

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, MARCH 15, 2018

SCC-CLERK'S OFFICE
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2018 MAR 15 P 2: 46

APPLICATION OF

COLUMBIA GAS OF VIRGINIA, INC.,

CASE NO. PUR-2018-00033

For an extension of service in an uncertificated
area of Pittsylvania County pursuant to
Section 56-265.3 B of the Code of Virginia

ORDER FOR NOTICE AND COMMENT

On February 22, 2018, Columbia Gas of Virginia, Inc. ("CVA" or "Company"), filed an application ("Application") with the State Corporation Commission ("Commission") for approval to serve customers within an uncertificated area of Pittsylvania County, Virginia, pursuant to § 56-265.3 B of the Code of Virginia ("Code"). CVA also submitted a map with its Application showing the location of an existing extension of its natural gas distribution facilities in the uncertificated area of Pittsylvania County.

According to the Company, CVA is currently authorized to serve the vast majority of Pittsylvania County.¹ The Company notes that a portion of the southwestern corner of Pittsylvania County is certificated to Southwestern Virginia Gas Company and that the southcentral area of the County, including the City of Danville ("Danville"), remains uncertificated.² The Company further states that the uncertificated area is defined by a boundary line situated approximately two miles outside of the municipal boundary of Danville, as that municipal boundary existed in 1966. The Company asserts that the area between CVA's Pittsylvania County service area boundary line and the Danville municipal boundary are not

¹ Application at 2.

² *Id.*

certificated to another natural gas public utility, nor is another entity specifically authorized to provide natural gas service in that uncertificated portion of Pittsylvania County.³ CVA states that it recently incorporated its Pittsylvania County service territory boundary lines into its Geographic Information System and discovered that a significant portion of its facilities along the northeastern most boundary of the uncertificated area of Pittsylvania County are located within the uncertificated area of Pittsylvania County. In addition, the Company is currently serving six residential customers from its high-pressure pipeline facilities and one residential customer from its medium-pressure facilities that are located within the uncertificated area of Pittsylvania County.

In its Application the Company is seeking approval to: (1) serve the existing six high-pressure customers; (2) serve a corridor extending 750 feet on both sides of U.S. Route 29, commencing at CVA's regulator station located immediately west of Route 29 and extending in a northerly direction along Route 29 to the point at which Route 29 crosses CVA's existing service territory boundary, including one existing medium-pressure address; and (3) serve any customers located on the three connected unnamed roads that intersect Route 29, immediately southwest of CVA's current service territory boundary.⁴ According to the Company, the proposal in this Application is in the public interest.

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; CVA should provide public notice of its Application; interested persons should have an opportunity to file comments on the Application and request a

³ *Id.* at 2-3.

⁴ *Id.* at 4.

hearing; and the Commission's Staff ("Staff") should be directed to investigate the Application and file a report containing the Staff's findings and recommendations ("Staff Report").

We also find that a Hearing Examiner should be assigned to rule on any discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed as Case No. PUR-2018-00033.

(2) As provided by § 12.1-31 of the Code and Rule 5 VAC 5-20-120, *Procedure before Hearing Examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),⁵ a Hearing Examiner is appointed to rule on any discovery matters that arise during the course of this proceeding.

(3) The Company shall make copies of the public version of its Application, as well as a copy of this Order for Notice and Comment, available for public inspection during regular business hours at each of the Company's business offices in the Commonwealth of Virginia. Copies also may be obtained by submitting a written request to counsel for the Company, James S. Copenhaver, Senior Counsel, NiSource Corporate Services Company, 1809 Coyote Drive, Chester, Virginia 23836. If acceptable to the requesting party, the Company may provide the documents by electronic means. Copies of the public version of all documents also shall be available for interested persons to review in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays.

⁵ 5 VAC 5-20-10 *et seq.*

Interested persons also may download unofficial copies from the Commission's website:

<http://www.scc.virginia.gov/case>.

(4) On or before April 18, 2018, CVA shall publish the following notice as display advertising (not classified) on one occasion in newspapers having general circulation in Pittsylvania County and the City of Danville:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
COLUMBIA GAS OF VIRGINIA, INC., FOR AN EXTENSION
OF SERVICE IN AN UNCERTIFICATED AREA OF
PITTSYLVANIA COUNTY PURSUANT TO
VIRGINIA CODE § 56-265.3 B
CASE NO. PUR-2018-00033

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six residential customers from its high-pressure pipeline facilities and one residential customer from its medium-pressure facilities that are located within the uncertificated area of Pittsylvania County.

In its Application the Company is seeking approval to: (1) serve the existing six high-pressure customers; (2) serve a corridor extending 750 feet on both sides of U.S. Route 29, commencing at CVA's regulator station located immediately west of Route 29 and extending in a northerly direction along Route 29 to the point at which Route 29 crosses CVA's existing service territory boundary, including one existing medium-pressure address; and (3) serve any customers located on the three connected unnamed roads that intersect Route 29, immediately southwest of CVA's current service territory boundary. According to the Company, the proposal in this Application is in the public interest.

The Commission entered an Order for Notice and Comment that, among other things, directed the Company to provide notice to the public and provided interested persons an opportunity to comment on and request a hearing on the Company's Application.

The public version of the Company's Application, as well as the Commission's Order for Notice and Comment, are available for public inspection during regular business hours at each of the Company's business offices in the Commonwealth of Virginia. Copies also may be obtained by submitting a written request to counsel for the Company, James S. Copenhaver, Senior Counsel, NiSource Corporate Services Company, 1809 Coyote Drive, Chester, Virginia 23836. If acceptable to the requesting party, the Company may provide the documents by electronic means.

Copies of the public version of the Application and other documents filed in this case are also available for interested persons to review in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website: <http://www.scc.virginia.gov/case>.

On or before May 16, 2018, any interested person wishing to comment on the Company's Application shall file written comments on the Application with Joel H. Peck, Clerk, State

Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Any interested person desiring to file comments electronically may do so on or before May 16, 2018, by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All such comments shall refer to Case No. PUR-2018-00033.

On or before May 16, 2018, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be submitted to the Clerk of the Commission at the address above. A copy of the notice of participation as a respondent also must be sent to counsel for the Company at the address set forth above. Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. All filings shall refer to Case No. PUR-2018-00033. For additional information about participation as a respondent, any person or entity should obtain a copy of the Commission's Order for Notice and Comment.

On or before May 16, 2018, any person may request a hearing on the Company's Application. If not filed electronically, an original and fifteen (15) copies of the request for hearing shall be submitted to the Clerk of the Commission at the address set forth below. Requests shall include: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in the matter. Persons filing a request for hearing shall serve a copy of their request upon CVA at the address set forth above.

All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Commission's Rules of Practice may be viewed at <http://www.scc.virginia.gov/case>. A printed copy of the

Commission's Rules of Practice and an official copy of the Commission's Order for Notice and Comment may be obtained from the Clerk of the Commission at the address above.

COLUMBIA GAS OF VIRGINIA, INC.

(5) On or before April 18, 2018, the Company shall serve a copy of this Order for Notice and Comment on the following officials, to the extent the position exists, in Pittsylvania County and the City of Danville: the chairman of the board of supervisors; the mayor or manager (or equivalent official); and the county, city, or town attorney. Service shall be made by first class mail or personal delivery to the customary place of business or residence of the person served.

(6) On or before April 25, 2018, the Company shall file with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, proof of the notice and service required by Ordering Paragraphs (4) and (5), including the name, title, and address of each official served.

(7) On or before May 16, 2018, any interested person may file written comments on the Application with the Clerk of the Commission at the address shown in Ordering Paragraph (6). Any interested person desiring to submit comments electronically may do so on or before May 16, 2018, by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All comments shall refer to Case No. PUR-2018-00033.

(8) On or before May 16, 2018, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation. If not filed electronically, an original and fifteen (15) copies of such notice of participation shall be

submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (6). The respondent shall serve a copy of the notice of participation on counsel to the Company at the address set forth in Ordering Paragraph (3). Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. All filings shall refer to Case No. PUR-2018-00033.

(9) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of this Order for Notice and Comment, a copy of the public version of the Application, and a copy of the public version of all materials filed by the Company with the Commission, unless these materials already have been provided to the respondent.

(10) On or before May 16, 2018, any person may request a hearing on the Company's Application. If not filed electronically, an original and fifteen (15) copies of the request for hearing shall be submitted to the Clerk of the Commission at the address in Ordering Paragraph (6). Written requests for hearing shall refer to Case No. PUR-2018-00033 and shall include: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in the matter. A copy also shall be served on CVA at the address in Ordering Paragraph (3).

(11) The Staff shall investigate the Application. On or before June 6, 2018, the Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of a Staff Report

containing its findings and recommendations and shall promptly serve a copy of the same on counsel to the Company and all respondents.

(12) On or before June 13, 2018, CVA may file with the Clerk of the Commission any response in rebuttal to the Staff Report and any comments filed by interested persons in this proceeding.

(13) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(14) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically, or by facsimile, on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to Staff.⁶ Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(15) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

James S. Copenhaver, Senior Counsel, NiSource Corporate Services Company, 1809 Coyote

⁶ The assigned Staff attorney is identified on the Commission's website: <http://www.scc.virginia.gov/case>, by clicking "Docket Search," and clicking "Search Cases," and entering the case number, PUR-2018-00030, in the appropriate box.

