprate existing main from its operating pressure of Low Pressure (LP) ~ 11 inches of water column to a Maximum Allowable Operating Pressure (“MAOP”) of 45 pounds per square inch gauge (“psig”).”

**Comment:** I have visited the site twice and spoken to some who were there at the time of the incident. This onsite view helped me understand. Not only did the contractor change out the mains but service lines and customer’s service lines.

**Customer’s service line should have been out of scope because customer’s service lines**

**are real property of the owner of the real property being serviced by Columbia.**

**Pennsylvania Public Utility Law.**

**Title 66 § 1510. Ownership and maintenance of natural and artificial gas service lines.**

*When connecting the premises of the customer with the gas utility distribution mains, the public utility shall furnish, install and maintain the service line or connection according to the rules and regulations of the filed tariff. **A public utility shall not be authorized or required to acquire or assume ownership of any customer's service line. ... Maintenance of service lines shall be the responsibility of the owner of the service line. (March 7, 1984)***

It appears the contractor replaced the customer's service lines – Customer's service lines replaced by the contractor are not to be charged to Columbia's capital but to their account  
**426.1 Donations.**

I have brought this issue to Columbia before, and if the contractor did install new customer's service lines, those costs must be disallowed. If so, the mischarging was done knowingly and willingly. All corrections must be made from whenever this practice started. Of course, the Commission does not condone mischarging or overcharging customers.

**6. The size of the service lines**

**From the Settlement** *"17. The Columbia Gas distribution system at 100 Park Lane consisted of a plastic main with plastic service lines. The main was located at the dead end of Mineola Ave and was 2-inch Polyethylene plastic pipe. The service line was **1-inch Polyethylene plastic pipe and was 255 feet in length** and ran from the end of the main located near Mineola Ave. Columbia Gas renewed the main in 2013 and installed the service line to 100 Park Lane on June 20, 2013."*

The distribution system of 100 Park Lane includes the main and the service line, – not the customer's service line. The meter belonging to Columbia is not part of the distribution system but is a measuring device for billing purposes. Distribution ended at the property line. The lengths of the service line and customer's service were omitted. The length of the 1-inch plastic service line seems short at 255 feet.



The yellow posts on the upper right show the new location of the meter. A neighbor said the meter was much closer before the explosion, close to Mineola Ave.

255 feet is 85 yards – the best pro football quarterbacks could throw about 70 yards, in proportion reasonably close to 85. What is correct, 255 or something longer? Records or maps issue?

Regardless, from the Columbia Gas – Standards for Customer Service Lines, Meters, and Service Regulators document

**TABLE 1**

**Maximum Capacity of Plastic Pipe in CFH for Service Lines Operated at Low Pressure**

(Based on a Pressure Drop of 0.5" Water Column and 0.6 Specific Gravity Gas.)

MDPE Plastic	Distance Main to Meter in Feet						
	10	50	100	150	200	250	300
1" CTS	373	167	118	96	83	75	68
1 1/4" IPS	1074	480	340	277	244	215	196
2" IPS	3,160	1,410	1,000	820	710	630	580
3" IPS	9,280	4,150	2,940	2,400	2,030	1,860	1,700
4" IPS	18,430	8,240	5,830	4,760	4,120	3,690	3,360
6" IPS	51,820	23,180	16,390	13,380	11,590	10,360	9,460

Table has allowed for normal fittings.

**Low-Pressure Service Lines.** Low-pressure customer service lines shall not be less than 1 inch CTS.

From Columbia's table at the distance of 255 ft with a 1-inch plastic pipe – the customer's service line – service line was undersized, and the residence was only receiving about 68,000 btus of energy, which is barely enough to operate an efficient gas heating system.

Under-sizing pipes are non-compliant with laws, regulations, standards and internal policy.

**Test pressure**

**From the Revised Settlement**

10. "At approximately 6:45 PM, Columbia Gas separated the main from the service line at 100 Park Lane to terminate the flow of natural gas to the residence. The Company conducted a pressure test at or about 6:52 PM, which indicated that the service line was at or about 92 psig for ten (10) minutes. The Company's Standard Operation Procedures require service lines to be tested with air at

*least 90-psig for five to ten minutes during leak investigations. The pressure test held, and no leak was detected.”*

**The test methods of Columbia are not in compliance with “49 CFR § 192.513.**

*Test requirements for plastic pipelines. (a) Each segment of a plastic pipeline **must** be tested in accordance with this section.*

*(b) The test procedure **must** insure discovery of all potentially hazardous leaks in the segment being tested.*

*(c) The test pressure must be at least 150 percent of the maximum operating pressure or **50 p.s.i.** (345 kPa) gage, whichever is greater.*

Over pressurization is dangerous to people and property. Company policy does not supersede Federal pipeline regulations.

From the Columbia Gas – Standards for Customer Service Lines, Meters, and Service Regulators document

#### **4.2 NEW AND REPLACED SERVICE LINES**

Additional requirements for new and replaced customer-owned service lines and meter setting installations.

##### **4.2.1 New Construction Pressure Test Requirements (2” and under)\***

A new customer service line shall be given a pressure test after construction and before being placed in service to demonstrate that it is gas tight. Service lines shall be pressure tested at **1.5 x MAOP or 90 psig**, whichever is greater, for at least **5 minutes** with **no drop** in pressure, and a leakage check shall be made at operating pressure of all exposed fittings in the service line that were not included in the pressure test.

**Note:** For service lines to operate at pressures above 99 psig, consult the Gas Company.

Columbia/ NiSource internal procedures – they call these Gas Standards; they do not provide a high level of confidence of compliance with regulations.

Revised: March 2023 NiSource Code of Business Conduct

<https://www.nisource.com/docs/librariesprovider2/nisource-documents/nisource-policies/nisource-code-of-business.pdf>

This is a document written with good intentions but actions have not been reliably compliant. It includes “Demonstrating Good Citizenship and Compliance with Laws” and “Reporting inappropriate activity.”

Required testing with the appropriate test psi in Federal regulations – are not suggestions and compliance is required. So, how can this utility use the wrong test pressure of 90 psi daily for years? I have had written concerns about this since 2016 the wrongs have not been recognized and corrected. The lack of corrections of wrongs in company policy is a key performance indicator of how serious Columbia/ NiSource is about compliance and safety. George Mulligan in his testimony talked about deaf ears of his supervision – their handicaps may go beyond deaf ears.

Organizations that have good quality assurance programs and functions use a recorded corrective action database system. For every suspected wrong reported – a corrective action request (CAR) is issued to the responsible manager. The responsible manager is required to respond with one over one approval. <https://img.yumpu.com/34126097/1/500x640/corrective-action-request-car-form-totalqualityassociatesorg.jpg>

What is Columbia’s corrective action process – what is the Commission’s automated process to assure Columbia is complying with its corrective action process? Over the years, some intelligent people have said, *“If it is not written down, it does not exist.”*

**There is no reason that customers must file a formal complaint and go through a hearing with an administrative law judge to correct the obvious and mundane. Just from the NiSource/ Columbia Gas Plumbers Guide**

[https://www.columbiagaspa.com/docs/librariesprovider14/contractors-and-plumbers/plumber-qualifications/plumber's-guide.pdf?sfvrsn=e6447951\\_11](https://www.columbiagaspa.com/docs/librariesprovider14/contractors-and-plumbers/plumber-qualifications/plumber's-guide.pdf?sfvrsn=e6447951_11)

- Columbia must use the regulatory required test pressure of 90 psi.
- Columbia is not *“Authority Having Jurisdiction – Fire Chief, Local Code Official, Representative of the Gas Company, or others who are responsible for approving equipment, materials, installation, or procedures”* over private property Customer’s service lines
- The standard applicable to private real property in Pennsylvania is the Uniform Construction Code – for private property, it is the International Gas Fuel Code, not the National Gas Fuel Code. Customer’s service lines are to be tested at 3 psi.
- Independent Contractors working on private property for a private citizen are not

subject to 49 CFR Subpart N - Qualification of Pipeline Personnel. Therefore, these independent contractors are not pipeline personnel and are not subject to Columbia's pretended authority.

- Appendix G –Operator Qualification Form forces private contractors to sign a false attestation.

I attest that all work performed and materials used fully comply with all Federal, State, and Local rules, regulations, codes and standards, and all applicable Columbia Gas Policies and Procedures, regulations, and standards, including, but not limited to: 49 CFR 192, Subpart N; Standards for Customer Service Lines, Meters, and Regulators; Tariffs; and Approved Materials for Gas Piping on Customer Owned Service Lines. I further attest that I am enrolled in a Drug and Alcohol plan in accordance with 49 CFR 199. I understand and agree that Columbia's acceptance of a Qualifier's written program shall in no way constitute an assumption or acceptance by Columbia Gas of responsibility for the installation or repair work performed by me, and I remain responsible for any work performed.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

Note: Operator Qualification Cards can be printed from: [www.columbiagasohio.com/business/plumbers](http://www.columbiagasohio.com/business/plumbers)  
or [www.columbiagaspa.md.com/products\\_services/plumber\\_information.htm](http://www.columbiagaspa.md.com/products_services/plumber_information.htm)

Form C – 3363 (11/04)

Contractors are forced to use this form, otherwise they will not be able to complete the job of obtaining gas service and get paid. How would a private contractor have access to all applicable Columbia Gas policies and procedures – they do not.

This is a prime example that the Columbia/ NiSource compliance system does not work.

### **Recommendations:**

1. Reject the Revised Joint Petition for Approval of Settlement because it does not adequately fulfill the Commission's Order of December 8, 2022. (1) Some of the remedial measures, according to NiSource, were effectuated prior to the explosion – whatever Columbia did – it did not work. The words of Columbia regarding remedial measures are not sufficient to conclude appropriate remedial measures were effectuated. The remedial actions taken need to be validated and assessed. (2) The timeline for corrections is troubling; many of the corrective actions were or expected to be completed in 2023 for this July 31, 2019 explosion. This delay shows Columbia did not believe it worthwhile to immediately identify root causes and contributing factors and make appropriate corrections. If the Commission had not rejected the previous Settlement, these corrective actions probably would not have been taken. The primary root causes in PA and MA were improper oversight and management of the contractor, incomplete records, and inaccurate maps. Updating Columbia's system for record-keeping, asset management, and reliable mapping should not be just a consideration requirement.
2. Identify and use current technology and the supplier base to avoid tragic events. The explosions in Millerville, Massachusetts, Washington County, Pottstown, Philadelphia,

and Reading have one thing in common – gas entered the structure for hours prior to the explosions, mostly while unaware residents or employees were inside.

There is an opportunity and solution. Water meters are generally inside the home's basement close to where the gas lines enter. These meters have electronic readers to measure usage. An enhanced electronic sensing and reporting system should be able to communicate levels of raw natural gas, carbon monoxide and smoke to the resident, homeowner and emergency response. Timely reporting allows early detection and much less harm to people and property. Use current technology and supplier base to solve this problem. Target safety, efficiency and effectiveness.

A robust sensing and reporting system itself can be made a public utility.

3. Use third party auditors and technical experts to do another investigation of this incident and identify, assess and validate the current status of Columbia's condition. This effort must also include assessments of Columbia / NiSource internal controls based upon the COSO Internal Control – Integrated Framework. According to the NiSource, in their 10-K reports to the SEC, they have adopted this governance standard.
4. The Commission and Columbia must follow PA Title 66 § 2203 Standards and § 2205. Duties of natural gas distribution companies. (a) Integrity of distribution system.-- (1) Each natural gas distribution company **shall** maintain the integrity of its distribution system at least in conformity with the standards established by the Federal Department of Transportation and **such other standards practiced by the industry** in a manner sufficient to provide safe and reliable service to all retail gas customers connected to its system consistent with this title and the Commission's **orders** or regulations.

Force Columbia to adopt, use and seek third-party certifications of applicable portions of international standards – e.g., ISO 9000 Quality Management, ISO 55000 Asset Management, ISO 31000 Quality Management, ISO 45000 Safety Management, and ASTM E 2279 Asset Management. The Commission should do the same.

Columbia claims they have adopted and use ANSI/API 1173 Pipeline Safety Management System Requirements -- that, too, needs to have a third-party compliance certification.

The Commission should also adopt these standards as part of complying with PA Title 66 § 2203 Standards.... The Commission reporting system for corrective actions and Columbia's reported corrective actions should be electronically linked (If appropriate records and controls are not in place, important systemic and specific things will not be addressed and fixed.) Columbia's performance should

be presented by I&E for consideration in rate proceedings. Be critical, and fix things once and correctly – that should apply to other utility distribution companies. Eliminate papers-based systems.

5. The training of Columbia’s employees and management and knowing what is right and wrong appears to me to be grossly inadequate. Training is a necessary period cost and should be accounted for as a current operating and maintenance expense, part of overhead cost and not part of the rate base per the Uniform System of Accounts 18 CFR 201. Continuous training is necessary. The GAO Yellow Book – Chapter 4 sets the right tone. Practitioners, -- the ones actually doing the work must be better trained than the watcher auditors. <https://www.gao.gov/assets/gao-21-368g.pdf>
6. Upgrade the investigation protocol of reportable incidences – So far Pottstown explosion of May 2022 is not conclusive primarily because of chaos at the start of the investigation. It is my understanding that immediate lab test of samples of the explosion site can determine the type of gas that exploded natural gas or propane. After time material evidence gets degraded, contaminated or washed away in rain. Reportable incidents should be treated as crime scenes with the best internal and experts immediately engaged. There should be an investigation of the investigations into the Washington County explosion and the Pottstown explosion. From the outside, both of these investigations appear not to have delivered justice to the innocent victims.

### **A Broader Look and Conclusions**

The biggest sin in asset management is procrastination. Not doing the right thing and not recognizing weaknesses and deficiencies in a timely manner can destroy a good asset management system and corrupts employees, contractors, and a public utility. At the same time, visible non-compliance in an organization is contagious, as actions speak louder than words – the tone at the top with words and deeds matters.

In this incident, it appears the Commissions Inspection and Enforcement Bureau did not explore if the work at the “*Dewey Avenue Replacement Project*” in North Franklyn Township was necessary. Accelerated pipeline replacements come with accelerated risks. Probably a much greater risk with having to engage with outside pipeline replacement contractors. Contractors may not know or understand the existing weaknesses of Columbia’s operations. Internal employees may exercise more caution – that is the belief of Columbia’s union workers.

CANONSBURG, Pa. — Nov 11, 2021 (Two years after the incident at North Franklyn Township.)

*“More than 200 Columbia Gas employees have voted to strike over the next few days. The workers said they are concerned over unsafe work by contractors.”*

<https://www.wtae.com/article/columbia-gas-workers-authorize-strike/38221293#>

Apparently, Columbia’s union workers did not believe safety had improved. The union workers voted to go on strike for public safety. This was a vote of no confidence that management had improved the safety of contract workers. That no confidence should have concerned other stakeholders.

During the recent comment period of comment period of Columbia’s DCIS The Commission’s Bureau of Investigation did important and excellent work in their analysis of plastic pipeline replacements. <https://www.puc.pa.gov/pcdocs/1772123.pdf>

Page 8 ***“THE LEAK NUMBERS AMONGST FIRST GENERATION PLASTIC DO NOT SUPPORT PRIORIZING ITS REPLACEMENT AT THE SAME LEVEL AS BARE STEEL”***

*“From 2017 to 2021, Columbia reported a yearly average of 0.04 leaks per mile of plastic or plastic insert main when excluding excavation damage leaks. During the same 2017-2021 period, Columbia reported a yearly average of 172 total leaks on their plastic system when excluding excavation damage leaks. Columbia was unable to provide the leak rate for first generation plastic as it is not a tracked metric as of 2022.”*

Page 11 *“In 2008, the cost per foot was approximately \$81.25 and in 2021, the cost per foot was \$238.00.”* Per the CPI inflation calculator between those years inflation per year was 2.3 % or about 40% in total. The increase in pipeline replacement cost is about 200%”

Page 12 – *“Columbia has replaced a high percentage of non-priority (non-bare steel) pipe from 2013 through 2021. This is represented in the table below:”* ( In thousands 000)

<b>Year</b>	<b>AAOP Total</b>	<b>AAOP Priority</b>	<b>AAOP Non-Priority</b>	<b>% Non-Priority</b>
2013	671,125	450,763	220,362	49%
2014	661,763	413,246	248,517	60%
2015	737,695	491,006	246,689	50%
2016	721,678	478,790	242,888	51%
2017	780,646	509,428	271,218	53%
2018	545,240	302,290	242,950	80%
2019	822,405	516,689	305,716	59%
2020	692,755	387,821	304,934	79%
2021	741,775	440,036	301,739	69%

I&E’s table shows \$2,385,013,000 of Non-Priority work (replacing plastic pipe) was added to the rate base between 2013 and 2021. **In round numbers, that is ~\$2.4 Billion. Non-priority work is unnecessary work.** The costs of unnecessary work are unallowable costs, as they are not reasonable. Submitting cost of work that was Non-Priority as if High Priority may have been misrepresentation. Appropriate reductions in the rate base are necessary.

With knowledge comes responsibility and accountability. The fog has been somewhat lifted.

I recommend the Commission not approve the Revised Settlement document. Instead, step back and find out with external experts what is really going on with Columbia's operations – safety, use of contractors, the reasonableness of work and associated cost, and the overall effectiveness of Columbia's internal controls. Then from these finding, determine the appropriate enforcement actions that are in the best interest of the public, and will deter unsafe and unreasonable operations of this public utility.

I encourage the PUC to do the right thing to improve public safety at just and reasonable costs.

Sincerely and respectfully submitted.



Richard C. Culbertson  
1430 Bower Hill Road  
Pittsburgh, PA 15243  
609-410-0108

April 5, 2023

eFile

CERTIFICATE OF SERVICE

Re: Pennsylvania Public Utility Commission :  
 :  
 v. : Docket No. M-2022-3012079  
 :  
 Columbia Gas of Pennsylvania, Inc. :

I hereby certify that I have this day served a true copy of the Public Comment to PA PUC v. Columbia Gas of Pennsylvania, Inc. Docket No. M-2022-3012079, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 5<sup>th</sup> day of April, 2023.

**SERVICE BY E-MAIL ONLY**

Michael L. Swindler Deputy Chief Prosecutor PA Attorney ID No. 43319 (717) 783-6369 mswindler@pa.gov	Amy E. Hirakis, Esq. Columbia Gas of Pennsylvania, Inc. 800 North 3rd Street, Suite 204 Harrisburg, PA 17102 <a href="mailto:ahirakis@nisource.com">ahirakis@nisource.com</a>
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<p>Lauren E. Guerra, Esquire Barrett C. Sheridan, Esquire Harrison W. Breitman, Esquire Aron J. Beatty, Esquire Darryl A. Lawrence, Esquire Office of Consumer Advocate 555 Walnut Street 5th Floor Forum Place Harrisburg, PA 17101-1923 <a href="mailto:LGuerra@paoca.org">LGuerra@paoca.org</a> <a href="mailto:BSheridan@paoca.org">BSheridan@paoca.org</a> <a href="mailto:HBreitman@paoca.org">HBreitman@paoca.org</a> <a href="mailto:abeatty@paoca.org">abeatty@paoca.org</a> <a href="mailto:DLawrence@paoca.org">DLawrence@paoca.org</a> <a href="mailto:consumer@paoca.org">consumer@paoca.org</a></p>	<p>Steven C. Gray, Esquire Office of Small Business Advocate 555 Walnut Street, 1<sup>st</sup> Floor Harrisburg, PA 17101 <a href="mailto:sgray@pa.gov">sgray@pa.gov</a></p>
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