

In the Matter of the Investigation of)
Columbia Gas of Ohio relative to) Case No. 20-1759-GA-GPS
compliance with the Natural Gas)
Pipeline Safety Standards.)

NOW, THEREFORE, the Signatory Parties stipulate, agree, and recommend that the Commission make the following findings and issue its Finding and Order in this case approving this Joint Stipulation in accordance with the following:

1. Staff filed a Report on December 3, 2020, in the above-referenced proceeding, in response to an incident that occurred on October 1, 2020, at Columbia's Kitts Hill Road Compressor Station located at 8358 State Route 141, Kitts Hill, Ohio in Lawrence County. In its Report, Staff detailed its investigation into the root causes of the incident and found Columbia in violation of two Pipeline Safety Regulations: 49 CFR 192.13(c) and 49 CFR 192.805. Based on Staff's investigation, Staff recommended that Columbia perform the following actions:

a. Columbia must conduct an internal investigation to determine why a written tie-in plan was not created or followed at Kitts Hill as required by Columbia's Gas Standard GS 1680.010, and report these findings to the Commission within 90 days of the Commission issuing a Finding and Order in this case.

b. Columbia must conduct an internal audit of the effectiveness of the procedures in place to ensure construction plans are reviewed by all applicable departments for accuracy, completion, and correctness. This audit should include a GAP analysis of policies, programs, procedures, and practices use for planning new construction against API Recommended Practice 1173, "Pipeline Safety Management Systems," and report these findings to the Commission within 90 days of the Commission issuing a Finding and Order in this case.

c. Columbia must review its Operator Qualification training programs to ensure individuals qualified to work on gas pressure regulators are able to recognize instances where control lines may be isolated or depressurized during construction.

2. Staff further recommended a forfeiture of \$250,000 be assessed pursuant to RC 4905.95(B)(1) against Columbia.

3. Columbia will complete Staff's recommendations, contained within paragraph 1(a) – 1(c) of this Joint Stipulation within the timelines outlined in the Staff Report and above. Further, Columbia will complete 1(c) within 180 days of the Commission issuing a Finding and Order in this case.

4. Columbia will pay a forfeiture of \$250,000. The payment shall be paid within thirty days of the Commission Order approving this Joint Stipulation. The payment shall be made payable to "Treasurer State of Ohio," and mailed to the Public Utilities Commission of Ohio, Attn: Fiscal Division, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215 – 3793. The Case Number (20-1759-GA-GPS) shall appear on the face of the check.

5. The Signatory Parties agree that this Joint Stipulation establishes no precedent to be relied upon in any manner in any other proceeding except any proceeding that may be necessary to enforce the provisions of this Joint Stipulation.

6. This Joint Stipulation constitutes a compromise resolution by the Signatory Parties of all issues raised by the Signatory Parties in this case. The Signatory Parties agree and acknowledge that this Joint Stipulation is not and shall not be construed as an admission by Columbia regarding any legal or regulatory violation, or regarding any finding or conclusion set forth in the Staff Report in the above-referenced proceeding. The Signatory Parties agree that if the Commission rejects all or any part of this Joint Stipulation, or otherwise materially modifies its terms, either Signatory Party shall have the right, within thirty days after the date of the Commission's Order, either to file an application for rehearing or to terminate and withdraw from the Joint Stipulation by filing a notice of termination and withdrawal with the Commission in this proceeding. If an application for rehearing is filed and if the Commission does not, on rehearing, accept the Joint Stipulation without material modification, either Signatory Party may terminate and withdraw from the Joint Stipulation by filing a notice of termination and withdrawal with the Commission in this proceeding within ten business days after the date of the Commission's Entry on Rehearing. Upon filing a notice of termination and withdrawal by either Signatory Party, the Joint Stipulation shall immediately become null and void. In such event, a hearing shall go forward and the Signatory Parties shall be afforded the opportunity to present evidence through witnesses, to cross-examine all witnesses, to present rebuttal testimony, and to file briefs on all issues, and to have this proceeding be decided, on the record and brief, as if the Joint Stipulation had never been executed.

The undersigned stipulate and represent that they are authorized to enter into this Joint Stipulation on the 11th day of December, 2020.

COLUMBIA GAS OF OHIO, INC.

**PUBLIC UTILITIES COMMISSION OF
OHIO STAFF**

/s/ Joseph M. Clark

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Summary: Stipulation Joint Stipulation and Recommendation electronically filed by Ms. Melissa L. Thompson on behalf of Columbia Gas of Ohio, Inc.