

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

**Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement**

**PUBLIC MEETING OF SEPTEMBER 21, 2023
3019782-OSA
DOCKET NO. M-2023-3019782**

v.

Mifflin Energy Corp.

STATEMENT OF CHAIRMAN STEPHEN M. DeFRANK

Today, the Commission votes to publish in the Pennsylvania Bulletin the proposed settlement entered into between the Commission's Bureau of Investigation and Enforcement (I&E) and Mifflin Energy Corp. (Mifflin Energy) involving a natural gas explosion that occurred on April 9, 2020 in Waynesburg, Green County. The incident resulted in the destruction of one residence and the owner of that residence sustaining second degree burns. Fortunately, there were no fatalities as a result of the explosion. The Commission's action today sets a deadline of 25-days from publication in the Pennsylvania Bulletin for interested parties to file comments concerning the proposed settlement.

As discussed in the Opinion and Order, since I&E's investigation into the incident was initiated nearly three years ago, Mifflin Energy's operating assets have been sold to a new owner, Mifflin Energy Resources, LLC (Mifflin Energy Resources). Despite the similar name, Mifflin Energy and Mifflin Energy Resources have no affiliation or relationship. Furthermore, the terms of the settlement note, among other things, that "Since Mifflin Energy has sold its operational assets to a new owner that has no affiliation with Mifflin Energy, the parties agree that the remedial measures that would otherwise be sought and potentially imposed upon Mifflin Energy, are no longer applicable to Mifflin Energy, as the sale of these assets relinquishes Mifflin Energy from falling within the definition of a pipeline operator and accordingly Act 127's pipeline operator requirements are no longer applicable to Mifflin Energy."¹ Regardless, however, of who is the current owner of the facilities involved in this incident, the Commission is still obligated to ensure that all necessary remedial measures are taken to ensure that an incident like this never happens again.²

A better understanding of this issue of who is responsible for any remedial measures is necessary before determining whether the proposed settlement is in the public interest and should be approved. This is particularly true given the potential devastation associated with every natural gas explosion. We are fortunate that this incident did not cause any fatalities. However, we must ensure that we are doing everything possible to prevent such incidents from ever occurring, regardless of who

¹ See, Order at 8, quoting paragraph 4.c of the Settlement. Similarly, paragraph 4.e of the settlement states that "I&E acknowledges and confirms that Mifflin Energy, given its prior sale of its physical assets and its participation in this Settlement Agreement with respect to the Incident, has no prospective obligations as a pipeline operator under state or federal law with respect to any pipeline or related facilities involved in the incident."

² It is also noted that the issue of whether this matter even falls within the Commission's jurisdiction is still pending before the Pipeline and Hazardous Materials Safety Administration (PHMSA). See, Order at 6.

is the current owner of specific facilities. Therefore, I invite any interested party to submit comments on this issue.



September 21, 2023

Date

Stephen M. DeFrank
Chairman