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June 26, 2023

VIA ELECTRONIC FILING

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
400 North Street
Harrisburg, PA 17120

Re: Petition of Williams Companies, Inc. for a Declaratory Order
Docket No. P-_____

Dear Rosemary Chiavetta:

Enclosed for filing please find the Petition for Declaratory Order of Williams Companies Inc. Copies have been served in accordance with the attached Certificate of Service.

Thank you, and please feel free to contact me if you have any questions or concerns.

Best regards,
STEVENS & LEE



Michael A. Gruin, Esq.

Enclosures

cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Williams Companies, Inc. for :
a Declaratory Order :
: Docket No. P-2023-_____
:
:

PETITION OF WILLIAMS COMPANIES, INC. FOR DECLARATORY ORDER

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 66 Pa.C.S. § 331(f) and 52 Pa. Code § 5.42, Williams Companies, Inc. (“Williams” or the “Company”), hereby Petitions the Pennsylvania Public Utility Commission (“Commission”) and respectfully requests the issuance of a Declaratory Order to confirm that the Company’s planned solar energy projects, described below, meet the qualifications to generate Solar Renewable Alternative Energy Portfolio Credits (“SRECs”) under the Alternative Energy Portfolio Standards (“AEPS”) Act, 73 P.S. §§ 1648.1 *et seq.* In support therefore, the Company avers as follows:

I. INTRODUCTION AND BACKGROUND

1. Williams is a corporation organized and existing under the laws of the Delaware with a principal business address of 2800 Post Oak Blvd., Houston, TX 77056.

2. Williams is an energy company with a primary focus on natural gas infrastructure. Among its operations in Pennsylvania, Williams’s subsidiary Transcontinental Gas Pipe Line Company, LLC (“Transco”) operates the Transco natural gas pipeline, which is a major interstate pipeline system that transports approximately 15% of the nation’s natural gas.

3. Transco operates multiple natural gas compression stations along the pipeline, and Transco is planning to construct two large solar photovoltaic (“PV”) energy

projects to provide electricity to two of its natural gas compressor stations in Pennsylvania.

4. One of the solar PV projects will be constructed at a Transco compressor station located in Wyoming County, Pennsylvania and the other will be constructed at a Transco compressor station located in Columbia County, Pennsylvania.

5. Both of the compressor stations at issue receive electricity service from PPL Electric Utilities (“PPL”), and Transco is the customer of record of PPL at both locations.

6. Each of the projects is expected to be approximately 11 MWac in size. In each case, the solar arrays will be located on land adjacent to the compressor station and will be physically connected to the compressor station’s existing internal electric system.

7. Power from the solar arrays will flow directly into the compressor stations’ internal electric systems to support the stations’ operations, and the entirety of the solar generation is expected to be consumed by the compressor stations, reducing the electrical load supplied by PPL.

8. Attached hereto as **Exhibit A** are overviews of the solar projects, including photographs showing the overhead views and the side views of the compressor stations’ internal electric systems, indicating where the physical connection from the solar PV systems will occur.

9. As required by 52 Pa Code. § 5.42, copies of this Petition have been served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, and InClime, Inc. in accordance with the attached Certificate of Service.

10. The Company is represented in this matter by:

Michael A. Gruin, Esq. (I.D. No. 78625)
Linda R. Evers, Esq. (I.D. No. 81428)
17 N. 2nd St., 16th Fl.
Harrisburg, PA 17101
Tel. (717) 255-7365
Fax (610) 988-0852
Email: Michael.gruin@stevenslee.com
Linda.Evers@stevenslee.com

II. LEGAL STANDARDS

11. Section 331(f) of the Public Utility Code, 66 Pa. C.S. § 331(f) and the Commission's regulations at 52 Pa. Code § 5.42 authorize the Commission to issue a declaratory order to terminate an actual controversy or remove uncertainty.

12. The Commission's regulations require petitions for the issuance of a declaratory order to terminate a controversy or remove uncertainty to state clearly and concisely the controversy or uncertainty which is the subject of the petition; cite the statutory provision or other authority involved; include a complete statement of the facts and grounds prompting the petition; and include a full disclosure of the interest of the petitioner.¹

III. UNCERTAINTY TO BE RESOLVED

13. In order to qualify to generate SRECs, a solar project owner must register a project with the AEPS Act Program Administrator, which currently is InClime, Inc. ("InClime").

14. The Company has shared summaries of its projects and its view of its projects' qualifications for SRECs with InClime.

¹ 52 Pa. Code § 5.42

15. InClima informed the Company that that it was not certain whether the Transco solar PV projects would qualify for SRECs, because the projects would not be directly interconnected with an electric distribution company (“EDC”) distribution system, and InClima requested that the Company obtain direction from the Commission on the projects’ qualifications to generate SRECs under the AEPS Act.

16. As set forth below, the plain language of the AEPS Act, and in particular Act 40 of 2017², and the Commission’s Implementation Orders related to the AEPS Act, confirm that the Company’s planned solar energy projects should qualify to generate SRECs under the AEPS Act because the planned projects will be physically connected to an EDC’s customer’s internal electric system.

IV. DISCUSSION

17. Act 40 of 2017 clarified the alternative energy sources that qualify to generate SRECs. Specifically, Section 2804 (1) of the Act states:

(1) Notwithstanding Section 4 of the Act of November 30, 2004 (P.L. 1672, No. 213), known as the “Alternative Energy Portfolio Standards Act,” in order to qualify as an alternative energy source eligible to meet the photovoltaic share of this Commonwealth’s compliance requirements under the “Alternative Energy Portfolio Standards Act” and to qualify for solar renewable alternative energy portfolio credits, each solar photovoltaic system must do one of the following:

(i) Directly deliver the electricity it generates to a retail customer of an electric distribution company or to the distribution system operated by an electric distribution company operating within this Commonwealth and currently obligated to meet the compliance requirements contained under the “Alternative Energy Portfolio Standards Act.”

(ii) Be directly connected to the electric system of an electric cooperative or municipal electric system operating within this Commonwealth.

(iii) Connect directly to the electric transmission system at a location that is within the service territory of an electric distribution company operating within this Commonwealth.

² 1. Act 40 of 2017, amended the Administrative Code, 71 P.S. §§ 1, et seq. to add Section 2804 relating to the AEPS Act.

18. The Commission's administrative responsibilities for implementing the provisions of Act 40 are contained within Section 11.1 of Act 40. In general, Section 11.1 amends Article XXVIII of The Administrative Code of 1929 (relating to the powers and duties of the Pennsylvania Public Utility Commission) by adding section 2804 (relating to the AEPS Act).

19. The Company's proposed projects qualify to generate SRECs under subsection 2804(1)(i), because the projects will deliver electricity directly to a retail customer of an EDC operating in Pennsylvania, namely, PPL.

20. This view is also supported by the Commission's Final Implementation Order for Act 40, which was issued on May 3, 2018 in Docket No. M-2017-2631527. In that Final Order, the Commission noted that Section 2804(1)(i) provides two scenarios where solar photovoltaic (PV) systems will qualify to generate SRECs: 1), a solar PV generation source that directly delivers its power to an EDC's retail customer, and 2) a solar PV generation source that directly delivers its power to the distribution system operated by an EDC that has an obligation to meet the AEPS Act compliance requirements.

21. In its Tentative Order in the same docket, the Commission had proposed to interpret the first scenario of Section 2804(1)(i) as applying to solar PV systems physically connected to an EDC's customer's internal electric system, such as a roof mounted solar PV array.

22. A diverse group of stakeholders including EDCs (Duquesne Light and First Energy), a renewable energy coalition (MAREC) and a retail energy supplier coalition (RESA) supported the Commission's interpretation, and there was no opposition to the Commission's interpretation.

23. Therefore, in its Final Implementation Order, at page 7, the Commission concluded that “subsection 2804(1)(i) of the Adm. Code, 71 P.S. § 714(1)(i), only requires electricity generated by the PV system be delivered to a jurisdictional EDC’s **retail customer** or delivered to a jurisdictional EDC’s distribution system” and “solar PV systems will qualify to generate energy and SRECs eligible to be used by EDCs and EGSs [electric generation suppliers] to meet the solar PV share requirements when solar PV systems are physically connected to an **EDC’s customer’s** internal electric system or physically interconnected to an EDC’s distribution system” (Emphasis added).

24. As described above, the Company’s solar PV projects clearly satisfy the plain language of both Section 2804(1)(i) and the Commission’s Final Implementation Order, and therefore should qualify to generate SRECs, because 1) the projects are Solar PV projects, and 2) the projects will directly connect to existing Company’s facilities’ internal electric systems, at locations where Transco is a customer of an EDC.

25. Neither Act 40 nor the Commission’s Final Implementation Order require that the solar PV systems directly interconnect to the EDC’s distribution system. To the contrary, both Act 40 and the Final Implementation Order state that physically connecting a solar PV system to an EDC’s customer’s internal electric system is an alternative to physically interconnecting to the EDC’s distribution system in order to qualify to generate SRECs.

26. Notably, neither Act 40 nor the Final Implementation Order contain any language requiring a net-metering arrangement in order for a customer-connected solar PV project to qualify to generate SRECs. The only requirement is for the solar PV system to be physically connected to the internal electric system of an EDC customer.

27. A Declaratory Order which confirms that the Company's planned solar PV projects qualify for SRECs under the AEPS Act will remove uncertainty for the Company and InClime regarding the eligibility to generate SRECs, and will allow InClime to take the appropriate steps to register the projects to generate SRECs to be made available to satisfy the AEPS compliance requirements of EDCs and EGSs.

V. CONCLUSION AND PRAYER FOR RELIEF

WHEREFORE, Petitioner Williams Company, Inc. respectfully requests that the Commission enter an Order which confirms that the Company's planned solar PV projects, as described herein, qualify to generate SRECs under the AEPS Act if the projects are physically connected to the internal electric system of an EDC customer.

Respectfully submitted,

STEVENS & LEE



Michael A. Gruin, Esq. (I.D. No. 78625)
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Email: linda.evers@stevenslee.com

*COUNSEL FOR WILLIAMS COMPANY,
INC.*

DATE: June 26, 2023

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: Docket No. P-2023-_____
:
:

VERIFICATION

I, Michael Fontk, Director with Williams Company,

Inc., verify that the factual statements contained in the foregoing Petition for Declaratory Order are true and correct to the best of my knowledge, information and belief. I

understand that false statements herein are made subject to the penalties of 18 Pa. C.S.

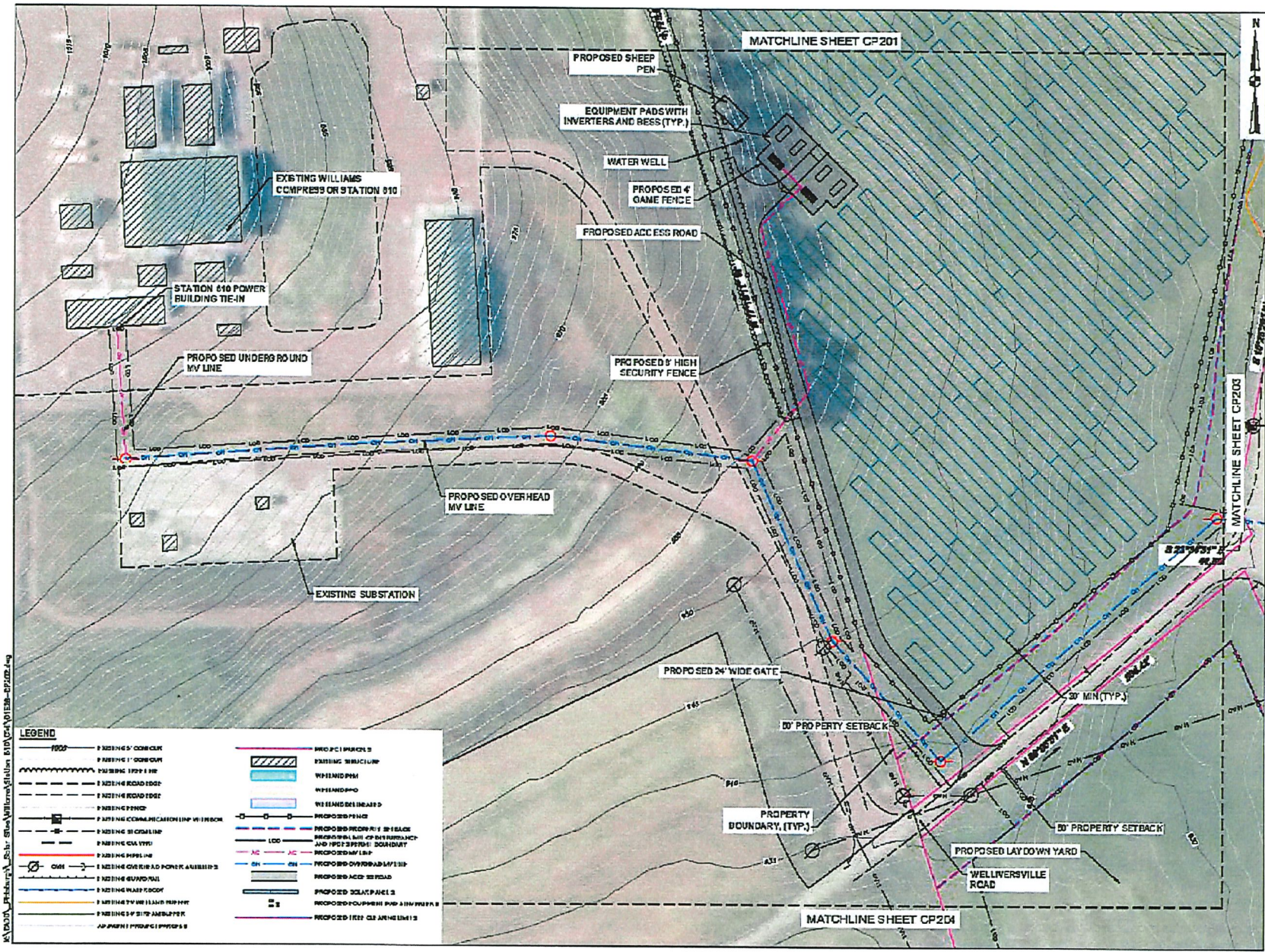
§4904, relating to unsworn falsifications to authorities.



6/20/2023

Date

EXHIBIT A



LEGEND

1000'	PROPOSED 6" CONCRET	PROPOSED PERMITS OR BLACK
PROPOSED 1' CONCRET	PROPOSED 12" CONCRET	PROPOSED PERMITS OR BOUNDARY
PROPOSED 18" CONCRET	PROPOSED ROAD EDGE	PROPOSED M/LRP
PROPOSED ROAD EDGE	PROPOSED ROAD EDGE	PROPOSED OVERHEAD MV LINE
PROPOSED ROAD EDGE	PROPOSED ROAD EDGE	PROPOSED ACC SEWER
PROPOSED ROAD EDGE	PROPOSED ROAD EDGE	PROPOSED SOLAR PANELS
PROPOSED ROAD EDGE	PROPOSED ROAD EDGE	PROPOSED SOLAR PANELS
PROPOSED ROAD EDGE	PROPOSED ROAD EDGE	PROPOSED SOLAR PANELS

TETRA TECH
TETRA TECH, INC.
1710 BIRCHWOOD ROAD
STATE COLLEGE, PA 16801-3000
TEL: 814-953-1100
FAX: 814-953-1105

NOT FOR CONSTRUCTION

PRELIMINARY

STATION 610 SOLAR PROJECT
WILLIAMS SOLAR HOLDING, LLC
COLUMBIA COUNTY
PENNSYLVANIA

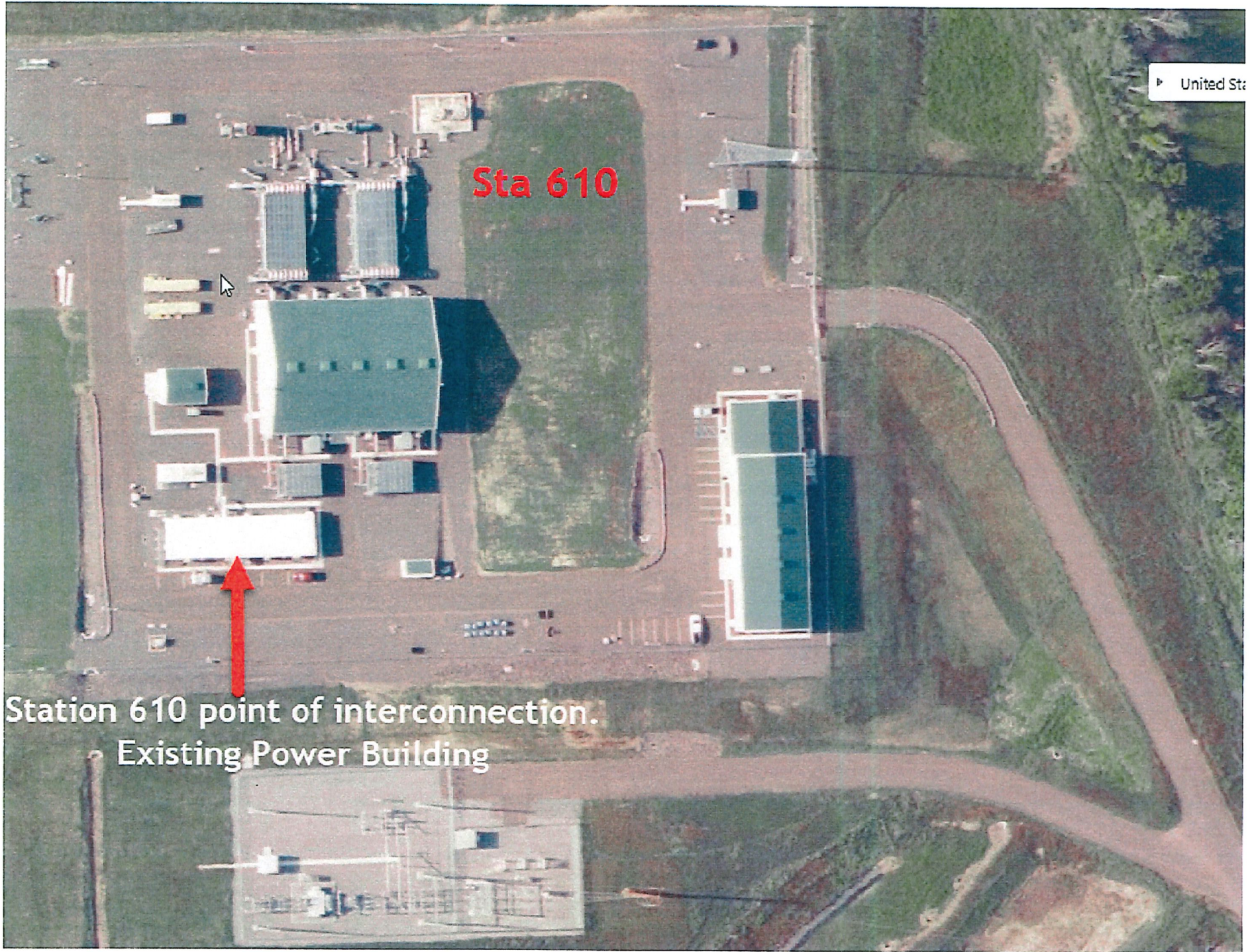
PROJECT NUMBER: 212C-PB-01629
SHEET TITLE: POST-DEVELOPMENT CONDITIONS PLAN SHEET
SHEET SIZE: ARCHIT 24" X 30" (610 X 614)
SCALE: 1" = 50'

NO.	REVISION	DATE	BY

DATE: 6/20/2021
DRAWN BY: J.J.
ENGINEER: BH
APPROVED BY: BH

PROJECT PHASE: PRELIMINARY SITE DESIGN
SHEET NO.: CP202

Ex. A-1

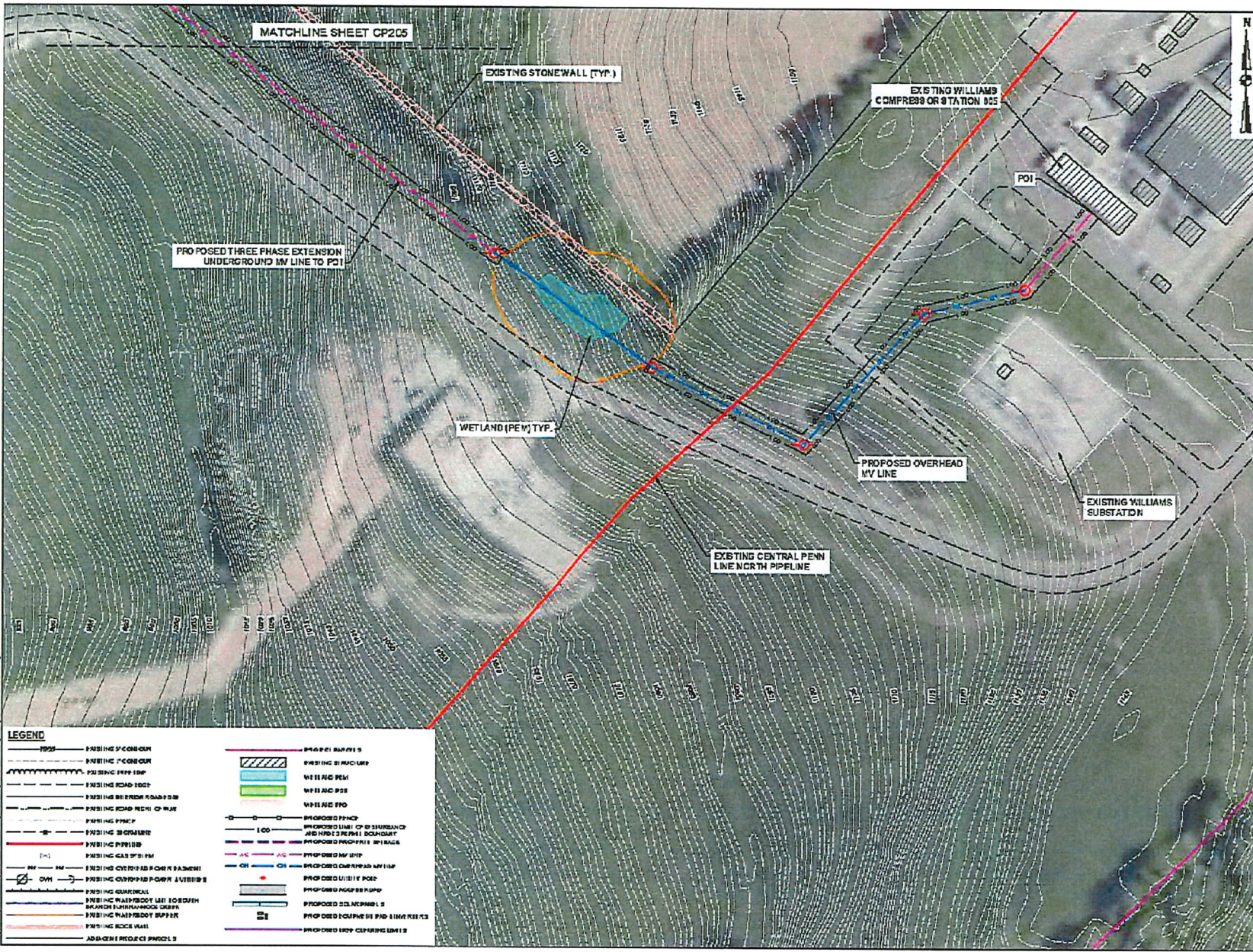


Station 610 point of interconnection.
Existing Power Building



Existing power building

Will pull MV cable ("homerun") through existing concrete encased conduit to existing breaker in power building



STAMP:
NOT FOR CONSTRUCTION

PRELIMINARY

STATION 605 SOLAR PROJECT
WILLIAMS SOLAR HOLDING, LLC
WYOMING COUNTY PENNSYLVANIA

PROJECT NUMBER: 212C-PB-01886

SHEET TITLE: POST-DEVELOPMENT CONDITIONS PLAN SHEET

SHEET SIZE: A3 (11" X 17")

THIS DOCUMENT IS THE PROPERTY OF TETRA TECH. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFIC FOR WHICH IT WAS PREPARED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TETRA TECH.

NO.	REVISION	DATE	BY



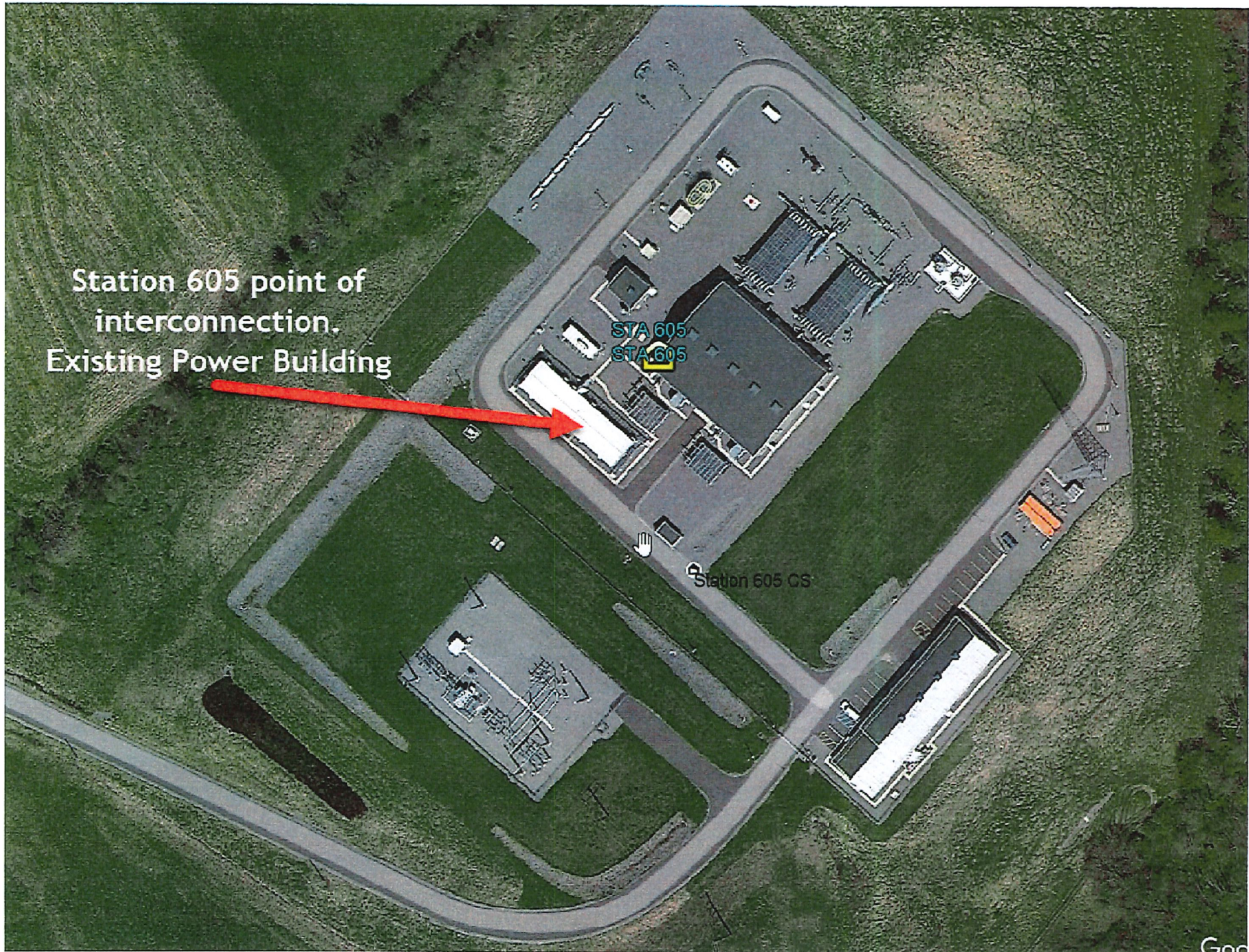
DATE: 05/20/23
DRAWN BY: JZ
CHECKED BY: JZ
APPROVED BY: JZ

PROJECT PHASE: PRELIMINARY SITE SKETCH

SCALE: 1" = 60'

SHEET NO: CP206

Ex. A-4



Station 605 point of
interconnection.
Existing Power Building

STA 605
STA 605

Station 605 GS

Go



Ex. A-6

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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: Docket No. P-2023-_____
:
:

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Petition for Declaratory Order upon the party listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

VIA FIRST CLASS US MAIL

Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Office of Small Business Advocate
555 Walnut Street
1st Floor, Forum Place
Harrisburg, PA 17101

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101

Kriss Brown, Esq.
Pennsylvania Public Utility Commission
Law Bureau
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

InClime, Inc.
Attn: Lisa Wadsworth
326 First Street
Suite 27
Annapolis, MD 21403



Michael A. Gruin

DATED: June 26, 2023