



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

April 26, 2023

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Matheson Tri-Gas Inc.
Docket No. C-2023-
I&E Formal Complaint (Assessment)

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's (I&E) **Formal Complaint** for the above-captioned proceeding.

Copies are being served on all parties of record as evidenced in the attached Certificate of Service. Should you have any questions, or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Alphonso Arnold III'. The signature is written in a cursive style with a distinct 'III' at the end.

Alphonso Arnold III
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318487
(717) 787-3836
alphonarno@pa.gov

AA/jfm
Enclosures

cc: Per Certificate of Service

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint.

The date of service is the mailing date as indicated at the top of the Secretarial Letter. *See* 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Alphonso Arnold III, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Arnold at: alphonarno@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the requested relief.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania," with the docket number indicated, and mail to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the requested relief set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at (717) 787-8714.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-
	:	
Matheson Tri-Gas Inc.,	:	
Respondent	:	

FORMAL COMPLAINT

NOW COMES the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), by its prosecuting attorney, and files this **Assessment Complaint** against Matheson Tri-Gas Inc. (“Respondent”), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of 400 North Street, Harrisburg, PA 17120, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate pipeline operators pursuant to Section 501(a) of Act 127, 58 P.S. § 801.501(a).

2. Complainant is the Commission's Bureau of Investigation and Enforcement, which is the bureau established to take enforcement actions against public utilities and other entities subject to the Commission's jurisdiction pursuant to 66 Pa.C.S. § 308.2(a)(11); *See also Implementation of Act 129 of 2008; Organization of Bureaus and*

Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

3. Complainant's prosecuting attorneys are as follows:

Alphonso Arnold III
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 787-3836
alphonarno@pa.gov

4. Respondent is Matheson Tri-Gas Inc., with a main mailing address of 909 Lake Carolyn Parkway, Irving, TX 75039. On October 13, 2016, Respondent registered for the first time with the Commission as a pipeline operator at Docket No. A-2016-2570761.

5. Respondent is a “pipeline operator” as that term is defined at Section 102 of Act 127, 58 P.S. § 801.102, as it “owns or operates equipment or facilities in [the Commonwealth of Pennsylvania] for the transportation of gas or hazardous liquids by pipeline or pipeline facility regulated under Federal pipeline safety laws.”

6. Respondent, as a pipeline operator, is subject to the power and authority of this Commission pursuant to Section 501(b) of Act 127, 58 P.S. § 801.501(b), which requires pipeline operators to comply with the Act and the terms and conditions of the orders issued under the Act.

7. Section 501(a) of Act 127, 58 P.S. § 801.501(a), authorizes and obligates the Commission “to supervise and regulate pipeline operators within this Commonwealth consistent with Federal pipeline safety laws.”

8. Section 501(a)(7) of Act 127, 58 P.S. § 801.501(a)(7), authorizes the Commission “[t]o enforce Federal pipeline safety laws and, after notice and opportunity for a hearing, impose civil penalties and take other appropriate enforcement action.”

9. Section 502(a) of Act 127, 58 P.S. § 801.502(a), authorizes the Commission to impose civil penalties on pipeline operators who violate the Act. Under Section 502(a), pipeline operators are subject to a civil penalty provided under Federal pipeline safety laws or Section 3301(c) of the Public Utility Code, 66 Pa.C.S. § 3301(c), whichever is greater. Section 3301(c) of the Public Utility Code, 66 Pa.C.S. § 3301(c), allows for the imposition of a civil penalty not to exceed \$200,000 for each violation for each day that the violation persists subject to a maximum civil penalty of \$2,000,000 for any related series of violations.

10. Civil penalties for violations of Federal pipeline safety laws and regulations are adjusted annually to account for changes in inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Pub. L. 114-74, § 701, 129 Stat. 599, 28 U.S.C.A. § 2461 note (Nov. 2, 2015) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990). The most recent adjustment made by the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (“PHMSA”) occurred on July 31, 2019 and revises the maximum civil penalty to Two Hundred Eighteen Thousand, Six Hundred Forty-Seven Dollars (\$218,647) for each violation for each day the violation continues, with a maximum penalty not to exceed Two Million, One Hundred Eighty-Six Thousand, Four Hundred Sixty-Five Dollars (\$2,186,465) for a related series of violations. 84 Fed. Reg. 37059-02 (July 31, 2019).

11. Section 503(b) of Act 127, 58 P.S. § 801.503(b), authorizes the Commission to levy upon applicable pipeline operators a yearly assessment. The Commission’s total

costs of the Act 127 gas safety program, less costs otherwise reimbursed by the federal government, will be allocated among the newly regulated entities in proportion to their miles of intrastate regulated pipelines.

12. Pursuant to the provisions of the applicable Commonwealth and federal statutes and regulations, the Commission has jurisdiction over the subject matter of this Complaint and the actions of Respondent related thereto.

Background

2022-2023 FISCAL YEAR

13. On or about February 23, 2022, Respondent reported to the Commission 5.5 jurisdictional pipeline miles on its Act 127 Pennsylvania Pipeline Operator Annual Registration Form for the 2021 calendar year (“2021 Annual Registration Form”). A copy of Respondent’s 2021 Annual Registration Form is attached as I&E Exhibit 1.

14. On or about September 8, 2022, the Commission, by first class mail, mailed to Respondent an assessment invoice for the July 1, 2022 to June 30, 2023 Fiscal Year (“2022-2023 Fiscal Year”) that was based on Respondent’s reported, jurisdictional pipelines miles for the 2021 calendar year. A copy of the assessment invoice is attached as I&E Exhibit 2.

15. Respondent’s assessment was \$1,804. This represents a \$328 cost per mile of pipeline that was in operation during the 2021 calendar year.

16. Accompanying the assessment invoice was a notice of assessment that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days. A copy of the notice of assessment is attached as I&E Exhibit 3.

17. Respondent did not pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

18. On or about October 26, 2022, the Commission re-mailed the assessment invoice and notice of assessment by certified mail.

19. The assessment invoice and notice of assessment were re-mailed to the assessment address that Respondent provided to the Commission for assessment purposes of 909 Lake Carolyn Parkway, Irving, TX 75039.

20. On October 31, 2022, Respondent received the certified mailing of the assessment invoice and notice of assessment. The USPS tracking history of the certified mailing is attached as I&E Exhibit 4.

21. The Commission received no objections from Respondent to the assessment amount set forth in the assessment invoice for the 2022-2023 Fiscal Year.

22. On or about December 13, 2022, the Commission's Bureau of Administration mailed Respondent a letter warning that if it did not pay its 2022-2023 Fiscal Year Assessment of \$1,804 within twenty (20) days of receipt of the letter, then the Commission will institute appropriate legal action against Respondent.

23. Respondent failed to pay the amount of the assessment invoice for the 2022-2023 Fiscal Year.

24. The total outstanding assessment balance for Respondent related to the 2022-2023 Fiscal Year is \$1,804.

Violation

25. Paragraphs 1-24 above are incorporated herein as if stated in their entirety.

26. Respondent failed to satisfy its assessment invoice for the 2022-2023 Fiscal Year in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 503(b) of Act 127, 58 P.S. § 801.503(b). The Bureau of Investigation and Enforcement proposes a civil penalty of 15% of the outstanding assessment balance or \$271 for this violation. This civil penalty is based on the nature of the violation,¹ Respondent’s history of compliance with Act 127,² the need to deter future violations of the Act,³ and past Commission decisions in similar situations⁴ pursuant to 52 Pa. Code § 69.1201.⁵

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that:

- (a) Respondent be ordered to pay a total of \$2,075, which consists of its outstanding assessment balance of \$1,804 and a total civil penalty of \$271 for the above-described violation. Said payment should be made by certified check or money order, made payable to the “Commonwealth of Pennsylvania” with the docket number of this proceeding listed, and mailed to the Secretary’s Bureau of the Commission; and

¹ I&E submits that this proposed civil penalty amount is just as it is within the parameters of 49 U.S.C.A. § 60122(a)(1) and 66 Pa.C.S. § 3301(c) and is commensurate with the severity of the violation.

² A review of the Commission’s records for a period of three (3) years prior to the date of the filing of this Complaint demonstrates that Respondent has an acceptable compliance history with the Commission.

³ I&E anticipates that this level of penalty will provide a sufficient deterrent against future violations by Respondent.

⁴ See *Pa. Pub. Util. Comm’n v. Moore Family Holdings, LLC*, Docket No. C-2021-3029489 (Order entered April 14, 2022); *Pa. Pub. Util. Comm’n v. Safety 1st Paratransit Inc.*, Docket No. C-2021-3029522 (Order entered April 14, 2022); *Pa. Pub. Util. Comm’n v. JB Jr. Trucking LLC*, Docket No. C-2021-3029458 (Order entered February 24, 2022).

⁵ The Commission promulgated a Policy Statement at 52 Pa. Code § 69.1201 as a guideline that sets forth ten factors that are to be considered when evaluating whether and to what extent a civil penalty for violating a Commission order, regulation, or statute is warranted. Among these factors are the nature of the conduct at issue, the compliance history of the regulated entity that committed the violation, the amount of the civil penalty necessary to deter future violations, and past Commission decisions in similar situations. 52 Pa. Code §§ 69.1201(c)(1), (6), (8), and (9).

- (b) If payment of the assessment and civil penalty is not made, the Bureau of Investigation and Enforcement requests that:
- (1) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and
 - (2) the Commission grant such other further relief as is just and reasonable.

Respectfully submitted,



Alphonso Arnold III
Prosecutor
PA Attorney ID No. 318487

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 787-3836
alphoarno@pa.gov

Date: April 26, 2023

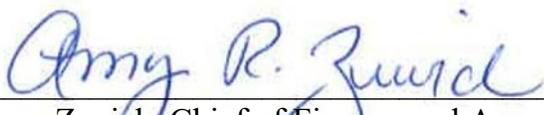
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-
	:	
Matheson Tri-Gas Inc.,	:	
Respondent	:	

VERIFICATION

I, Amy Zuvich, Chief of Finance and Assessments, Bureau of Administration, Finance and Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: April 26, 2023



Amy Zuvich, Chief of Finance and Assessments
Finance and Assessment Section
Bureau of Administration
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

I&E
EXHIBIT 1



Act 127 Pennsylvania Pipeline Operator Annual Registration Form

Please submit completed form by March 31

Registration for Previous Calendar Year Ending: 2021
Docket Number: A-2016-2570761

- If you need help getting your docket number,
- Go to www.puc.pa.gov > Filing & Resources > Issues, Laws & Regulations > Act 127 (Pipeline Act).
 - On the Act 127 page you will see a link on the lower section of the page under Pipeline Operators Registry.
 - Click on the link to "View Current List of Registered Pipeline Operators."
 - Click on the utility code next to your name; find the Docket Number (A-2012-xxxxxx) under the Docketed Cases.

1. Registrant (Full name of pipeline operator): Matheson Tri-Gas Inc.

Comments: If applicable, explain any changes to your company name or legal status (acquisition, merger, etc.) in the past calendar year.

N/A

2. Types of Pipelines and/or Facilities.
 Please note that natural gas public utilities are not required to file this form.
 Pipelines and/or facilities covered by this form are associated with the following types of facilities and transport the following types of commodities: (select all that apply)

Gas Distribution

Natural Gas Propane Gas

Gas Transmission

Natural Gas
 Propane Gas
 Other Gas Define: Hydrogen & Nitrogen

Gas Gathering

Hazardous Liquid
 Other Define:

3. Main Mailing Address:
 Provide the address to which the Commission will serve all correspondence relating to this registration.

Street Address/P. O. Box: PO Box 718
 City, State, Zip Code: St Marys, PA 15857

4. Physical Address:
 Provide the address of your primary Pennsylvania facility. This address is needed by the Commission to perform inspections and onsite visits.
 Do not provide a post office box number.

Street Address: 203 West Creek Road
 City, State, Zip Code: St Marys, PA 15857

5. US DOT Operator ID Number:
 Provide the number assigned to you by the United States Department of Transportation, Pipeline Hazardous and Materials Safety Administration (PHMSA). 314842

6. PA L&I Propane Registration Number:
 Provide your propane registration number with the Pennsylvania Department of Labor and Industry (if applicable). If you do not have a number, please enter "N/A". N/A

7. Regulatory Contact Information:	<i>Complete in full with contact information of the person in your company the Commission can contact for questions and other matters pertaining to your registration and operations.</i>
Name:	Mark Gunter
Street Address:	203 West Creek Road
City, State, Zip Code:	St Marys, PA 15857
Email Address:	mgunter@mathesongas.com
Telephone Number:	(814) 781-6990
8. Assessment Contact Information:	<i>Complete in full with contact information of the person in your company who is responsible for receiving the Commission's assessment (billing) invoices and paying the assessment under Act 127.</i>
Name:	
Street Address:	909 Lake Carolyn Parkway
City, State, Zip Code:	Irving, Texas 75039
Email Address:	MTG-AP@mathesongas.com
Telephone Number:	(814) 781-6990
9. Federal EIN Number (if applicable):	74-2460354
10. Pipeline Emergency (PEMA) Contact Information:	<i>Complete in full with contact information of the person in your company who the Commission can call in an emergency situation. This information is critical to the Commission's interactions with the Pennsylvania Emergency Management Authority (PEMA).</i>
Name:	James Murphree
Street Address:	1700 Scepter Road
City, State, Zip Code:	Waverly, TN 37185
Email Address:	jmurphree@mathesongas.com
Telephone Number:	(931) 296-8151
11. Attorney (if applicable):	<i>Complete this section only if an attorney is filing this registration form on your company's behalf.</i>
Name:	N/A
Street Address:	N/A
City, State, Zip Code:	
Email Address:	N/A
Telephone Number:	
12. Operational Information:	
Comments: Report any newly installed pipeline, and explain any additions, deletions or variations since your previous year's registration.	
Updated names & addresses from previous years' filings. Also, added our nitrogen pipeline mileage to this form which has been in service since 1980.	

- Complete Attachments "A" and "B". For each Pennsylvania gas or hazardous liquids pipeline, provide the in-state mileage in operation as of December 31 of the prior year, by class and by county. Mileage should be reported for each individual pipe. Multiple pipelines in one trench are considered individual pipes for reporting purposes. If you have no miles to report on these attachments, check the appropriate block at the top of the form(s).
- Complete Attachment "C" by providing the country of manufacture and mileage data for all tubular steel products installed in the prior calendar year in Pennsylvania for the exploration, gathering or transmission of natural gas or hazardous liquids. If you have no data to report on this attachment, check the appropriate block at the top of the form.

13. Filing Fee:

The filing fee for this Annual Registration Form is \$250, payable to the "Commonwealth of Pennsylvania." The filing fee can either be mailed or electronically paid when eFiling your form with the Commission's eFiling system. **NOTE: If you are a Propane Distributor registered with the PA L&I or a Borough, you are exempt from paying this filing fee.**

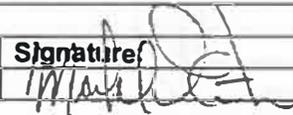
Fee Exemptions (please indicate if either exemption applies):

- Propane Distributor registered with PA L&I
- Borough

14. Verification:

The person responsible (corporate officer or attorney) for filing your Annual Registration Form must affix his or her signature and verify that all information provided on the form is true to the best of his or her knowledge, information and belief. NOTE: Registration Forms that are not verified will not be accepted for filing.

I hereby state that the information in this application is true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Name:	Signature:
Mark Gunter	
Title:	Date:
Plant Manager	2/23/2022

15. Registration:

eFiling:

Registration Forms may be eFiled with the PUC. If eFiling your renewal form, go to <http://www.puc.pa.gov> and click on the eFiling link on the bottom of the page under Issues, News & Reports. Please choose "Existing Case" as the type of filing and enter your docket number where indicated.

By mail:

Send original, signed copy of registration form along with attachments and filing fee (if applicable) to:

Secretary, PA Public Utility Commission
Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

Reminders:

- It is the responsibility of registrants to keep the Commission notified of any changes to your contact information by providing notice, in writing, to the Commission's Secretary at the above address.
- Incomplete registration forms or those missing any attachments are unacceptable for filing and will be delayed for processing until the required information is sent to the Commission's Secretary's Bureau. If you require assistance or have questions when completing this form, call 717-772-7777.
- Registrations are public records. Accordingly, DO NOT place social security numbers, credit card numbers, bank account numbers or other confidential information on the registration form.

*****PLEASE KEEP A COPY OF YOUR COMPLETED REGISTRATION FORM FOR YOUR RECORDS*****

Additional Comments: Use this section to add any additional information:

N/A

Attachment A

Hazardous Liquids Lines
Calendar Year Ending: 2021
Pipeline Operator: Matheson Tri-Gas Inc.

Please check here if you have no reportable Hazardous Liquids Lines

Please report mileage to the nearest 1/10th of a mile.

HCA = High Consequence Area

County	Intrastate		Interstate		Total
	Non-HCA	HCA	Non-HCA	HCA	
Adams					0.0
Allegheny					0.0
Armstrong					0.0
Beaver					0.0
Bedford					0.0
Berks					0.0
Blair					0.0
Bradford					0.0
Bucks					0.0
Butler					0.0
Cambria					0.0
Cameron					0.0
Carbon					0.0
Centre					0.0
Chester					0.0
Clarion					0.0
Clearfield					0.0
Clinton					0.0
Columbia					0.0
Crawford					0.0
Cumberland					0.0
Dauphin					0.0
Delaware					0.0
Elk					0.0
Erie					0.0
Fayette					0.0
Forest					0.0
Franklin					0.0
Fulton					0.0
Greene					0.0
Huntingdon					0.0
Indiana					0.0
Jefferson					0.0
Juniata					0.0
Lackawanna					0.0
Lancaster					0.0
Lawrence					0.0
Lebanon					0.0
Lehigh					0.0
Luzerne					0.0
Lycoming					0.0
McKean					0.0
Mercer					0.0
Mifflin					0.0
Monroe					0.0
Montgomery					0.0

Montour					0.0
Northampton					0.0
Northumberland					0.0
Perry					0.0
Philadelphia					0.0
Pike					0.0
Potter					0.0
Schuylkill					0.0
Snyder					0.0
Somerset					0.0
Sullivan					0.0
Susquehanna					0.0
Tioga					0.0
Union					0.0
Venango					0.0
Warren					0.0
Washington					0.0
Wayne					0.0
Westmoreland					0.0
Wyoming					0.0
York					0.0
Total	0.0	0.0	0.0	0.0	0.0

Attachment B

Mileage
Calendar Year Ending: 2021
Pipeline Operator: Matheson Tri-Gas Inc.

Please check here if you have no miles to report

Act 127 mileage reporting for this form should not include any pipelines subject to the exclusive jurisdiction of the Federal Energy Regulatory Commission.

Please report mileage to the nearest 1/10th of a mile.

County	Number of Farm Taps	Class 1 Gathering (Conventional)	Class 1 Gathering (Unconventional)	Class 1 Transmission & Distribution	Gathering, Transmission & Distribution			
					Class 2 Gathering Transmission & Distribution	Class 3 Gathering Transmission & Distribution	Class 4 Gathering Transmission & Distribution	Total Class 1 T&D + Class 2+3+4 G,T&D
Adams								0.0
Allegheny								0.0
Armstrong								0.0
Beaver								0.0
Bedford								0.0
Berks								0.0
Blair								0.0
Bradford								0.0
Bucks								0.0
Butler								0.0
Cambria								0.0
Cameron								0.0
Carbon								0.0
Centre								0.0
Chester								0.0
Clarion								0.0
Clearfield								0.0
Clinton								0.0
Columbia								0.0
Crawford								0.0
Cumberland								0.0
Dauphin								0.0
Delaware								0.0
Elk				5.5				5.5
Erie								0.0
Fayette								0.0
Forest								0.0
Franklin								0.0
Fulton								0.0
Greene								0.0
Huntingdon								0.0
Indiana								0.0
Jefferson								0.0
Juniata								0.0
Lackawanna								0.0
Lancaster								0.0
Lawrence								0.0
Lebanon								0.0
Lehigh								0.0
Luzerne								0.0
Lycoming								0.0

McKean								0.0
Mercer								0.0
Mifflin								0.0
Monroe								0.0
Montgomery								0.0
Montour								0.0
Northampton								0.0
Northumberland								0.0
Perry								0.0
Philadelphia								0.0
Pike								0.0
Potter								0.0
Schuylkill								0.0
Snyder								0.0
Somerset								0.0
Sullivan								0.0
Susquehanna								0.0
Tioga								0.0
Union								0.0
Venango								0.0
Warren								0.0
Washington								0.0
Wayne								0.0
Westmoreland								0.0
Wyoming								0.0
York								0.0
Total	0.0	0.0	0.0	5.5	0.0	0.0	0.0	5.5

I&E
EXHIBIT 2



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission

Harrisburg, PA 17105-3265

GENERAL ASSESSMENTS INVOICE

MATHESON TRI-GAS INC
909 LAKE CAROLYN PARKWAY
IRVING TX 75039

Invoice Date	Invoice Number
9/9/2022	22-1719260
Fiscal Year	
July 1, 2022 to June 30, 2023	

- Read carefully Notice of Assessment
- Use return envelope provided
- Make check payable to:
Commonwealth of Pennsylvania
- If you desire confirmation of receipt, use a mailing service that provides one, such as USPS-Return Receipt, or overnight delivery with receipt confirmation

Reported assessable miles (5.5) x \$328.00	\$1,804.00
PAY THIS AMOUNT WITHIN 30 DAYS	\$1,804.00

TO RECEIVE PROPER CREDIT FOR YOUR PAYMENT,
REMOVE THE BOTTOM PART OF THIS INVOICE AT
THE PERFORATION AND RETURN WITH YOUR
REMITTANCE

MAIL PAYMENT TO:
PA PUC
BAS - FISCAL SECTION
400 NORTH STREET
HARRISBURG, PA 17120

FOLD AND CUT HERE

RETURN THIS PORTION WITH YOUR REMITTANCE

MATHESON TRI-GAS INC
909 LAKE CAROLYN PARKWAY
IRVING TX 75039

Invoice Date	Invoice Number
9/9/2022	22-1719260
Fiscal Year	
July 1, 2022 to June 30, 2023	

PAY THIS AMOUNT WITHIN 30 DAYS	\$1,804.00
---------------------------------------	-------------------

I&E
EXHIBIT 3

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Act 127 of 2011
NOTICE OF ASSESSMENT

**EXPLANATION OF ASSESSMENT FOR ACT 127 OF 2011-THE GAS AND HAZARDOUS
PIPELINES SAFETY ACT
FOR FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023**

The Public Utility Commission is mandated under Act 127 of 2011, The Gas and Hazardous Liquids Pipelines Act, to levy upon applicable pipeline operators a yearly assessment to fund the Commission's ongoing administration of the registry of all pipeline operators and enforcement of Federal pipeline safety laws as they relate to non-public utility gas and hazardous liquids and pipeline facilities within the Commonwealth of Pennsylvania.

The enclosed assessment bill shows your proportionate share of the expenses of Act 127 for the Fiscal Year July 1, 2022 to June 30, 2023.

YOU ARE REQUIRED TO PAY THIS BILL WITHIN THIRTY DAYS AFTER YOU RECEIVE IT. Objections to the assessment must be made in writing within 15 days and shall set out in detail the grounds upon which you regard the assessment to be excessive, erroneous, unlawful, or invalid. Objections may be filed only by the person, partnership, or corporation assessed. **FAILURE TO PAY THE ASSESSMENT WHEN PAYMENT IS DUE WILL SUBJECT YOU TO PENALTIES.**

Be sure that your personal check or money order is written out in the same amount as your assessment invoice, and make your remittance payable to, "Commonwealth of PA". **DO NOT SEND CASH. A TWENTY DOLLAR (\$20.00) FEE WILL BE CHARGED FOR ALL DISHONORED OR BAD CHECKS REMITTED AS PAYMENT OF ASSESSMENTS.**

Your Act 127 assessment has been computed by dividing the estimated expenditures for FY 2022-23 (minus the registrations fees) by the total number of applicable reported pipeline miles for calendar year 2021. Your applicable pipeline miles for 2021 have been taken from the report filed with the Commission when you registered in the spring of this year. If you have any questions regarding the pipeline miles used in your calculation, please contact the Gas Safety Division at 717-787-1063.

Estimate of the expenditures of Act 127 oversight For the Fiscal Year July 1, 2022 to June 30, 2023:	\$ 622,365
Federal Reimbursement Shortfall for FY 2022-23:	\$ 0
Deduct: Credit from registration fees:	<u>(\$ 29,000)</u>
Total Assessment	<u>\$ 593,365</u>

The assessment applicable to each pipeline operator is calculated by dividing the amount of expected expenditures for the program for the 2022-23 fiscal year by the number of applicable pipeline miles reported for the previous calendar year (2021). The miles of applicable pipeline reported for CY 2021 was 1,811.2 miles. Thus, the assessment per mile of pipeline for FY 2022-23 is \$328.



Rosemary Chiavetta
Secretary
PA Public Utility Commission

MAKE INQUIRIES TO:

Pennsylvania Public Utility Commission
Bureau of Administration /Assessments
400 North Street
Harrisburg, PA 17120

CONTACT FOR PAYMENT QUESTIONS:

Assessment Hotline - Telephone 717-265-7548 or email pucassessments@pa.gov

I&E
EXHIBIT 4

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Supplies

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Status History ?

◆ **Tracking Number Information**

Meter:	12604116	Mailing Date:	10/26/22 09:42 AM
Tracking Number:	9171969009350294485030	Sender:	
Current Status:	OK : Delivered	Recipient:	
Class of Mail	FC	Zip Code:	75039
Service:	ERR	City:	IRVING
Value	\$0.570	State:	TX

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◆ **Status Details**

▼ Status Date	Status
Mon, 10/31/22, 11:55:00 AM	OK : Delivered
Sun, 10/30/22, 03:16:00 PM	Processed (processing scan)
Sun, 10/30/22, 10:27:00 AM	Processed (processing scan)
Sat, 10/29/22, 02:39:00 PM	Processed (processing scan)
Wed, 10/26/22, 07:04:00 PM	Processed (processing scan)
Wed, 10/26/22, 05:49:00 PM	Origin Acceptance
Wed, 10/26/22, 12:46:00 PM	OK: USPS acknowledges reception of info

Note: Delivery status updates are processed throughout the day and posted upon receipt from the Postal Service.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-
	:	
Matheson Tri-Gas Inc.,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Formal Complaint** in the manner and upon the persons listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by party):

Served via Certified First-Class Mail

Matheson Tri-Gas Inc.
909 Lake Carolyn Parkway
Irving, TX 75039



Alphonso Arnold III
Prosecutor
PA Attorney ID No. 318487

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 787-3836
alphonarno@pa.gov

Dated: April 26, 2023