



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

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

October 18, 2024

**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.  
Columbia Gas of Pennsylvania, Inc.  
Docket No. C-2024-3050579  
**I&E Prehearing Conference Memorandum**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Prehearing Conference Memorandum of the Bureau of Investigation and Enforcement in the above-referenced matter.

Copies are being served on the parties of record in accordance with the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', is written over a light blue horizontal line.

Grant Rosul  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 318204  
(717) 783-5243  
[grosul@pa.gov](mailto:grosul@pa.gov)

GR/jfm  
Enclosures

cc: The Honorable Conrad A. Johnson, Administrative Law Judge (*via email* – [cojohnson@pa.gov](mailto:cojohnson@pa.gov))  
Michael L. Swindler, Deputy Chief Prosecutor, I&E-Enforcement (*via email*)  
As per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2024-3050579
	:	
Columbia Gas of Pennsylvania, Inc.,	:	
Respondent	:	

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**PREHEARING CONFERENCE MEMORANDUM  
OF THE  
BUREAU OF INVESTIGATION AND ENFORCEMENT**

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**TO ADMINISTRATIVE LAW JUDGE CONRAD A. JOHNSON:**

The Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”) files this Prehearing Conference Memorandum in accordance with Section 5.222(d)(1) of the Commission’s regulations, 52 Pa. Code § 5.222(d)(1), in advance of the prehearing conference scheduled for October 22, 2024.

**I. HISTORY OF THE PROCEEDING**

On August 6, 2024, I&E filed a Formal Complaint against Columbia Gas of Pennsylvania, Inc. (“Columbia Gas”), at Docket No. C-2024-3050579 in connection with a May 3, 2022, incident wherein Columbia Gas’s contractor working to install a new 4-inch gas main struck a mismarked three-quarter inch copper water line belonging to the Municipal Authority of Westmoreland County while excavating with power equipment in the vicinity of 3<sup>rd</sup> Street between Sewickley Avenue and Highland Avenue in Sewickley Township, Westmoreland County, Pennsylvania. I&E alleges that Columbia Gas committed violations of the Underground Utility Line Protection Law (“UULPL” or “PA One Call Law”), Act of

October 30, 2017, P.L. 806, No. 50, 73 P.S. § 176 *et seq.*

Specifically, I&E alleges that Columbia Gas violated the following:

- 1) Section 181.1(1) of the PA One Call Law by failing to utilize sufficient quality levels of subsurface utility engineering to determine the existence and positions of underground facilities; and
- 2) Section 184 by failing to use best efforts to comply with the Common Ground Alliance Best Practices.

In its Formal Complaint, I&E requested a total administrative penalty of \$5,000 for these violations.

On August 20, 2024, Columbia Gas filed an Answer to I&E's Complaint.

On August 29, 2024, a Prehearing Conference Order was issued by the Honorable Conrad A. Johnson, Administrative Law Judge, ordering that the parties file a prehearing memorandum and discuss the potential for a settlement ahead of the October 22, 2024 Prehearing Conference.

On October 16, 2024, Columbia Gas and I&E conferred via telephone and were able to reach a settlement. Thus, this prehearing memorandum serves to notify the court of the settlement.

**A. Proposed Plan and Schedule of Discovery**

I&E does not anticipate engaging in discovery because the parties have reached a settlement in this case.

**B. Possibility of Settlement**

The parties have conferred via telephone and reached a settlement ahead of the October 22, 2024 Prehearing Conference.

**C. Issues**

Because the parties have agreed to settle the case, I&E is not currently proposing any issues to be addressed prior to an evidentiary hearing.

**D. Amount of Hearing Time**

Because the parties have agreed to settle the case, I&E does not currently have an estimated amount of time needed for a hearing.

**E. Witnesses**

Because the parties have agreed to settle the case, I&E does not currently have a list of witnesses.

**F. Schedule for Submission of Testimony, Hearings, and Briefs**

Because the parties have agreed to settle the case, I&E is not currently offering a schedule for the submission of testimony, hearings, or briefs.

Respectfully submitted,



Grant Rosul  
Prosecutor  
PA. Attorney ID No. 318204

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
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Date: October 18, 2024

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

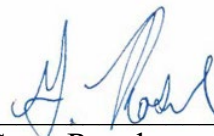
Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
	:	
v.	:	Docket No. C-2024-3050579
	:	
Columbia Gas of Pennsylvania, Inc.	:	

**CERTIFICATE OF SERVICE**

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

**Service by Electronic Mail**

Theodore J. Gallagher, Esq.  
Assistant General Counsel  
Columbia Gas of Pennsylvania, Inc.  
121 Champion Way, Ste. 100  
Canonsburg, PA 15317  
[tjgallagher@nisource.com](mailto:tjgallagher@nisource.com)  
*Counsel for Columbia Gas of Pennsylvania, Inc.*



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Dated: October 18, 2024