Theodore J. Gallagher
Assistant General Counsel
Legal Department

121 Champion Way, Ste. 100
Canonsburg, PA 15317
Office: 724.416.6355
Mobile: 724.809.0525
tjgallagher@nisource.com

July 25, 2023

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
Harrisburg, PA 17105-3265

RE: Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement v.
Columbia Gas of Pennsylvania, Inc
Docket No. C-2023-3040925

Dear Secretary Chiavetta:

Enclosed for filing in the referenced matter please find Columbia Gas of Pennsylvania, Inc.'s Prehearing Memorandum.

Copies have been served per the attached Certificate of Service.

If you have any questions regarding this filing, please do not hesitate to call me at 724-809-0525.

Very truly yours,

Theodore J. Gallagher

enclosure

cc Certificate of Service (via e-mail)
ALJ Mary D. Long malong@pa.gov (via e-mail)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, Bureau of Investigation & Enforcement	:	
	:	Docket No. C-2023-3040925
v.	:	
Columbia Gas of Pennsylvania, Inc.	:	

PREHEARING MEMORANDUM OF
COLUMBIA GAS OF PENNSYLVANIA, INC.

TO: ADMINISTRATIVE LAW JUDGE MARY D. LONG:

Pursuant to 52 Pa. Code § 5.222(d) and the Prehearing Conference Order dated June 21, 2023, Columbia Gas of Pennsylvania, Inc. ("Columbia" or "Company") hereby submits this Prehearing Conference Memorandum.

I. HISTORY OF THIS PROCEEDING

On or about May 25, 2023, the Commission's Bureau of Investigation & Enforcement ("I&E") filed a formal complaint related to damage to a Columbia-owned gas line that occurred on or about May 28, 2020. As recited in the complaint, "while boring to install a gas service line for Columbia Gas, Northern Pipeline Construction ("NPL") damaged an unmarked gas line owned and operated by Respondent at or near East Maiden Street, at the nearest intersection of McCoy Lane, South Strabane Township, Washington County[.]" Complaint at ¶ 20. I&E alleges that the incident occurred because Columbia did not employ the proper levels of subsurface utility engineering when it designed the project. The Commission served the Complaint upon Columbia on May 26, 2023, and Columbia filed its answer on June 15, 2023 in which the Company denied the violations that I&E alleged in its formal complaint.

II. SERVICE OF DOCUMENTS

Columbia's attorneys in this proceeding are:

Theodore J. Gallagher, Esquire
121 Champion Way, Suite 100
Canonsburg, PA 15317
Phone: 724-809-0525
E-mail: tjgallagher@nisource.com

Candis A. Tunilo, Esquire
800 N Third Street, Suite 204
Harrisburg, PA 17102
Phone: 223-488-0794
E-mail: ctunilo@nisource.com

Columbia requests that Theodore J. Gallagher be listed as the recipient for service. Columbia also requests that Ms. Tunilo be added to any e-mail distribution lists in this proceeding. Columbia agrees to receive service of documents electronically in this proceeding.

III. WITNESSES AND ISSUES

At this time, the Company expects to present the following witnesses:

Witness	General Subject Matter
Stephanie Lewis Columbia Gas of Pennsylvania 4000 Energy Drive Bridgeville, PA 15017	Subsurface utility engineering; design of project where incident occurred
Alicia Breighner Columbia Gas of Pennsylvania 1600 Colony Road York, PA 17408	Communications between Columbia and the Pennsylvania Damage Prevention Committee

Columbia reserves the right to call additional witnesses, as necessary, to address issues that may arise during the course of this proceeding.

IV. PROCEDURAL SCHEDULE

I&E and Columbia have engaged in preliminary settlement negotiations. Based on those negotiations, the parties are optimistic that this matter will be resolved by way of settlement. Accordingly, I&E and Columbia are requesting that the procedural schedule be held in abeyance for not longer than two months, on or before which time the parties will either present a Joint Petition for Approval of Settlement or a status report.

V. DISCOVERY

Columbia does not propose any modifications to established regulations regarding service and timing of discovery.

To the extent that protection of confidential information is necessary, Columbia will timely submit a Motion for Protective Order.

VI. SETTLEMENT

As described above, the Company remains open to settlement of this matter.

Respectfully submitted,

_____

Theodore J. Gallagher (ID # 90842)
121 Champion Way, Suite 100
Canonsburg, PA 15317
Phone: 724-416-6355
E-mail: tjgallagher@nisource.com

Candis A. Tunilo, (ID # 89891)
800 N. Third Street, Suite 204
Harrisburg, PA 17102
Phone: 2230488-0794
E-mail: ctunilo@nisource.com

Date: July 25, 2023

Attorneys for Columbia Gas of Pennsylvania, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL
and EMAIL

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Third Street
Harrisburg, PA 17120
mswindler@pa.gov

Kayla L. Rost
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Third Street
Harrisburg, PA 17120
karost@pa.gov

Date: July 25, 2023 ____ _____