



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

June 25, 2025

Via Hand-Delivery

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

RCVD PUC SEC BUR
JUN 25 2025 AM 10:15

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
UGI Utilities Inc. – Gas Division
Docket No. C-2025-
Formal Complaint (Non-Proprietary and Proprietary Version)

Dear Secretary Homsher:

Enclosed for electronic filing is the **Non-Proprietary** version of the **Formal Complaint** of the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission in the above-referenced matter. The **Proprietary** version has been submitted to the Secretary’s Bureau via their ShareFile.

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

Sincerely,

Colby B. Widdowson
Prosecutor
Bureau of Investigation & Enforcement
PA Attorney ID No. 326185
(717) 787-2139
cwiddowson@pa.gov

CBW/ac
Enclosures

cc: Per Certificate of Service
Michael L. Swindler, Deputy Chief Prosecutor (via email - mwindler@pa.gov)
Robert Horensky, Manager, Safety Division (via email - rhorensky@pa.gov)
Robert Biggard, Supervisor, Safety Division (via email - rbiggard@pa.gov)

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. The Answer must be submitted by efilng with the Secretary of the Commission by opening an efilng account through the Commission's website and accepting eservice at <http://www.puc.state.pa.us/efiling/default.aspx>. If your filng contains confidential material, you are required to file by overnight delivery to ensure the timely filng of your submission to:

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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, please electronically serve a copy on:

Colby B. Widdowson, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
cwiddowson@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 civil penalty and performing the requested relief within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania," with the docket number indicated, and mailed to:

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
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 that the Commission 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. *See* 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.

UGI Utilities, Inc. - Gas Division,
Respondent

Docket No. C-2025-

RECEIVED

JUN 25 2025

**FORMAL COMPLAINT
(NON-PROPRIETARY VERSION)**

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

NOW COMES the Bureau of Investigation and Enforcement ("I&E") of the Pennsylvania Public Utility Commission, by its prosecuting attorneys, pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, and files this Formal Complaint ("Complaint") against UGI Utilities, Inc. – Gas Division ("UGI" or "Respondent") alleging violations of the Public Utility Code, Pennsylvania Code, and Code of Federal Regulations in in connection with a strike on a UGI gas line by an excavator, Pronto Plumbing and Drains Inc., on December 13, 2022, at 3204 Crest Road, Harrisburg, Dauphin County, Pennsylvania, resulting in a gas leak, natural gas explosion, property damage, and injuries. In support of its Complaint, I&E respectfully avers as follows:

I. COMMISSION JURISDICTION AND AUTHORITY

1. The Pennsylvania Public Utility Commission ("Commission" or "PUC"), with a mailing address of the Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to

regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, *et seq.* (“Code”).

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 (August 11, 2011) (delegating authority to initiate proceedings that are prosecutory in nature to I&E).

3. Complainant’s prosecuting attorneys are as follows:

Colby B. Widdowson
Prosecutor
cwiddowson@pa.gov
(717) 787-2139

Michael L. Swindler
Deputy Chief Prosecutor
mwindler@pa.gov

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

4. Respondent is UGI Utilities, Inc. - Gas Division with a principal place of business and mailing address of 1 UGI Drive, Denver, PA 17517.

5. Respondent is UGI Utilities, Inc., a wholly owned subsidiary of UGI Corporation, with a principal place of business of 1 UGI Drive, Denver, PA.

6. Section 501(a) of the Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Code.

7. Section 701 of the Code, 66 Pa.C.S. § 701, authorizes the Commission, *inter alia*, to hear and determine complaints against public utilities for violations of any law or regulation that the Commission has jurisdiction to administer or enforce.

8. Section 3301(c) of the Code, 66 Pa.C.S. § 3301(c), which is specific to gas pipeline safety violations, authorizes the Commission to impose civil penalties on any person or corporation, defined as a public utility, who violates any provisions of the Code or any regulation or order issued thereunder governing the safety of pipeline or conduit facilities in the transportation of natural gas, flammable gas, or gas which is toxic or corrosive. Section 3301(c) further provides that a civil penalty of up to Two Hundred Thousand Dollars (\$200,000) per violation for each day that the violation persists may be imposed, except that for any related series of violations, the maximum civil penalty shall not exceed Two Million Dollars (\$2,000,000) or the penalty amount provided under Federal pipeline safety laws, whichever is greater.

9. 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. § 2461 note (Nov. 2, 2015) (amending the Federal Civil Penalties Inflation Adjustment Act of 1990). The applicable adjustment made by the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration ("PHMSA") occurred on December 30, 2024 and revised the maximum civil penalty to Two Hundred Seventy-Two Thousand, Nine Hundred Twenty-Six Dollars (\$272,926.00) for each violation and for each day the violation continues, with a maximum penalty not to exceed Two

Million, Seven Hundred Twenty-Nine Thousand, Two Hundred Forty-Five Dollars (\$2,729,245.00) for a related series of violations. 89 F.R. 106294 (Dec. 30, 2024).

10. Pursuant to Section 59.33(b) of the Commission's regulations, 52 Pa. Code § 59.33(b), I&E's Pipeline Safety Division has the authority to enforce Federal pipeline safety laws and regulations set forth in 49 U.S.C.A. §§ 60101-60503 and as implemented at 49 CFR Parts 191-193, 195 and 199. The Federal pipeline safety laws and regulations prescribe the minimum safety standards for all natural gas and hazardous liquid public utilities in the Commonwealth. As a city natural gas distribution operation, UGI is obligated to comply with the Federal pipeline safety laws and regulations pursuant to 66 Pa.C.S. § 2212(b).

11. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102,¹ as it is engaged in providing public utility service as a natural gas distribution company ("NGDC") to the public for compensation.

12. Respondent maintains a distribution system of approximately 12,400 miles of gas mains and 620,000 service lines in Pennsylvania.

13. Respondent, in providing natural gas distribution service to the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders, including Federal pipeline safety laws and regulations.

¹ "Public utility" is defined as:

- (1) Any person or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:
 - (i) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation.
- 66 Pa.C.S. § 102.

14. Pursuant to the provisions of the applicable Commonwealth and Federal statutes and regulations, the Commission has jurisdiction over the subject matter and the actions of Respondent related thereto.

II. BACKGROUND

15. Respondent utilizes in-house employees to perform physical mark outs of facility locations for third party locate requests, including emergency locate requests.

16. Respondent receives notification of a Pennsylvania One Call System ("POCS") ticket via email and its voice messaging system when a third party submits a locate request through POCS.

17. In Respondent's south region, which includes Harrisburg, PA and 3204 Crest Road, Respondent uses Small World Internet Application Server/Computer Aided Dispatch, an automated system that screens and manages POCS tickets to determine Respondent's response to the locate requests.

18. If the POCS ticket is for a locate outside of a 1600 feet buffer zone around Respondent's facilities, the automated system will provide a "clear" response to the POCS ticket and close the ticket in the system.

19. If the POCS ticket is for a locate inside of the 1600 feet buffer zone around Respondent's facilities, the automated system will provide an interim response of "Conflict – Direct contact to follow by facility owner," which is generated within a couple of minutes of having received the POCS ticket.

20. After the "Conflict" response is provided, Respondent's automated Distribution Operation Job Management ("DOJM") system generates a work order request.

21. Respondent tracks the work orders in its Map View and Work View systems,

which use color coding to identify work order priority. Emergency POCS tickets are marked using a teal color and reports of gas odors are marked with a red color.

22. The work order is assigned to a dispatcher for the assignment of the work order to a locator.

23. To assign a locate work order, the dispatchers look at the specific zone(s) to see who is working in the area and selects a locator based on their qualifications, workloads, and proximity to the emergency locate.

24. The dispatcher is tasked with ensuring that the locator can handle the order by calling and emailing the selected locator prior to assigning the work order and dispatching the locator.

25. Respondent's computer system will notify the dispatcher if a selected locator is not qualified to perform the assigned tasks.

26. After the assignment of the work order and completion of the locate, the locator will close out the work order and provide a "marked" response to the POCS ticket.

27. In the five year time span of 2019 through 2023, Respondent averaged 466 total excavation damages per year with an average of 308 of those damages being on service lines.

A. The Distribution System on Crest Road

28. The natural gas distribution system on Crest Road is comprised of two separate two-inch steel mains, a north-side main and a south-side main, which are coated and cathodically protected.

29. Each main traverses westward on Crest Road and dead ends near the corner of Crest and Ritter Roads.

30. There is a valve, located at the intersection of Crest and Northway Roads, on each main, which enables the isolation of that main to the dead-end of Ritter Road.

31. The north-side main, or even street number side, had 13 service lines, while the south-side main had 14 service lines.

32. The service line at 3204 Crest Road was a ¾ -inch, coated steel, and installed in 1958.

33. The meter set and the service regulator for 3204 Crest Road service line was located in the basement of the residence and was not equipped with an excess flow valve.²

34. At the end of calendar year 2023, Respondent had an inventory of 51,796 steel service lines.

35. Approximately 15,900 of those steel service lines have inside meters and regulators and no excess flow valves.

B. Events Prior to the Incident

36. On December 12, 2022, Pronto Plumbing and Drains Inc. ("Pronto Plumbing") provided the homeowner of 3204 Crest Road, Harrisburg, PA with a written estimate for the excavation and replacement of an outside sewer line.

37. On December 12, 2022, at 1:15 p.m., Pronto Plumbing placed a locate request, ticket number 20223461851, ("Locate Ticket") to the POCS for 3204 Crest Road. See I&E Exhibit 1.

² An excess flow valve ("EFV") is a safety device designed to automatically shut off the flow in a pipe in the case of a sudden pressure loss. EFVs were not available until the early 1970s, thus very few have been installed on steel service lines. The National Transportation Safety Board first started advocating for the installation of these safety devices in June of 2001. Current federal regulations require EFV's on all new and replaced service lines meeting certain pressure requirements on residential and small commercial customers since 2017.

38. The Locate Ticket indicated that the excavation was an “emergency”³ and Respondent would be performing an emergency excavation the following day, December 13, 2022 at 8:00 a.m., to repair a sewer line because “sewage is backing up into the basement” of 3204 Crest Road. See I&E Exhibit 1.

39. Respondent received notification of the Locate Ticket from the PA One Call System via email.

40. Respondent’s automated system responded to Pronto Plumbing’s Locate Ticket on December 12, 2022, at 1:18 p.m., indicating that there was a conflict with the proposed excavation because of nearby lines and direct contact by facility owner would follow because the proposed excavation was within the 1600 feet buffer zone around Respondent facilities. See I&E Exhibit 1.

41. At 1:35 p.m., the same day, Respondent created a work order for the Locate Ticket that was given to a dispatcher (“Dispatcher”) who was tasked with assigning the work order to a locator.

42. Dispatcher, without confirming via phone call prior to assignment, assigned the work order to an employee of Miller Pipeline, a second-party contractor.

43. Second-party contractors do not perform emergency locates for Respondent.

44. The Miller Pipeline employee who was assigned the work order was not qualified to perform the locate.

45. Dispatcher was notified by Respondent’s computer system, via a pop-up warning, that the Miller Pipeline employee was not qualified for the assignment, but

³ The One Call Law defines “emergency” as “sudden or unforeseen occurrence involving a clear and immediate danger to life, property or the environment, including, but not limited to, serious breaks or defects in a facility owner’s lines.” 73 P.S. § 176.

overrode the warning.

46. Overrides of warnings, as described above, are logged in Respondent's system; however, the log was not checked on December 12, 2023 by a supervisor, nor were there procedures directing supervisors to check the logs.

47. Consequently, the work order for the Locate Ticket was misassigned and no one was aware of the misassignment.

48. Prior to Pronto Plumbing beginning excavation, Respondent did not contact Pronto Plumbing and did not mark its natural gas distribution pipeline at 3204 Crest Road.

C. Chronology of Events on the Day of Incident

49. At approximately 8:17 a.m. on December 13, 2022, Pronto Plumbing's excavation crew arrived at 3204 Crest Road to begin work on the sewer repair.

50. Pronto Plumbing's excavation crew, using a mechanical excavator, began excavation at 3204 Crest Road.

51. At some time between 8:17 a.m. and 9:02 a.m., Respondent's excavation crew struck and damaged Respondent's natural gas service line at 3204 Crest Road.

52. The damage to the natural gas service line created a large kink in the line, split the seam, and completely separated the service line from the house. See I&E Exhibit 2.

53. The damage to the natural gas service line resulted in a rupture of the line and a natural gas leak.

54. After the gas line strike, Pronto Plumbing's crew evacuated the occupants of 3204 Crest Road and opened the first-floor windows of the residence.

55. The escaping natural gas flowed into the basement of the residence.

56. At 9:02 a.m., Dauphin County 911 Dispatch dispatched a crew from Progress

Fire Department to respond to a reported gas leak at 3204 Crest Road.

57. At 9:07 a.m., Respondent's Dispatch received a call from Dauphin County 911 Dispatch alerting Respondent to the excavation damage and gas leak.

58. At 9:11 a.m., Respondent's Dispatch called a first responder ("First Responder") and then prepared an emergency work order to send to First Responder.

59. First Responder was located at Emerald Street in Harrisburg, PA at the time of the call from Dispatch and remained at that location until the emergency work order was received from Dispatch.

60. Respondent's Dispatch did not notify a supervisor, manager, or director of the excavation damage and leak.

61. At 9:14 a.m., First Responder received the emergency work order.

62. At 9:16 a.m., First Responder departed Emerald Street for Crest Road.

63. At 9:16 a.m., a supervisor for Respondent noticed the emergency work order and placed an emergency locate request with POCS.

64. At 9:25 a.m., Respondent's First Responder arrived on scene at the intersection of Northway and Crest Roads.

65. After arrival, First Responder accessed the mobile data terminal to research information and depictions of the service line at 3204 Crest Road.

66. A couple of minutes after arrival, First Responder approached the curb of 3204 Crest Road to locate the curb valve box and to ascertain the size of the curb valve key that would be needed.

67. After finding the curb valve box, First Responder returned to the vehicle to obtain a universal valve key.

68. At 9:30 a.m., as First Responder returned to the curb valve with the universal key, First Responder was knocked down by the concussive force of an explosion and was struck and injured by debris.

69. At 9:30 a.m., the accumulated natural gas in the residence at 3204 Crest Road ignited, resulting in a natural gas explosion.

70. Immediately after the explosion, First Responder returned to the vehicle and called a supervisor to report the explosion and to request a main distribution valve location.

71. At 9:31 a.m. the leaking gas re-ignited.

72. At approximately 9:33 a.m., First Responder, requiring the assistance of others, closed the main distribution valve and the gas fire ceased.

73. The valve used to close off the leak was not classified as an emergency valve and had not been inspected annually.

74. The natural gas explosion and secondary fire destroyed 3204 Crest Road, damaged three surrounding homes, and injured two people, Respondent's First Responder and a neighbor. The injured persons were treated at a hospital and released the same day. See attached I&E Exhibit 3.

III. UGI PROCEDURES

75. In completing its investigation, Pipeline Safety reviewed UGI's policies and procedures as they related to the explosion.

76. At the time of the explosion on December 13, 2022, UGI's Gas Operations Manual ("GOM") sections 60.40.10 - 60.40.70 contained UGI's damage prevention plan.

77. UGI's GOM 60.40.30 applies to notifications received from POCS and provides procedures related to "PA One Call Ticket Types and Required Actions." See attached I&E Exhibit 4 (Confidential).

78. UGI's damage prevention plan, including GOM 60.40.30, did not have written procedures directing dispatch personnel how to process or assign POCS locate requests to the appropriate personnel or locators. See attached I&E Exhibit 4 (Confidential).

START CONFIDENTIAL

[REDACTED]

END CONFIDENTIAL

80. At the time of the explosion on December 13, 2022, UGI did not have written procedures instructing personnel or supervisors how or when to check the skill-reject log that results when a locate request is assigned to an individual who is not qualified to perform the task and when a dispatcher overrides the system generated warning that an individual is unqualified for an assigned task.

81. At the time of the explosion on December 13, 2022, UGI utilized its Emergency Plan ("EP"), EP 1.1 – 9.1, to direct personnel how to respond to emergency situations.

82. At the time of the explosion on December 13, 2022, UGI's EP 3.1 Gas Leak Investigation provided instructions for responding to potential and actual gas leak

occurrences, whether inside or outside of a building. See attached I&E Exhibit 5 (Confidential).

83. UGI's EP 3.1 Gas Leak Investigation procedures are summarized into a checklist for use by first responders in Appendixes G.1, G.2, and G.3. See attached I&E Exhibit 6 (Confidential).

START CONFIDENTIAL

[REDACTED]

END CONFIDENTIAL

85. The proximity of a curb valve to a building with explosive levels of gas endangers the safety of the responding personnel if an explosion were to occur.

START CONFIDENTIAL

[REDACTED]

END CONFIDENTIAL

87. At the time of the explosion on December 13, 2022, UGI's procedures addressing ruptures of transmission lines were found at EPs 2.2, 2.3, and 9.1. See attached I&E Exhibits 7 (Confidential), 8 (Confidential), and 9 (Confidential).

START CONFIDENTIAL

[REDACTED]

END CONFIDENTIAL

89. Federal regulations do not limit notifications of potential ruptures to only transmission pipelines. See 49 CFR §§ 192.3 & 192.615.

90. At the time of the explosion on December 13, 2022, UGI's EP 1.2 classified emergencies in five different types, Type 1 through Type 5, with Type 5 being the least serious and Type 1 being the most serious of emergencies. See attached I&E Exhibit 10 (Confidential).

START CONFIDENTIAL

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

END CONFIDENTIAL

[REDACTED]

END CONFIDENTIAL

101. Respondent, through its integrity management plan, has not implemented changes to its emergency, damage prevention, or operating and maintenance procedures to reduce the risks or consequences of excavation damages to steel service lines with inside meter sets.

IV. ALLEGED VIOLATIONS

102. All allegations in paragraphs 1 through 101 are incorporated as if fully set forth herein.

103. Respondent failed to have written procedures that directed dispatching personnel on how to assign Pennsylvania One Call System locate requests to appropriate qualified locators.

104. Respondent did not respond to the emergency excavation ticket as soon as practicable, did not attempt to mark out its facilities within the emergency excavation area within 2 hours, and did not make direct contact with the excavator, failing to follow its damage prevention procedures.

105. Respondent dispatching activities lacked appropriate management control because Respondent failed to have procedures in place instructing personnel or supervisors how and when to check the computer system's skill reject log, which resulted in the failure to mark the facilities at 3204 Crest Road.

106. Respondent's Emergency Plan placed its first responders in unnecessary danger while responding to certain emergency situations, in that Respondent's procedures for indoor and outdoor leaks directed the closing of a curb valve without precautions or warnings of potentially explosive levels of gas inside buildings.

107. Respondent operates approximately 15,900 medium pressure steel service lines with inside meters with no excess flow valve and failed to have procedures directing the appropriate handling of blowing gas indoors.

108. Respondent unnecessarily limits its Emergency Plan and emergency notifications of ruptures to transmission lines and failed to have procedures in place for emergency responses and notifications of ruptures on distribution lines.

109. Respondent's emergency classifications were not sufficient to specifically identify where excavation damages fall within the classification of emergencies, resulting in Respondent's Dispatcher and First Responder treating this incident similar to a Type 5 "Event," instead of a Type 4 "Emergency" which more closely aligned with the reported incident.

110. Respondent's Emergency Plan and Central Dispatch procedures failed to provide procedures or actions to take to establish or maintain communications with emergency services when contacted by 911 emergency services about a gas leak or excavation damage.

111. Respondent's integrity management plan has failed to make impactful changes to its emergency, damage prevention, or operating and maintenance procedures to reduce the risks or consequences of excavation damage to steel service lines with inside meter sets.

COUNT ONE

112. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent failed to have written procedures that directed dispatching personnel how to assign Pennsylvania One Call System locate requests to appropriate qualified locators. If proven, this is a violation of 49 CFR § 192.614(a) (Damage Prevention Program).

COUNT TWO

113. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent failed to follow its damage prevention procedure, GOM 60.40.30, in that Respondent did not respond to the emergency excavation ticket as soon as practicable, did not attempt to mark out its facilities at the emergency excavation site within two hours, and did not make direct contact with the excavator when it was not able to mark its facilities. If proven, this is a violation of 49 CFR § 192.614(a) (Damage Prevention Program).

COUNT THREE

114. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent failed to exercise appropriate management control over its dispatching activities, in that Respondent failed to have procedures in place instructing personnel or supervisors how and when to check the computer system's skill reject log, which resulted in the failure to mark the facilities at 3204 Crest Road. If proven, this is a violation of 52 Pa. Code § 59.33(a) (Minimum Safety Standards).

COUNTS FOUR AND FIVE

115. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent's Emergency Plan placed its first responders in unnecessary danger while responding to certain emergency situations, in that Respondent's procedures for indoor and outdoor leaks directed the closing of a curb valve and failed to provide precautions or warnings when potentially explosive levels of gas exist inside of buildings. If proven, this is a violation of 49 CFR § 192.615(a) (Emergency Plans) and 52 Pa. Code § 59.33(a) (Minimum Safety Standards).

COUNT SIX

116. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent failed to have a procedure directing the appropriate handling of situations with blowing gas indoors. If proven, this is a violation of 49 CFR § 192.615(a) (Emergency Plans).

COUNT SEVEN

117. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent unnecessarily limits its Emergency Plan and emergency notifications of ruptures to transmission lines and failed to have procedures in place for emergency responses and notifications of ruptures on distribution lines. 49 CFR §§ 192.3 & 192.615 do not limit notifications of potential ruptures to only transmission pipelines. If proven, this is a violation of 49 CFR § 192.615(a) (Emergency Plans).

COUNTS EIGHT

118. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent's emergency classifications were insufficient to identify where

excavation damages fall within the classification of emergencies and lacked the clarity needed to classify and appropriately respond to excavation damages. If proven, this is a violation of 49 CFR § 192.615(a) (Emergency Plans).

COUNT NINE

119. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent's Emergency Plan and Central Dispatch procedures failed to provide procedures or actions to take to establish or maintain communications with emergency services when contacted by 911 emergency services about a gas leak or excavation damage. If proven, this is a violation of 49 CFR § 192.615(a) (Emergency Plans).

COUNT TEN

120. All allegations in paragraphs 1 through 111 are incorporated as if fully set forth herein. Respondent has failed to implement measures and changes to its emergency, damage prevention, or operating and maintenance procedures to reduce the likelihood or consequences of excavation damages and resulting failures of steel service lines with inside meter sets. If proven, this is a violation of 49 CFR § 192.1007 (Required elements of an integrity management plan).

COUNT ELEVEN

121. As set forth in paragraphs 112 through 120, *supra*, Respondent failed to use every reasonable effort to properly warn and protect the public from danger, or exercise reasonable care to reduce the hazards to which employees, customers and others may be subjected to by reason of its equipment and facilities. If proven, this is a violation of 52 Pa. Code § 59.33 (Gas Service - Safety).

COUNT TWELVE

122. As set forth in paragraphs 112 through 120, *supra*, Respondent failed to furnish and maintain adequate, efficient, safe and reasonable service and facilities and make such repairs, changes, alterations, substitutions, extensions and improvements in or to its service and facilities necessary or proper for the accommodation and safety of its customers, employees and the public, thereby placing the safety of its customers, employees and the public in danger. If proven, this is a violation of 66 Pa.C.S. § 1501 (Character of Service and Facilities).

V. REQUEST FOR RELIEF

123. Due to Respondent's failure to locate and mark its facilities and have necessary damage prevention and emergency plan procedures in place, resulting in damage to distribution line, natural gas explosion, and property damage, I&E proposes that Respondent pay a total civil penalty of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00). The civil penalty shall not be tax deductible pursuant to Section 162(f) of the Internal Revenue Code, 26 U.S.C.S. § 162(f) or passed through as an additional charge to UGI customers in Pennsylvania.

124. In addition to the civil penalty, I&E proposes the following corrective actions:

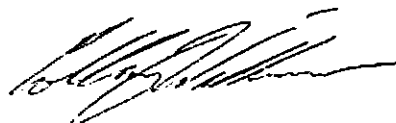
- a. UGI will establish a process so that its dispatchers can only assign work orders to qualified staff and contractors.
- b. UGI will create and implement written procedures for processing and assigning work orders for Pennsylvania One Call System locate requests in the company's damage prevention program.
- c. UGI will establish a formal process ensuring that the UGI's skill-reject logs are checked regularly throughout the day.

- d. UGI will amend its emergency plan to include provisions addressing emergency scenarios with blowing gas indoors and provisions that address ruptures on distribution lines.
- e. UGI will amend the emergency plans to include provisions for dispatchers to follow during notifications of leaks or excavation damage by county emergency officials. Shall include steps for Central Dispatch to quickly notify UGI Engineering or area supervisors about excavation damage to expedite shutdown plans for first responders upon arrival.
- f. UGI will establish a formal training process for the company's dispatchers.
- g. UGI will proactively inform and educate excavators through its damage prevention program, public awareness plan, or other means regarding damages to steel service lines with inside meter sets.
- h. UGI will train its dispatchers, responders, supervisors and engineering staff on the amendments made to the emergency procedures.
- i. UGI will provide training to local emergency responders about the dangers of entering buildings with high levels of gas during emergencies.
- j. UGI will reduce the risk of excavation damage on steel service lines with inside meter sets by prioritizing the replacement or relocation of the pressure regulators outdoors.
- k. UGI will ensure rapid shutdown of distribution systems with large congregations of steel service lines with inside meters and regulators by classifying all valves within these systems as emergency valves as described by 49 CFR 192.181(a).
- l. UGI will amend its damage prevention procedures to require locators to find and paint curb valve box lids for steel service lines with inside medium pressure meter sets.

WHEREFORE, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement hereby requests that the Commission: (1) find UGI to be in violation of the Public Utility Code, Commission regulations, and/or Code of Federal Regulations for each of the twelve (12) counts set forth herein; (2) impose a cumulative civil

penalty upon UGI in the amount of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00); (3) direct UGI to perform each of the corrective actions detailed in this Complaint; and (4) order such other remedies as the Commission may deem to be appropriate.

Respectfully submitted,



Colby Widdowson
Prosecutor
PA Attorney ID No. 326185

Michael L. Swindler
Deputy Chief Prosecutor
PA Attorney ID No. 43319

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

Dated: June 25, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

v.

UGI Utilities, Inc. – Gas Division,
Respondent

Docket No. C-2025-

VERIFICATION

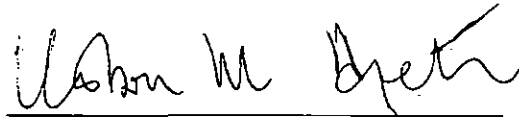
I, Kokou Apetoh, Fixed Utility Valuation Engineer, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

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SECRETARY'S BUREAU

Date: June 25, 2025



Kokou Apetoh
Fixed Utility Valuation Engineer
Pipeline Safety Division
Bureau of Investigation and Enforcement

I&E Exhibit 1

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CDC 00000 POCS MM/DD/YY TT:TT:TT 20223461851-000 NEW XCAV EMER

=====~~PENNSYLVANIA UNDERGROUND UTILITY LINE PROTECTION REQUEST~~=====
Serial Number--[20223461851]-[000] Channel#--[1311A999][0269][2019-08]
Message Type--[NEW][EXCAVATION][EMERGENCY]

County--[DAUPHIN] Municipality--[SUSQUEHANNA TWP]
Work Site--[3204 CREST RD]
Nearest Intersection--[NORTHWAY RD]
Second Intersection--[RITTER RD]
At Intersection--[N] Between Intersections--[Y] Site Marked in White--[Y]
Subdivision--[]
Location Information--
[]
Caller Lat/Lon--[]
Mapped Type--[P] Mapped Lat/Lon--
[40.292212/-76.848087,40.292564/-76.848271,40.292611/-76.847932,
40.292271/-76.847873]
Attachments--[http://www.pa811.org/attachments/20223461851]
Type of Work--[SWR LINE REPAIR] Depth--[7FT]
Extent of Excavation--[20-25FT] Method of Excavation--[POWER EQUIP]
Equip Type--[MINI EXCAVATOR]
Street--[] Sidewalk--[] Pub Prop--[] Pvt Prop--[X] Other--[]
Private Front--[X] Rear--[] Left--[] Right--[]

Lawful Start Dates--[] thru [] Response Due Date--[12-Dec-22]
Scheduled Excavation Date--[13-Dec-22] Dig Time--[0800] Duration--[1 DAY]

Caller--[LEIGHANN ANDERSON]
Caller Phone--[717-737-8100]
Excavator--[PRONTO PLUMBING AND DRAINS]
Address--[1111 PRIMROSE AVE]
City--[CAMP HILL] State--[PA] Zip--[17011]
FAX--[] Caller Type--[B]
Email--[leighann.anderson@prontoplumbing.com]
Work For--[CHAD BARBER]
Onsite Contact--[LEIGHANN ANDERSON]
Onsite Contact Phone--[717-259-3354]
Best Time to Call--[ANYTIME]
Onsite Contact Email--[leighann.anderson@prontoplumbing.com]
Job Number--[485540]

Prepared--[12-Dec-22] at [1315] by [LORYNDA POLJAK]
Remarks--
[SEWAGE IS BACKING UP INTO THE BASEMENT.]

BW 0 BW =CAPITAL REG WTR HC 0 HC =VERIZON PA HRBG PR 0 PR =PPL ELEC HRBG
SB 0 SB =COMCAST CABLE SXH0 SXH=SUSQHNN TA/HWY UI 0 UI =UGI HARRISBURG
XD10 XD1=SUSQHNN TA/SWR

Serial Number--[20223461851]-[000]
=====
Copyright (c) 2022 by Pennsylvania One Call System, Inc. =====

=====PENNSYLVANIA UNDERGROUND UTILITY LINE PROTECTION REQUEST=====

Serial Number--[20223461851]-[001] Channel#--[0905A999][0118][2019-08]
Message Type--[RENOTIFY][EXCAVATION][EMERGENCY]

County--[DAUPHIN] Municipality--[SUSQUEHANNA TWP]
Work Site--[3204 CREST RD]
Nearest Intersection--[NORTHWAY RD]
Second Intersection--[RITTER RD]
At Intersection--[N] Between Intersections--[Y] Site Marked in White--[Y]
Subdivision--[]

Location Information--
[]
Caller Lat/Lon--[]
Mapped Type--[P] Mapped Lat/Lon--
[40.292212/-76.848087,40.292564/-76.848271,40.292611/-76.847932,
40.292271/-76.847873]

Attachments--[http://www.pa811.org/attachments/20223461851]
Type of Work--[SWR LINE REPAIR] Depth--[7FT]
Extent of Excavation--[20-25FT] Method of Excavation--[POWER EQUIP]
Equip. Type--[MINI EXCAVATOR]
Street--[] Sidewalk--[] Pub Prop--[] Pvt Prop--[X] Other--[]
Private Front--[X] Rear--[] Left--[] Right--[]

Lawful Start Dates--[] thru [] Response Due Date--[13-Dec-22]
Scheduled Excavation Date--[13-Dec-22] Dig Time--[0800] Duration--[1 DAY]

Caller--[LEIGHANN ANDERSON]
Caller Phone--[717-737-8100]
Excavator--[PRONTO PLUMBING AND DRAINS]
Address--[1111 PRIMROSE AVE]
City--[CAMP HILL] State--[PA] Zip--[17011]
FAX--[] Caller Type--[B]
Email--[leighann.anderson@prontoplumbing.com]
Work For--[CHAD BARBER]
Onsite Contact--[LEIGHANN ANDERSON]
Onsite Contact Phone--[717-259-3354]
Best Time to Call--[ANYTIME]
Onsite Contact Email--[leighann.anderson@prontoplumbing.com]
Job Number--[485540]

Prepared--[13-Dec-22] at [0907] by [KATELYNN HORVATH]
Remarks--
[SEWAGE IS BACKING UP INTO THE BASEMENT.]

Renotify (RNO) Information
RNO Caller--[MORGAN HARMAN]
RNO Caller Phone--[717-737-8100]
RNO Onsite Contact--[MORGAN HARMAN]
RNO Onsite Phone--[717-208-4587]
RNO Onsite Contact Email--[leighann.anderson@prontoplumbing.com]
Crew Onsite--[Y] Unmarked--[Y] Incorrectly Marked--[N]

DIRECT CONTACT WITH EXCAVATOR REQUIRED WITHIN TWO HOURS--[N]

RNO Remarks--
[ATTN UGI UTILITIES YOU RESPONDED AS CONFLICT DCTF BUT NO FOLLOW UP WAS
MADE. PLEASE REPORT TO THE SITE AND MARK YOUR LINES ASAP AS THE CREW IS ON
SITE STARTING AND THEY NEED THE GAS LINES MARKED. IF THERE ARE ANY
CONCERNS PLEASE CALL DIRECTLY. THANK YOU.]

UI 0 UI =UGI HARRISBURG

Serial Number--[20223461851]-[001]
===== Copyright (c) 2022 by Pennsylvania One Call System, Inc. =====

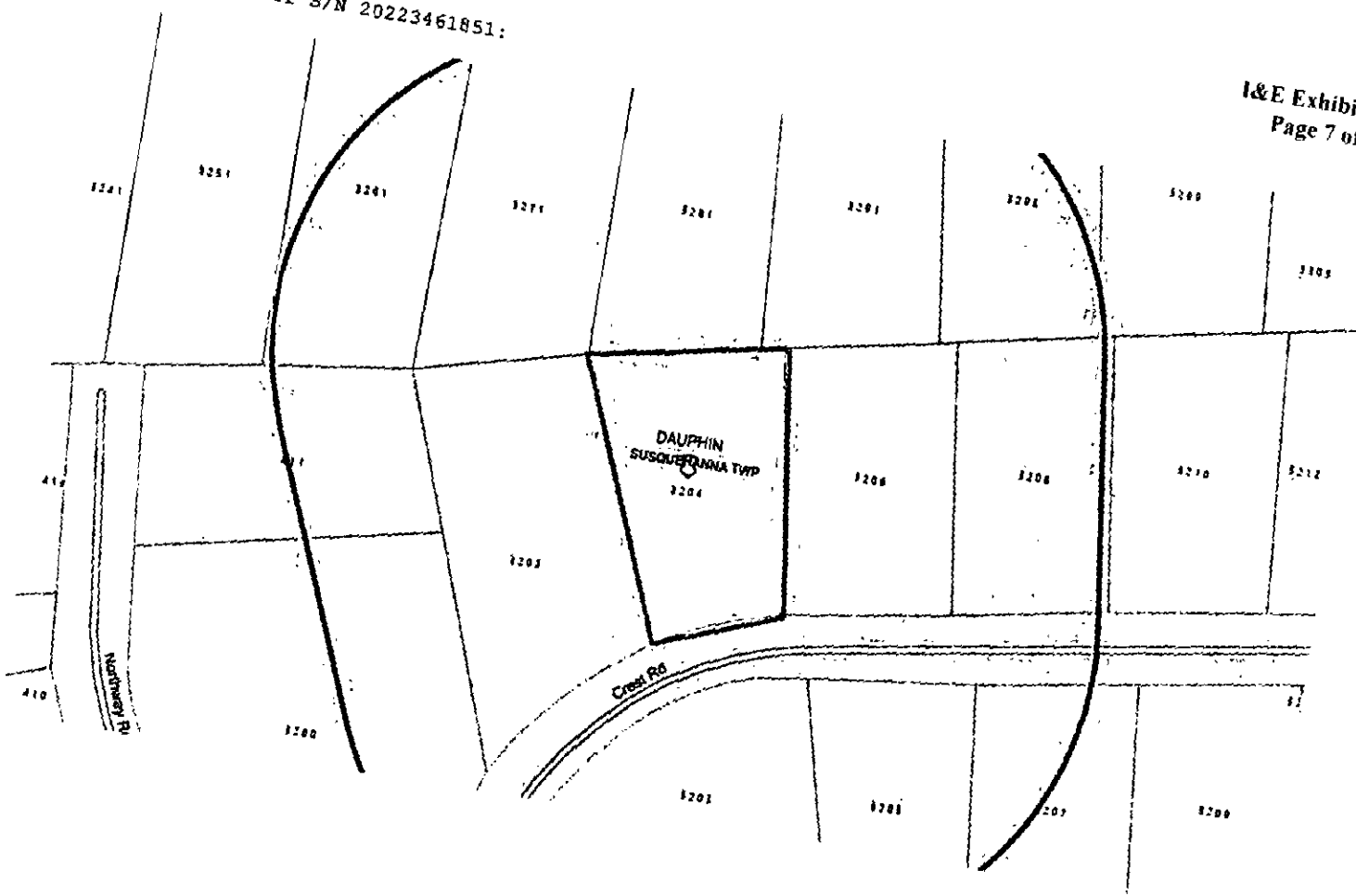
RESPONSES for S/N: 20223461851:

Ver	CDC	Name	Response	Time	Respondent
0	PR	PPL ELECTRIC UTILITIES CORPORATION	PR-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	12/12/2022 1:24:52 PM	CLS-WEBSVC
0	SXH	SUSQUEHANNA TWP AUTH/SUSQUEHANNA TWP	SXH-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	12/12/2022 1:42:32 PM	JH-WEB
0	UI	UGI UTL HARRISBURG	UI-CONFLICT. DCTF BY FO	12/12/2022 1:18:27 PM	ATS-WEBSVC
0	XD1	SUSQUEHANNA TWP AUTH/SUSQUEHANNA TWP	XD1-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	12/12/2022 1:42:44 PM	JH-WEB
0	SB	COMCAST CABLE COMMUNICATIONS INC	SB-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	12/12/2022 1:24:52 PM	CLS-WEBSVC
0	BW	CAPITAL REGION WATER	BW-NO RESPONSE	12/13/2022 12:03:06 AM	Auto-KARL
0	BW	CAPITAL REGION WATER	BW-FIELD MARKED	12/13/2022 7:25:59 AM	ch-WEBSVC
0	HC	VERIZON PENNSYLVANIA LLC	HC-NO RESPONSE	12/13/2022 12:03:06 AM	Auto-KARL
0	HC	VERIZON PENNSYLVANIA LLC	HC-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	12/13/2022 8:07:14 AM	AAA-WEBSVC
1	UI	UGI UTL HARRISBURG	UI-CLEAR. NO FACILITIES OR FACIL NOT INVOLVED	12/14/2022 2:40:30 PM	ATS-WEBSVC
1	UI	UGI UTL HARRISBURG	UI-INSUFF INFO. DO NOT DIG	12/13/2022 4:10:48 PM	ATS-WEBSVC
1	UI	UGI UTL HARRISBURG	UI-CONFLICT. DCTF BY FO	12/13/2022 9:09:37 AM	ATS-WEBSVC

Ver	CDC	Name	Response	Time	Respondent
0	BW	CAPITAL REGION WATER	003-FIELD MARKED	12/13/2022 07:25:59	ch-WEBSVC
0	BW	CAPITAL REGION WATER	999-NO RESPONSE*	12/13/2022 00:03:06	Auto-KARL
0	HC	VERIZON PENNSYLVANIA LLC	001-CLEAR. NO FA	12/13/2022 08:07:14	AAA-WEBSVC
0	HC	VERIZON PENNSYLVANIA LLC	999-NO RESPONSE*	12/13/2022 00:03:06	Auto-KARL
0	PR	PPL ELECTRIC UTILITIES CO	001-CLEAR. NO FA	12/12/2022 13:24:52	CLS-WEBSVC
0	SB	COMCAST CABLE COMMUNICATI	001-CLEAR. NO FA	12/12/2022 13:24:52	CLS-WEBSVC
0	SXH	SUSQUEHANNA TWP AUTH/SUSQ	001-CLEAR. NO FA	12/12/2022 13:42:32	JH-WEB
1	UI	UGI UTL HARRISBURG	002-CONFLICT. DC	12/13/2022 09:09:37	ATS-WEBSVC
0	UI	UGI UTL HARRISBURG	002-CONFLICT. DC	12/12/2022 13:18:27	ATS-WEBSVC
0	XD1	SUSQUEHANNA TWP AUTH/SUSQ	001-CLEAR. NO FA	12/12/2022 13:42:44	JH-WEB

FACILITY OWNER RESPONSE NOTES:

Ver	CDC	Name	To	Time	Seq	Type
0	BW	CAPITAL REGION WATER	BW	12/12/2022 13:16:11	12	MAIL
0	HC	VERIZON PENNSYLVANIA LLC	HC	12/12/2022 13:16:12	149	MAIL
0	PR	PPL ELECTRIC UTILITIES CORPOR	PR	12/12/2022 13:16:13	106	MAIL
0	SB	COMCAST CABLE COMMUNICATIONS	SB	12/12/2022 13:16:14	69	MAIL
0	SKH	SUSQUEHANNA TWP AUTH/SUSQUEHA	SKH	12/12/2022 13:16:16	14	MAIL
0	XD1	SUSQUEHANNA TWP AUTH/SUSQUEHA	XD1	12/12/2022 13:16:18	14	MAIL
0	UI	UGI UTL HARRISBURG	UI	12/12/2022 13:16:19	132	MAIL
1	UI	UGI UTL HARRISBURG	UI	12/13/2022 09:07:09	23	MAIL



I&E Exhibit 2

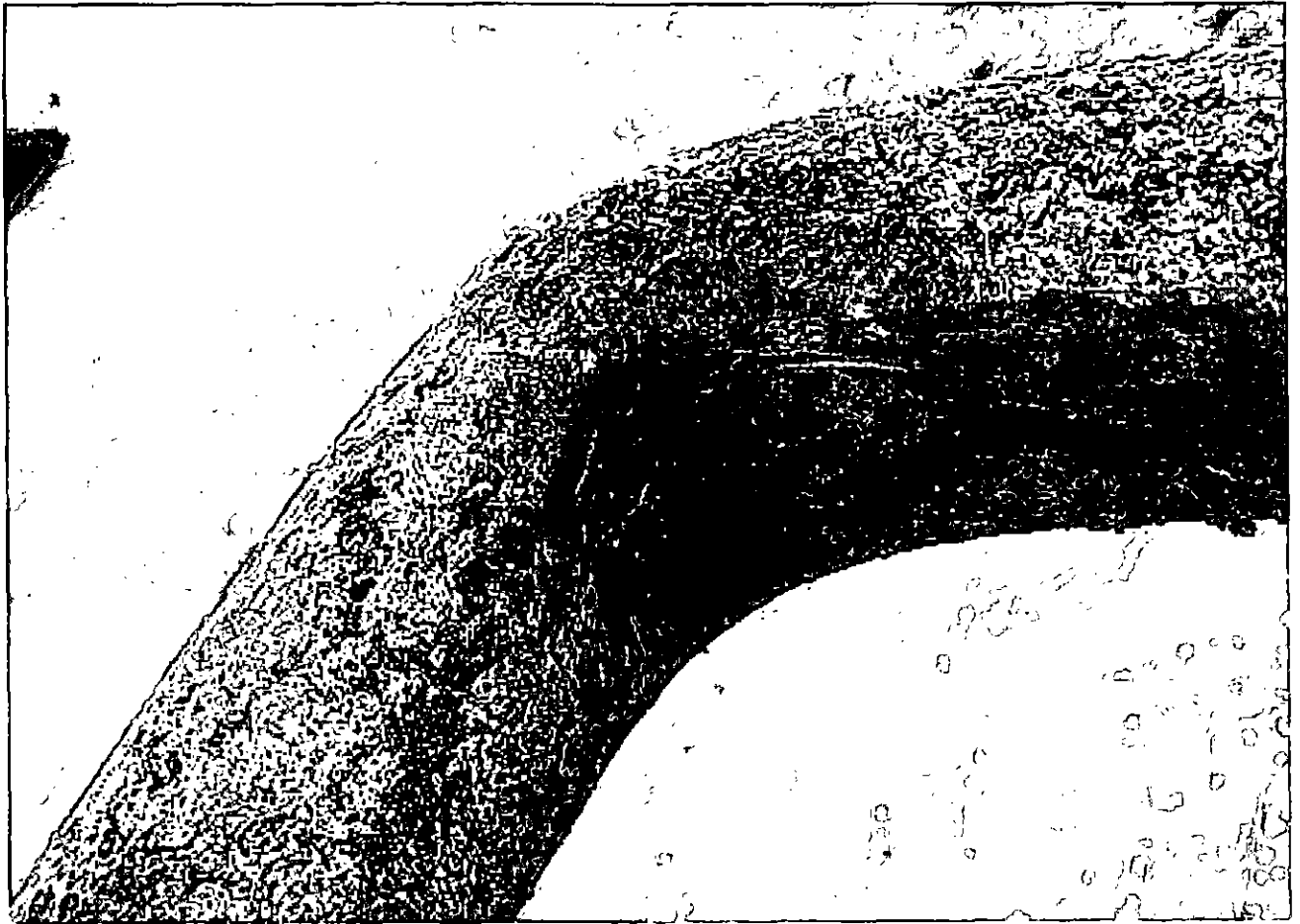
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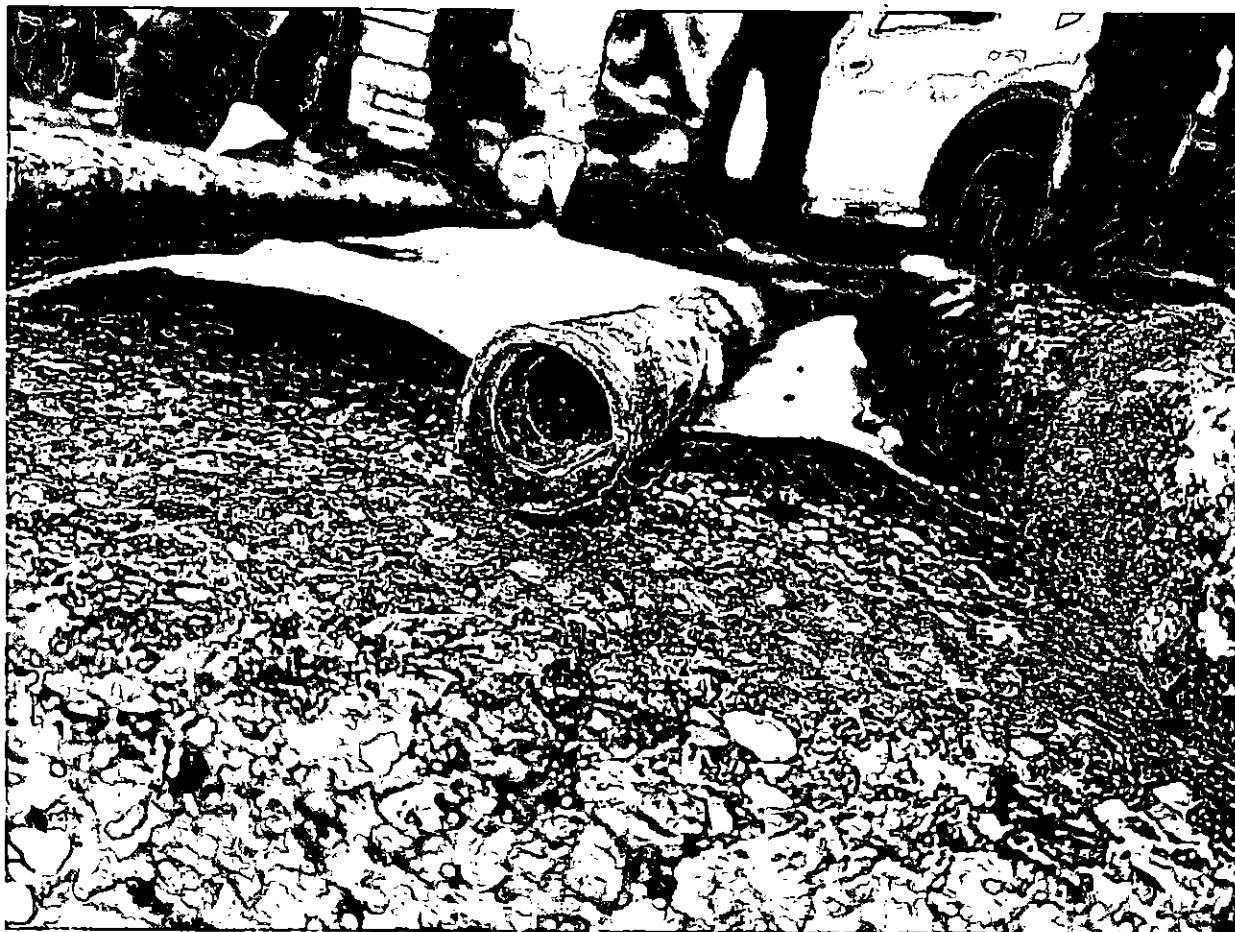
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SECRETARY'S BUREAU











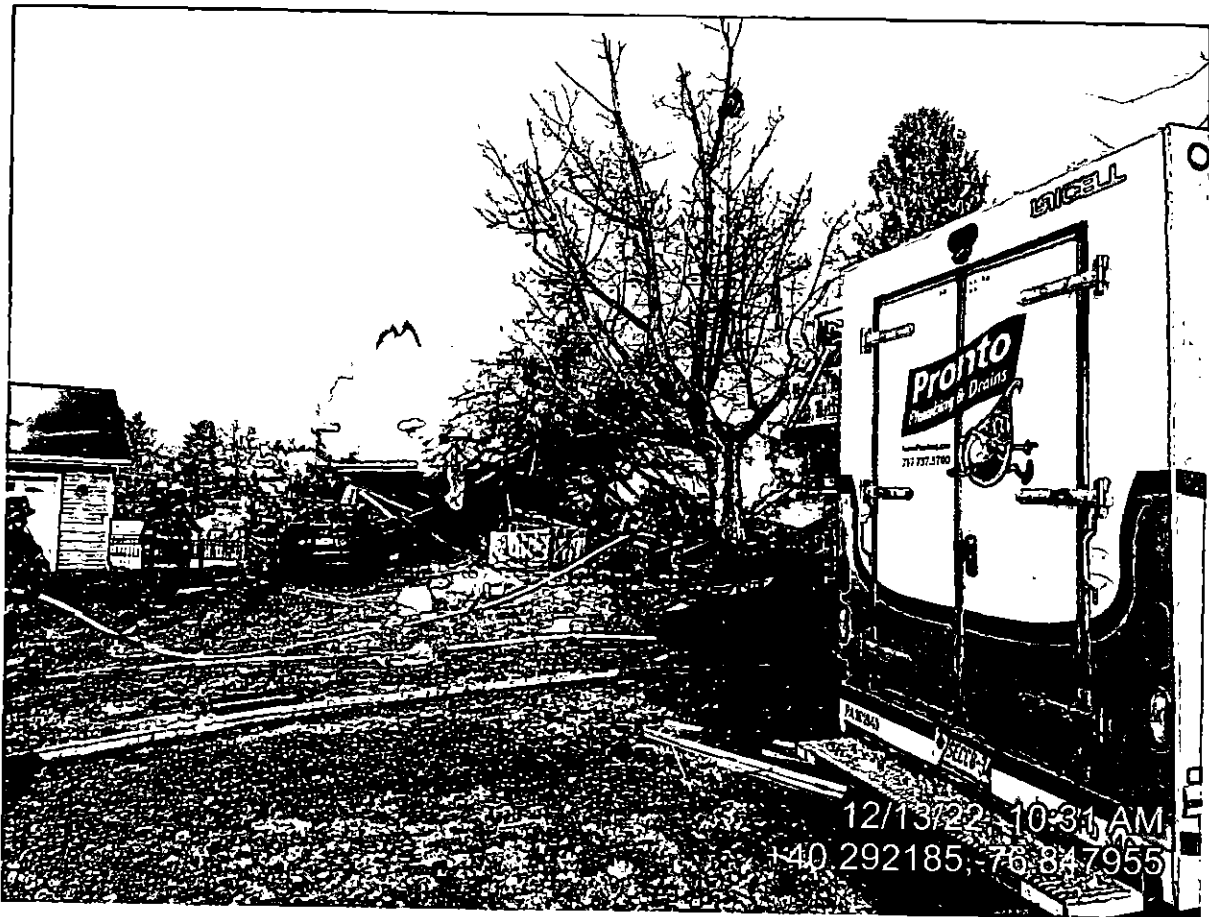
I&E Exhibit 3

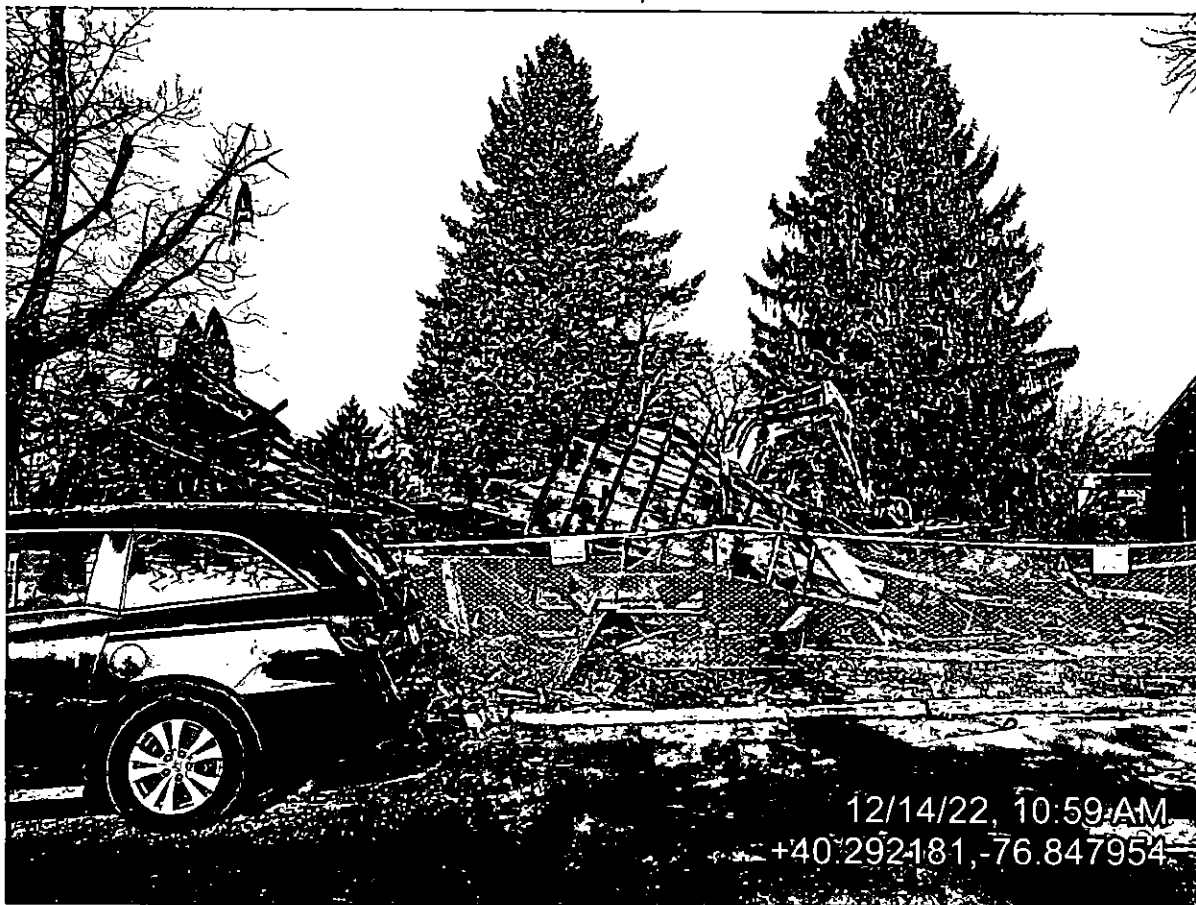
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12/14/22 10:59 AM
+40 292238 -76 848092

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JUN 25 2025

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-
	:	
UGI Utilities, Inc. - Gas Division,	:	
Respondent	:	

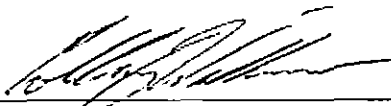
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Formal Complaint (Non-Proprietary and Proprietary Version)** dated June 25, 2025 upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Certified Mail, Return Receipt, and Electronic Mail

Michael Swerling, Esq.
UGI Utilities, Inc. - Gas Division
500 North Gulph Road
King of Prussia, PA 19406
swerlingm@ugicorp.com

RCVD PUC SEC BUR
JUN 25 2025 AM 10:15



Colby B. Widdowson
Prosecutor
Bureau of Investigation & Enforcement
PA Attorney ID No. 326185
(717) 787-2139
cwiddowson@pa.gov