



Regulation is a maze. We can show you the way!

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November 3, 2025

**VIA ELECTRONIC FILING**

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

Re: Kevin Fitzgerald v. National Fuel Gas Distribution Corporation; Docket No. C-2025-3057965; **NATIONAL FUEL GAS DISTRIBUTION CORPORATION'S PRELIMINARY OBJECTIONS TO FORMAL COMPLAINT**

Dear Secretary Homsher:

Enclosed for filing with the Pennsylvania Public Utility Commission is National Fuel Gas Distribution's Preliminary Objections to the Formal Complaint in the above-referenced matter.

If you have any questions regarding this filing, please contact me.

Very truly yours,

*/s/ Whitney E. Snyder*

Whitney E. Snyder  
Erich W. Struble

*Counsel for National Fuel Gas Distribution  
Corporation*

WES/das

Enclosures

cc: Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

KEVIN FITZGERALD	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2025-3057965
	:	
NATIONAL FUEL GAS DISTRIBUTION	:	
CORPORATION,	:	
	:	
Respondent.	:	

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**NOTICE TO PLEAD**

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You are hereby advised that, pursuant to 52 Pa. Code § 5.61, you may file a response within ten (10) days of the attached preliminary objections. Any response must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for National Fuel Gas Distribution Corporation, and where applicable, the Administrative Law Judge presiding over the issue.

File with:  
Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, Second Floor  
Harrisburg, PA 17120

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

KEVIN FITZGERALD	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2025-3057965
	:	
NATIONAL FUEL GAS DISTRIBUTION	:	
CORPORATION,	:	
	:	
Respondent.	:	

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**NATIONAL FUEL GAS DISTRIBUTION CORPORATION’S  
PRELIMINARY OBJECTIONS TO FORMAL COMPLAINT  
OF KEVIN FITZGERALD**

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Pursuant to 52 Pa. Code § 5.101, National Fuel Gas Distribution Corporation (“NFG”) files Preliminary Objections to the Formal Complaint of Kevin Fitzgerald (“Complainant”). NFG requests that the Complaint be dismissed with prejudice.

**I. INTRODUCTION**

1. The Complaint relates to an Application NFG has filed to abandon service consistent with the Commission’s regulations and the Public Utility Code. *See* Complaint ¶ 4-5. The Complaint alleges that NFG has “failed to update or upgrade its infrastructure,” “padded the pockets of shareholders,” and “chosen to steal the services of customers,” and asserts that the job of a public utility company is to provide service to all customers, not only those who provide the greatest profit. Complaint ¶ 4. The Complaint also claims that NFG’s Abandonment Application contains “distortions and falsehoods.” Complaint ¶ 5.

2. The Complaint does not appear to request any specific relief from the Commission but instead contains opinions, criticisms, and allegations regarding NFG’s Abandonment

Application and business practices. Complaint ¶¶ 4–5. To place the Complaint in context, a brief summary of the Application follows.

3. As stated in NFG’s Answer, on September 30, 2025, NFG filed an Application to Abandon Service to Three Residential Customers in Eldred Township, Jefferson County, Pennsylvania (“Abandonment Application”). The Application is attached as **Appendix A**. The Abandonment Application requests that the Commission approve abandonment of natural gas service to Complainant and two other residential customers on NFG’s system in Eldred Township. *See* Abandonment Application ¶ 6. NFG served Complainant with a copy of the Abandonment Application. *Id.* ¶ 7.

4. Because the Abandonment Application is now pending before the Commission and the Complaint is directly related to that Application, the Commission should either dismiss the Complaint for the reasons stated below or, alternatively, treat the Complaint as a protest to NFG’s Abandonment Application and consolidate the Complaint with the abandonment proceeding.

## **II. LEGAL STANDARDS FOR PRELIMINARY OBJECTIONS**

5. The Commission’s regulations permit the filing of preliminary objections to any pleading, except motions and prior preliminary objections, under certain circumstances, including when a party lacks standing to participate in a proceeding. 52 Pa. Code § 5.101(a)(7).

6. For purposes of disposing the preliminary objections, the Commission must accept as true all well-pleaded material facts of the non-moving party, as well as every reasonable inference deducible from those facts. *County of Allegheny v. Commonwealth*, 490 A.2d 402 (Pa. 1985); *Commonwealth v. Bell Telephone Co. of Pa.*, 551 A.2d 602 (Pa. Cmwlth. 1988). The Commission must view the pleadings in the light most favorable to the non-moving party and should dismiss a pleading only if it appears that the non-moving party would not be entitled to

relief under any circumstances as a matter of law. *Equitable Small Transportation Intervenors v. Equitable Gas Company*, Docket No. C-00935435, 1994 WL 932315, at \*1 (Opinion and Order entered Jul. 18, 1994); *see also Interstate Traveler Services, Inc. v. Pennsylvania Department of Environmental Resources*, 406 A.2d 1020 (Pa. 1979).

7. “For purposes of testing the legal sufficiency of the challenged pleading, a [motion to dismiss] ... admits as true all well-pleaded, material, relevant facts, and every inference deducible from those facts.” *Marinoff v. Bell Telephone Co. of Pennsylvania*, Docket No. C-913511, 1991 WL 474858 (1991). Also, when considering preliminary objections, one need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Andrew Star v. PECO Energy Co.*, Docket No. C-2017-2615628, 2017 WL 4864901, at \*2 (Initial Decision entered Oct. 4, 2017) (citing *Commonwealth v. Golden Gate Nat'l Senior Care LLC*, 158 A.3d 203, 213 (Pa. Cmwlth. 2017), *aff'd* (Final Order entered Dec. 5, 2017)).

### **III. THE COMPLAINT SHOULD BE DISMISSED WITH PREJUDICE**

8. The Complaint should be dismissed because it fails to state a claim for which relief can be granted because it fails to show that NFG violated the Public Utility Code, a Commission regulation or order, or NFG's tariff.

9. The Complaint fails to even allege (let alone set forth facts that if true would prove) that NFG violated the law. The statements in the Complaint consist of opinions and conclusory accusations that NFG acted improperly but are unsupported by any factual allegations demonstrating a violation of law.

10. To grant *any relief*, including ordering a utility to perform an investigation, the Complainant must allege and prove that NFG violated the Public Utility Code, a Commission

regulation, or Commission order and that ordering such investigation would remedy the violation. The Commonwealth Court has made clear that “in order for the PUC to sustain a complaint brought under [66 Pa.C.S. § 1501], the utility must be in violation of its duty under this section. Without such a violation by the utility, the PUC does not have the authority, when acting on a customer’s complaint, to require any action by the utility.” *West Penn Power Co. v. Pa. PUC*, 478 A.2d 947, 949 (Pa. Cmwlth. 1984). *Township of Spring v. Pennsylvania-American Water Co.*, Dkt. Nos. C-20054919 *et al.*, 2007 WL 2198196, at \*6 (Order entered July 27, 2007) (“If we were to order PAWC to conduct testing of the property in the Stonegate community, we would have to base that order on credible evidence that some act or omission by PAWC in violation of the Code or our Regulations would be remedied by the testing.”) (citing *West Penn, infra*). *See also Lynde Blymier v. SPLP*, Docket No. C-2023-3040188, Initial Decision at 15-17 (dismissing as legally insufficient complaint that sought investigation and did not allege wrongdoing by utility), *adopted* (Order entered Dec. 21, 2023).

11. Here, although Complainant makes several accusations that NFG acted improperly, those statements are conclusory and unsupported by any factual allegations demonstrating that NFG violated the Public Utility Code, a Commission regulation or order, or NFG’s tariff. The Complaint is therefore legally insufficient and should be dismissed.

12. Complainant cannot allege any wrongdoing by NFG related to its intent to abandon service to Complainant’s home because NFG is proceeding in strict accordance with the Public Utility Code and the Commission’s regulations.

13. If the Commission decides not to dismiss the Complaint on this basis, then it would be procedurally appropriate to treat the Complaint as a protest to NFG’s Abandonment Application. *See Application of National Fuel Gas Distribution Corporation for Approval of the Abandonment*

*of Natural Gas Service to One (1) Natural Gas Customer Located in Conneaut Township, Erie County, Pennsylvania, Docket No. A-2016-2570731 (Initial Decision Sept. 21, 2017) (Commission notified a complainant “that formal complaints could not be filed against an application [for the approval to abandon natural gas service] but his communication would be converted into a ‘protest.’”).*

**IV. REQUESTED RELIEF**

WHEREFORE, National Fuel Gas Distribution Corporation respectfully requests that the Commission dismiss the Complaint with prejudice or, alternatively, treat the Complaint as a protest to NFG’s Abandonment Application and consolidate the Complaint with the abandonment proceeding.

Respectfully submitted,

/s/Whitney E. Snyder  
Whitney E. Snyder, Esq. (PA ID No. 316625)  
Erich W. Struble, Esq. (PA ID No. 310768)  
HMS Legal LLP  
501 Corporate Circle, Suite 302  
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[ewstruble@hmslegal.com](mailto:ewstruble@hmslegal.com)

/s/ Dominick A. Sisinni  
Dominick A. Sisinni, Senior Counsel  
National Fuel  
1100 State Street  
Erie, PA 16501  
Tel: (814) 871-8177  
[sisinnid@natfuel.com](mailto:sisinnid@natfuel.com)

*Attorneys for Respondent National Fuel Gas Distribution Corporation*

Dated: November 3, 2025

# APPENDIX A



Regulation is a maze. We can show you the way!

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September 30, 2025

**VIA ELECTRONIC MAIL**

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

Re: Application for Approval of Abandonment of Service by National Fuel Gas Distribution Corporation to Three (3) Residential Customers Located in Eldred Township, Jefferson County, Pennsylvania; Docket No. A-2025-\_\_\_\_\_

Dear Secretary Homsher:

Attached for filing with the Commission is an Application for Approval of Abandonment of Service by National Fuel Gas Distribution Corporation to Three (3) Residential Customers Located in Eldred Township, Jefferson County, Pennsylvania. The filing fee of \$350 has been paid online. Copies have been served on all parties to this proceeding as indicated on the attached Certificate of Service.

If you have questions regarding this filing, please contact me.

Very truly yours,  
*/s/ Whitney E. Snyder*

Whitney E. Snyder  
Erich W. Struble

*Counsel for  
National Fuel Gas Distribution Corporation*

WES/das  
Enclosure

cc: Dominick A. Sisinni, Esq. ([sisinnid@natfuel.com](mailto:sisinnid@natfuel.com))  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application for Approval of Abandonment :  
of Service by National Fuel Gas : Docket No. A-2025-\_\_\_\_\_  
Distribution Corporation to Three (3) :  
Residential Customers Located in Eldred :  
Township, Jefferson County, Pennsylvania :

**APPLICATION OF NATIONAL FUEL GAS DISTRIBUTION CORPORATION TO  
ABANDON SERVICE TO THREE RESIDENTIAL CUSTOMERS IN ELDRED  
TOWNSHIP, JEFFERSON COUNTY, PENNSYLVANIA**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to Section 1102(a)(2) of the Public Utility Code, 66 Pa. C.S. § 1102(a)(3), National Fuel Gas Distribution Corporation (“**National Fuel**” or the “**Company**”) requests that the Pennsylvania Public Utility Commission (“**PUC**” or “**Commission**”) approve abandonment of natural gas service to three (3) residential customers on National Fuel’s system in Eldred Township, Jefferson County, Pennsylvania.

1. The name and address of Applicant are:

National Fuel Gas Distribution Corporation  
6363 Main St.  
Williamsville, NY 14221

2. The name and address of Applicant’s attorneys are:

Whitney E. Snyder, Esquire  
Erich W. Struble, Esquire  
HMS Legal LLP  
501 Corporate Circle, Suite 302  
Harrisburg, PA 17110  
(717) 236-1300  
[wesnider@hmslegal.com](mailto:wesnider@hmslegal.com)  
[ewstruble@hmslegal.com](mailto:ewstruble@hmslegal.com)

Dominick A. Sisinni, Esquire  
Senior Counsel  
National Fuel  
1100 State Street  
Erie, PA 16501  
(814) 871-8177  
[sisinnid@natfuel.com](mailto:sisinnid@natfuel.com)

3. National Fuel is a public utility corporation duly organized and existing under the laws of the State of New York. In compliance with the requirements of the Pennsylvania Business Corporation Law (Act of May 5, 1933, P.L. 364, as amended), National Fuel has secured from the Commonwealth of Pennsylvania authority to do business within the Commonwealth of Pennsylvania as a foreign corporation.

4. National Fuel owns property in Pennsylvania for the transmission and distribution of natural gas and presently renders natural gas service to the public in various communities in the counties of Armstrong, Butler, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, McKean, Mercer, Venango and Warren. The service territory is more fully described in Supplement No. 287 to Tariff Gas - Pa. P.U.C. No. 9, Page 36 (the “**Tariff**”).

5. As of September 10, 2025, National Fuel provides natural gas service to approximately 213,000 Pennsylvania customers.

6. National Fuel seeks to abandon service to three (3) customers (collectively, the “**Customers**”) as identified and at the premises specified below (collectively, the “**Premises**”):

	<b>Name</b>	<b>Address</b>
1	Marge H. Hudson and Kieth Fitzgerald <sup>1</sup>	6558 River Rd. Sigel, PA
2	Allan J. Buza	6569 River Rd., Sigel, PA
3	David A. & Melody A. Haring	6594 River Rd., Sigel, PA

7. National Fuel is serving each of the Customers with a copy of this Application via certified mail, as indicated on the Certificate of Service.

8. The Customers currently receive service from the Company at the rates specified in the Tariff applicable to the residential rate classification, under the Residential Service Rate Schedule.

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<sup>1</sup> Customer hereinafter referred to as Fitzgerald.

9. National Fuel submits the following table of gas delivered and revenue derived from service to the Customers for the period July 2024-June 2025. This table is also attached as **Exhibit NF-1**.

Month	Allan Buza 6569 River Rd		Keith Fitzgerald 6558 River Rd		David Haring 6594 River Rd	
	Consumption (Mcf)	Total Margins (\$)	Consumption (Mcf)	Total Margins (\$)	Consumption (Mcf)	Total Margins (\$)
July 2024	0.1	\$14.30	0.6	\$15.78	1.5	\$18.44
August 2024	0.2	\$14.59	0.4	\$15.18	1.7	\$19.03
September 2024	0.0	\$14.00	0.6	\$15.78	1.3	\$17.85
October 2024	0.1	\$14.30	0.3	\$14.89	0.5	\$15.48
November 2024	2.5	\$21.40	2.2	\$20.51	6.4	\$32.95
December 2024	3.2	\$23.48	4.1	\$26.14	11.4	\$47.76
January 2025	7.1	\$35.02	6.7	\$33.84	19.3	\$71.15
February 2025	5.4	\$29.99	8.8	\$40.06	25.6	\$89.80
March 2025	5.3	\$29.69	6.1	\$32.06	17.4	\$65.52
April 2025	3.1	\$23.18	4.2	\$26.44	12.0	\$49.53
May 2025	1.7	\$19.03	3.3	\$23.77	10.0	\$43.61
June 2025	1.1	\$17.26	0.7	\$16.07	1.3	\$17.85
<b>Total</b>		\$256.24		\$280.52		\$488.97
<b>Total Annual Margins for Customers = \$1025.73</b>						

10. National Fuel serves the Premises through a vintage distribution low-pressure system consisting of 2” plastic and 2” wrought iron mainline. This low-pressure system is fed from distribution medium-pressure mainline consisting of primarily 1916 vintage 6” bare steel

and wrought-iron mainline. The feed to the medium-pressure and low-pressure systems comes from a gathering system owned by National Fuel Gas Supply Corporation. To serve the Customers, National Fuel's facilities cross the Wynkoop Creek Bridge (carrying SR 3005) ("**Bridge**") in Elk County, Pennsylvania. A map generally depicting the approximate location of National Fuel's facilities, the Bridge, and Customer homes is attached as **Exhibit NF-2**.

11. In May of 2025, the Pennsylvania Department of Transportation ("**PennDOT**") notified National Fuel that the Bridge would be replaced and that National Fuel would need to relocate its facilities. PennDOT originally required National Fuel's facilities be removed from the bridge no later than May 2026.

12. Subsequent to National Fuel's review of the facilities impacted by PennDOT's timeline for replacing the Bridge (originally May 2026), National Fuel learned that PennDOT has delayed the construction schedule by one year (May 2027). Notwithstanding PennDOT's schedule change, National Fuel has elected to proceed with filing the instant abandonment application seeking approval to discontinue service to the Customers in order to provide sufficient time for this proceeding to reach final resolution (with an order from the Commission ultimately issuing) prior to PennDOT's 2027 construction start date.

13. National Fuel has determined that relocating and replacing this main would not be reasonable or prudent given the associated costs. National Fuel investigated two (2) options to relocate and replace the main line which included installation of new facilities via horizontal directional drill ("**HDD**") or attachment to the new PennDOT bridge. National Fuel determined that the HDD option was not viable due to the limited space on either side of the bridge which would not provide adequate space to achieve the necessary depth under the stream. Additionally, the HDD option would result in a low spot on the low-pressure system which could accumulate

water and cause disruptions to the service to the customers. According to National Fuel's estimate, the most conservative viable option to replace the subject facilities consists of attaching to the new PennDOT bridge, which would result in a net increase to capital investment of at least \$74,500 ("**Replacement Option**").

14. Due to the limited revenue to be earned and the extensive costs involved, National Fuel estimates the Replacement Option would result in a revenue deficiency of \$9,724.63 per year. This figure is calculated as follows. First, 121 feet of 2" plastic pipe and 200 feet of 2" wrought-iron pipe must be replaced with approximately 340 feet of 2" plastic pipe at an estimated cost of \$74,500 or \$219.12 per foot. This amount includes all costs related to crossing the Wynkoop Creek and attaching to PennDOT bridge inclusive of estimated permitting and attachment costs from PennDOT. Second, the resulting annual cost will be approximately 14.43% of the construction cost. Accordingly, the carrying charges for this pipeline replacement would be approximately \$10,750.36 per year. To be economically justified, the pipeline must provide at least this amount in annual marginal revenues. As noted above, while the Customers consumed a total of 176.2 Mcf in the twelve-month period listed above, National Fuel earned revenues in the amount of \$1,025.73. With an average base margin of approximately \$2.9611 per Mcf and a monthly service charge of \$14.00, the marginal revenue earned by National Fuel in the twelve months noted above, from selling gas to the Customer was approximately \$1,025.73. Subtracting the \$1,025.73 margin from the yearly revenue requirement of \$10,750.36 results in a deficiency of \$9,724.63 per year. Supporting calculations for the revenue deficiency are included as **Exhibit NF-3**.

15. There is no potential for growth along the route of the main line that National Fuel proposes to abandon.

16. The replacement of the facilities is not otherwise operationally needed for National Fuel to transport or deliver gas to other locations in its service territory.

17. In fact, National Fuel is reviewing whether it makes sense to continue to serve the small number of customers located directly upstream (on the gas mainline) (the “Upstream System”) of the facilities which National Fuel is seeking to abandon in the instant application, due to, among other things: (1) the Upstream System is served off of a legacy gathering system (versus an interstate pipeline on which National Fuel has reliable source of uninterrupted gas) raising reliability concerns; (2) the Upstream System consists of aged pipe (largely vintage 1916 vintage wrought iron steel, with historic leakage and exposure; and (3) the Company’s ongoing goal to eliminate bare steel and wrought iron pipe by 2039 pursuant to its Commission-approved Long Term Infrastructure Improvement Plan (“**LTIIP**”). Such request for abandonment will be a separate proceeding because the Bridge replacement does not impact these customers.

18. On or about July 8, 2025, National Fuel first contacted the Customers to notify them of the upcoming proposed abandonment of service, to offer a home energy audit, and to provide assistance with conversion costs based on the audit’s findings.

19. Customer Fitzgerald contacted the Company and scheduled a home energy audit for August 28, 2025. A copy of Customer Fitzgerald’s Home Energy Audit is attached as **Exhibit NF-4**. As shown in the Energy Audit, the total costs estimated to convert Customer Fitzgerald’s natural gas appliances is \$6,500.

20. As of August 22, 2025, despite repeated contact from the Company, neither Customer Buza nor Haring had scheduled a home energy audit. On August 22, 2025, the Company provided a final offer to conduct a home energy audit and cover the associated energy conversion costs based on the audit results.

21. Customer Haring ultimately permitted a home audit to occur on August 28, 2025. A copy of Customer Haring's Home Energy Audit is attached as **Exhibit NF-5**. As shown in the Energy Audit, the total cost to convert Customer Haring's natural gas appliances is \$2,400.

22. Customer Buza did not allow a home audit to occur, but did provide a list of appliances. National Fuel directed the auditors to rely on this list to prepare an audit and accepted the results as a substitute for an in-home audit in an effort to address Customer Buza's concerns. A copy of Customer Buza's Home Energy Audit is attached as **Exhibit NF-6**. As shown in the Energy Audit, the total cost to convert Customer Buza's natural gas appliances is \$2,300.

23. On September 3, 2025, National Fuel offered to pay Customers for the costs of energy conversion as determined in the home audit reports.

24. To date, Customer Fitzgerald has refused to enter into a buyout agreement despite the Company's offer to make a \$6,500 payment to cover energy conversion costs based on the home energy audit.

25. To date, Customer Haring has refused to enter into a buyout agreement despite the Company's offer to make a \$2,400 payment to cover energy conversion costs based on the home energy audit.

26. To date, Customer Buza has refused to enter into a buyout agreement despite the Company's offer to make a \$2,300 payment to cover energy conversion costs based on the home energy audit.

27. Each of the Customers filed informal complaints with the Commission's Bureau of Consumer Services ("BCS") concerning the Company's good-faith efforts to negotiate buyout agreements with agreed-upon conversion costs. The BCS file numbers assigned to these informal

complaints are as follows: (1) Buza – BCS # 4090767 (decision pending); (2) Haring – BCS # 4088243 (closed with no finding of violation); and (3) Fitzgerald – BCS # 4089915 (closed with no finding of violation).

28. Should the Commission condition the approval of this Application on reimbursement to the Customers, National Fuel requests the Commission approve a payment amount no greater than that prior Commission-approved methods in the context of contested abandonment applications where the calculated amount is the greater of: (1) the cost of one year of usage; (2) three times the total of the last twelve months of actual bills; or (3) 1.5 times an average of the last two twelve-month periods.<sup>2</sup> Applying this formula to the Customers results in the following payments:

	<b>Name</b>	<b>Payout Amount</b>
1	Kieth Fitzgerald	\$1,382.19
2	Allan J. Buza	\$1,195.71
3	David A. & Melody A. Haring	\$1,652.10

Supporting calculations are provided in **Exhibit NF-7**.

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<sup>2</sup> *Application of Equitable Gas Co., a Division of Equitable Resources, Inc., for Approval of the Abandonment of Service to Two (2) Field Gathering Customers and One (1) Vacant Field Gathering Line Meter Tap Location in Whitely Township, Greene County, Pa, Docket No. A-2008-2027716 (Final Order entered March 9, 2009) 2024 PA. PUC LEXIS 97, \*11, 2024 PA. PUC LEXIS 97; Application for Approval of Abandonment of Service by Columbia Gas of Pennsylvania, Inc. to One Residential Customer in Lawrence County, Pennsylvania, Docket No. A-2019-3008418 (Opinion and Order entered May 19, 2023); Application for Approval of Abandonment of Service by Columbia Gas of Pennsylvania, Inc. to Six Active and Four Inactive Residential Premises Located in Waynesburg, Greene County, Pennsylvania, Docket No. A-2023-3037687 (Opinion and Order entered March 2, 2023).*

29. Approval of this Application is necessary and proper because:

- The extent of loss to National Fuel (and its other customers) resulting from the relocation and replacement of facilities to serve is an annual revenue deficiency of \$9,724.63 per year;
- There is no prospect for use of the system in the future that would offset the revenue deficiency;
- There are adequate and readily available substitute services, namely propane, as indicated in each Customer's home energy audit (**Exhibits NF-4, NF-5, and NF-6**);
- There is no harm to the public; and
- The revenue deficiency and resulting harm to National Fuel and its other customers outweighs the short-term inconvenience to the three Customers of converting to propane.

**WHEREFORE**, National Fuel Gas Distribution Corporation respectfully requests the Commission grant this Application and issue the requisite certificates of public convenience as well as grant any other relief that is necessary to carry out the abandonment described in this Application.

Respectfully submitted,

/s/ Whitney E. Snyder  
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Erich W. Struble, Esquire (PA ID 310768)  
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Harrisburg, PA 17110  
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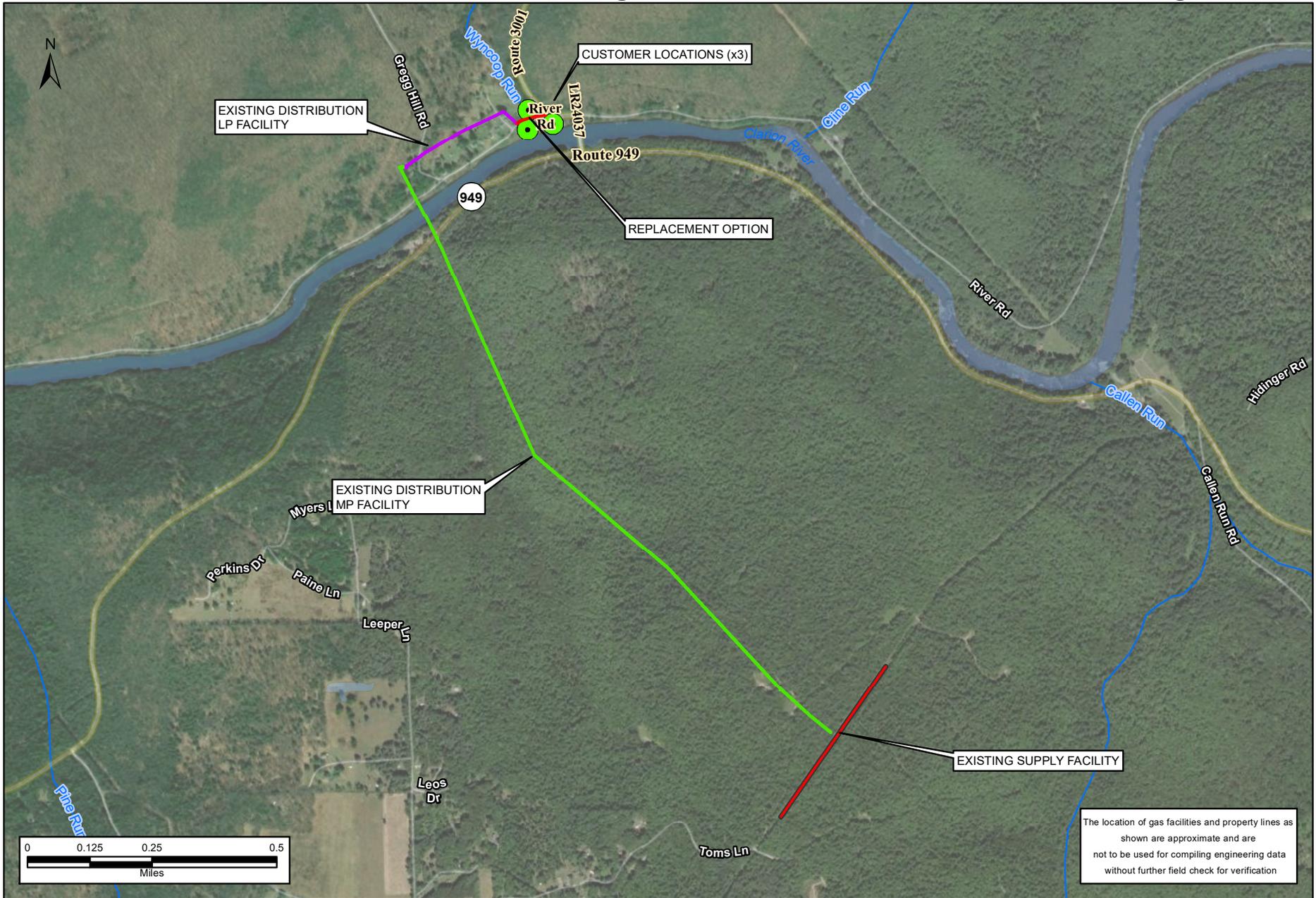
/s/ Dominick A. Sisinni  
Dominick A. Sisinni, Esquire (PA ID 322523)  
Senior Counsel  
National Fuel  
1100 State Street  
Erie, PA 16501  
(814) 871-8177  
[sisinnid@natfuel.com](mailto:sisinnid@natfuel.com)

DATED: September 30, 2025

# **EXHIBIT NF-1**

Month	Allan Buza 6569 River Rd		Keith Fitzgerald 6558 River Rd		David Haring 6594 River Rd	
	Consumption (Mcf)	Total Margins (\$)	Consumption (Mcf)	Total Margins (\$)	Consumption (Mcf)	Total Margins (\$)
July 2024	0.1	\$14.30	0.6	\$15.78	1.5	\$18.44
August 2024	0.2	\$14.59	0.4	\$15.18	1.7	\$19.03
September 2024	0.0	\$14.00	0.6	\$15.78	1.3	\$17.85
October 2024	0.1	\$14.30	0.3	\$14.89	0.5	\$15.48
November 2024	2.5	\$21.40	2.2	\$20.51	6.4	\$32.95
December 2024	3.2	\$23.48	4.1	\$26.14	11.4	\$47.76
January 2025	7.1	\$35.02	6.7	\$33.84	19.3	\$71.15
February 2025	5.4	\$29.99	8.8	\$40.06	25.6	\$89.80
March 2025	5.3	\$29.69	6.1	\$32.06	17.4	\$65.52
April 2025	3.1	\$23.18	4.2	\$26.44	12.0	\$49.53
May 2025	1.7	\$19.03	3.3	\$23.77	10.0	\$43.61
June 2025	1.1	\$17.26	0.7	\$16.07	1.3	\$17.85
Total		\$256.24		\$280.52		\$488.97
Total Annual Margins for Customers = \$1025.73						

# **EXHIBIT NF-2**



The location of gas facilities and property lines as shown are approximate and are not to be used for compiling engineering data without further field check for verification



**National Fuel®**

DRAWN BY:	M. BAUGH
APPROVED BY:	S. ABATE
JOB NUMBER:	
COUNTY:	JEFFERSON

**EXHIBIT A  
RIVER ROAD BUYOUT**

HEATH TOWNSHIP  
SIGEL, PA 15860

The location of gas facilities and property lines as shown are approximate and are not to be used for compiling engineering data without further field check for verification

- CUSTOMER
- DIST REPLACEMENT
- LP DIST PIPELINE
- MP DIST PIPELINE
- SUPPLY PIPELINE

# **EXHIBIT NF-3**

**National Fuel Gas Distribution Corporation**  
Pennsylvania Division  
Pipe Abandonment

Allan Buza		318135903		Margin		
Month	Mcf	Minimum Charge	Rate	Margin	Total Margin	
7/31/2024	0.1	\$ 14.00	\$ 2.9611	\$ 0.30	\$ 14.30	
8/31/2024	0.2	\$ 14.00	\$ 2.9611	\$ 0.59	\$ 14.59	
9/30/2024	0.0	\$ 14.00	\$ 2.9611	\$ -	\$ 14.00	
10/31/2024	0.1	\$ 14.00	\$ 2.9611	\$ 0.30	\$ 14.30	
11/30/2024	2.5	\$ 14.00	\$ 2.9611	\$ 7.40	\$ 21.40	
12/31/2024	3.2	\$ 14.00	\$ 2.9611	\$ 9.48	\$ 23.48	
1/31/2025	7.1	\$ 14.00	\$ 2.9611	\$ 21.02	\$ 35.02	
2/28/2025	5.4	\$ 14.00	\$ 2.9611	\$ 15.99	\$ 29.99	
3/31/2025	5.3	\$ 14.00	\$ 2.9611	\$ 15.69	\$ 29.69	
4/30/2025	3.1	\$ 14.00	\$ 2.9611	\$ 9.18	\$ 23.18	
5/31/2025	1.7	\$ 14.00	\$ 2.9611	\$ 5.03	\$ 19.03	
6/30/2025	1.1	\$ 14.00	\$ 2.9611	\$ 3.26	\$ 17.26	
<b>Total</b>	<b>29.8</b>	<b>\$ 168.00</b>			<b>\$ 256.24</b>	

8.599 - Margin / Mcf

\$ 2.96 - Base Margin / Mcf

Keith Fitzgerald		406522907		Margin		
Month	Mcf	Minimum Charge	Rate	Margin	Total Margin	
7/31/2024	0.6	\$ 14.00	\$ 2.9611	\$ 1.78	\$ 15.78	
8/31/2024	0.4	\$ 14.00	\$ 2.9611	\$ 1.18	\$ 15.18	
9/30/2024	0.6	\$ 14.00	\$ 2.9611	\$ 1.78	\$ 15.78	
10/31/2024	0.3	\$ 14.00	\$ 2.9611	\$ 0.89	\$ 14.89	
11/30/2024	2.2	\$ 14.00	\$ 2.9611	\$ 6.51	\$ 20.51	
12/31/2024	4.1	\$ 14.00	\$ 2.9611	\$ 12.14	\$ 26.14	
1/31/2025	6.7	\$ 14.00	\$ 2.9611	\$ 19.84	\$ 33.84	
2/28/2025	8.8	\$ 14.00	\$ 2.9611	\$ 26.06	\$ 40.06	
3/31/2025	6.1	\$ 14.00	\$ 2.9611	\$ 18.06	\$ 32.06	
4/30/2025	4.2	\$ 14.00	\$ 2.9611	\$ 12.44	\$ 26.44	
5/31/2025	3.3	\$ 14.00	\$ 2.9611	\$ 9.77	\$ 23.77	
6/30/2025	0.7	\$ 14.00	\$ 2.9611	\$ 2.07	\$ 16.07	
<b>Total</b>	<b>38.0</b>	<b>\$ 168.00</b>			<b>\$ 280.52</b>	

7.382 - Margin / Mcf

\$ 2.96 - Base Margin / Mcf

David Haring		541398201		Margin		
Month	Mcf	Minimum Charge	Rate	Margin	Total Margin	
7/31/2024	1.5	\$ 14.00	\$ 2.9611	\$ 4.44	\$ 18.44	
8/31/2024	1.7	\$ 14.00	\$ 2.9611	\$ 5.03	\$ 19.03	
9/30/2024	1.3	\$ 14.00	\$ 2.9611	\$ 3.85	\$ 17.85	
10/31/2024	0.5	\$ 14.00	\$ 2.9611	\$ 1.48	\$ 15.48	
11/30/2024	6.4	\$ 14.00	\$ 2.9611	\$ 18.95	\$ 32.95	
12/31/2024	11.4	\$ 14.00	\$ 2.9611	\$ 33.76	\$ 47.76	
1/31/2025	19.3	\$ 14.00	\$ 2.9611	\$ 57.15	\$ 71.15	
2/28/2025	25.6	\$ 14.00	\$ 2.9611	\$ 75.80	\$ 89.80	
3/31/2025	17.4	\$ 14.00	\$ 2.9611	\$ 51.52	\$ 65.52	
4/30/2025	12.0	\$ 14.00	\$ 2.9611	\$ 35.53	\$ 49.53	
5/31/2025	10.0	\$ 14.00	\$ 2.9611	\$ 29.61	\$ 43.61	
6/30/2025	1.3	\$ 14.00	\$ 2.9611	\$ 3.85	\$ 17.85	
<b>Total</b>	<b>108.4</b>	<b>\$ 168.00</b>			<b>\$ 488.97</b>	

4.511 - Margin / Mcf

\$ 2.96 - Base Margin / Mcf

Total Customer Usage (Mcf) **176.2**

Construction Cost	\$ 74,500
Carrying cost (current LJI)	14.43%
Annual Cost	\$ 10,750.36
Total Margin Revenue	\$ 1,025.73
Revenue Deficiency	\$ 9,724.63

# **EXHIBIT NF-4**



Charles Kindle  
1254 East Gore Rd. Erie PA 16504  
814-825-9922  
[kindleheating@verizon.net](mailto:kindleheating@verizon.net)

Homeowner: : Keith Fitzgerald  
Location: 6558 River Rd, Sigel Pa 15860  
Meter Number:984496

1) Reliance Water Heater MN-630GORS300(approx 9 years old)

Potential propane replacement: Bradford White MN-RG230T6N

**APPROX COST -\$1250**

**APPROX COST TO CONVERT: Cannot find conversion kit**

2) Floor Furnace(manufacturer and age unknown)

Potential propane replacement: Cozy MN- 90N502B with conversion kit MN-49210

**(1)APPROX COST TO REPLACE-\$4500**

3)Kenmore Stove MN-79074412810

Potential propane replacement: GE Gas Stove with conversion kit MN- JGBS66REKSS

**APPROX COST TO REPLACE-\$750**

**APPROX COST TO CONVERT-Cannot find conversion kit**

# **EXHIBIT NF-5**



Charles Kindle  
1254 East Gore Rd. Erie PA 16504  
814-825-9922  
[kindleheating@verizon.net](mailto:kindleheating@verizon.net)

Homeowner: : David Haring  
Location: 6594 River Rd, Sigel, PA 15860  
Meter Number- 41960525

- 1) Rheem Water Heater MN-PROG40S-38N RH62(approx 9 years old)  
Potential propane replacement: Bradford White MN-RG240T6N  
APPROX COST -\$1250  
APPROX COST TO CONVERT: Cannot find conversion kit
  
- 2) Weil Mclain Ultra Boiler(approx 15 years old)(need to consult manufacturer for LP conversion kit) Potential propane replacement: Weil Mclain MN-Ultra Series 4(field convertible to LP)  
  
APPROX COST TO CONVERT-\$200
  
- 3)Electrolux Stove MN-E13OGF55GSF(approx 5 years old)  
Potential propane replacement: GE Gas Stove with conversion kit MN- JGBS66REKSS  
  
APPROX COST TO REPLACE-\$750  
APPROX COST TO CONVERT-Cannot find conversion kit
  
- 4) Kohler Standby Generator MN-14RCA(approx 5 years old)(should be field convertible to LP, need to consult manufacturer)  
  
APPROX COST TO CONVERT-\$200

# **EXHIBIT NF-6**



Charles Kindle  
1254 East Gore Rd. Erie PA 16504  
814-825-9922  
[kindleheating@verizon.net](mailto:kindleheating@verizon.net)

Homeowner: : Allan Buza  
Location: 112 Branch Ave Belle Vernon, PA 15012  
Meter # 41976526

1) Water Heater Replacement

APPROX REPLACEMENT COST:\$1200  
(40 Gallon Propane MN RG240T6X)

2) Stove Replacement

APPROX REPLACEMENT COST:\$750  
(GE MN-JGBS66REKSS)  
(Field convertible to LP)

3) Ventless Wall Heaters(X2)

APPROX REPLACEMENT COST:\$175 EACH  
(DynaGlo MN-IR30PMDG-1)

# **EXHIBIT NF-7**

Customer	David Haring
Customer Account Number	541398201
(1) the costs of one year of usage;	\$ 565.96
(2) three times the total of the last twelve months of actual bills; or	\$ <b>1,652.10</b>
(3) 1.5 times the average of the last two twelve-month periods.	\$ 943.04

(1) The cost of one year of usage using rates as of today

Allan Buza	Keith Fitzgerald
318135903	406522907
\$ 443.42	\$ 462.00
<b>\$ 1,195.71</b>	<b>\$ 1,382.19</b>
\$ 620.93	\$ 641.51

**VERIFICATION**

I, Eric D. Lynde, a Senior Land Representative, in National Fuel Gas Distribution Corporation's Land Department, 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).

Signed by:



**Eric D. Lynde**

**Senior Land Representative**

**National Fuel Gas Distribution Corporation**

Dated: 9/24/2025

**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).

**VIA ELECTRONIC MAIL ONLY**

Darryl A. Lawrence, Esquire  
Pennsylvania Office Of Consumer Advocate  
555 Walnut Street  
5<sup>TH</sup> Floor, Forum Place  
Harrisburg, PA 17101  
[ra-oca@paoca.org](mailto:ra-oca@paoca.org)

Allison Kaster, Esquire  
Pa Public Utility Commission  
Bureau Of Investigation & Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
[akaster@pa.gov](mailto:akaster@pa.gov)

NazAarah Sabree  
Pa Office Of Small Business Advocate  
555 Walnut Street  
1<sup>ST</sup> Floor, Forum Place  
Harrisburg, PA 17101  
[ra-sba@pa.gov](mailto:ra-sba@pa.gov)

**VIA FIRST CLASS MAIL**

Ms. Marge H. Hudson  
c/o Keith Fitzgerald  
704 Pony Farm Road  
Kittanning, PA 16201

Mr. Allan Buza  
112 Branch Avenue  
Belle Vernon, PA 15012

Mr. & Mrs. David A. Haring  
6594 River Road  
Sigel, PA 15860

/s/ Whitney E. Snyder  
Whitney E. Snyder  
Erich W. Struble

Dated this 30<sup>th</sup> day of September, 2025



Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
Harrisburg, PA 17105-3265  
EFILING - FILING DETAIL

Date Created	Filing Number
9/30/2025	2888468

Your filing has been electronically received. Upon review of the filing for conformity with the Commission's filing requirements, a notice will be issued acknowledging acceptance or rejection (with reason) of the filing. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

The date filed on will be the current day if the filing occurs on a business day before or at 4:30 p.m. (EST). It will be the next business day if the filing occurs after 4:30 p.m. (EST) or on weekends or holidays.

**Representing:** National Fuel Gas Distribution Corporation

**Case Description:**

**Transmission Date:** 9/30/2025 12:00 PM

**Filed On:** 9/30/2025 12:00 PM

**eFiling Confirmation Number:** 2888468

**Filing Fee:** \$350.00

File Name	Document Type	Upload Date
National Fuel Application to Abandon 3 residential customers.pdf	Application for Abandonment (Fixed Utility)	9/30/2025 11:59:52 AM

For filings exceeding 250 pages, the PUC is requiring that filers submit one paper copy to the Secretary's Bureau within three business days of submitting the electronic filing online. Please mail the paper copy along with copy of this confirmation page to Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg PA 17120 a copy of the filing confirmation page or reference the filing confirmation number on the first page of the paper copy.

**No paper submission is necessary for filings under 250 pages.**

You can view a record of this filing and previous filings you have submitted to the PUC by using the links in the Filings menu at the top of the page. Filings that have been submitted within the last 30 days can be viewed by using the Recent Filings link. Older filings can be viewed by using the search options available in the Filing History link.

## VERIFICATION

I, **Eric W. Lynde, Senior Land Supervisor** at National Fuel Gas Distribution Corporation, hereby state that the facts in the Preliminary Objections 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).

Signed by:  
  
18E17232C829464...  
Name: **Eric W. Lynde**  
Position: **Senior Land Supervisor**

Dated: November 3, 2025

## 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).

### VIA FIRST CLASS MAIL

Parker Law Offices, Inc  
PO Box 856 Pa. – 66  
New Bethlehem, PA 16242  
Tel: 814-457-5115

Service Address:  
Kevin Fitzgerald  
6558 River Road  
Sigel, PA 15860

*/s/ Whitney E. Snyder*

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Whitney E. Snyder  
Erich W. Struble

Dated this 3rd day of November, 2025