

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of Columbia Gas of Ohio,	)	
Inc.'s Letter of Notification for the	)	Case No. 19-2148-GA-BLN
Marysville Connector Pipeline Project.	)	
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**PETITION FOR LEAVE TO INTERVENE OF THE  
OHIO GAS ACCESS PARTNERSHIP, INC.**

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Pursuant to R.C. 4906.08(A)(3) and Ohio Adm.Code 4906-2-12(A)(2), the Ohio Gas Access Partnership, Inc. ("OGAP") files this petition for leave to intervene in this proceeding. The reasons supporting this intervention request are set forth in the accompanying Memorandum in Support.

WHEREFORE, OGAP respectfully requests that the Ohio Power Siting Board grant this petition for leave to intervene in this proceeding.

Respectfully submitted,

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**MEMORANDUM IN SUPPORT OF  
THE OHIO GAS ACCESS PARTNERSHIP, INC.'S  
PETITION FOR LEAVE TO INTERVENE**

**I. INTRODUCTION**

The Ohio Gas Access Partnership (“OGAP”)’s petition for leave to intervene should be granted because OGAP has an interest in ensuring that long-term regional solutions to current natural gas capacity concerns in western Central Ohio are implemented. No other party represents OGAP’s interests, which are specifically focused on natural gas supply issues in western Central Ohio, and no party has OGAP’s unique perspective as a blend of public and private member organizations. OGAP’s members include public entities, including the City of Marysville, in which a portion of the Columbia Gas of Ohio, Inc. (“Columbia”) Marysville Connector Pipeline Project (the “Project”) is proposed to be located. OGAP’s member entities also include private companies and associations that are involved in development near the Project and will be potentially affected by its construction, and are currently affected by natural gas supply issues in the area. Finally, granting this petition will not result in any delay in this proceeding given that it is in its early stages and construction of the Project will not commence until February 2022. OGAP’s participation will contribute to a resolution of the issues in this proceeding, and OGAP has a unique perspective, extensive experience and extensive knowledge regarding local gas supply conditions.

**II. BACKGROUND ON THE OHIO GAS ACCESS PARTNERSHIP**

The Ohio Gas Access Partnership is a non-profit entity that was formed solely to address and resolve natural gas supply issues in western Central Ohio.<sup>1</sup> OGAP’s specific mandate is to

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<sup>1</sup> OGAP is a 501(c)(6) business league created for the purpose of promoting, supporting, fostering and advancing the common interests of those affected by the natural gas industry and/or those affected by natural gas capacity issues. OGAP Articles of Incorporation, Exhibit A, available here: <https://bizimage.ohiosos.gov/api/image/pdf/201908005422> (Last visited January 2, 2020).

provide assistance and support to appropriate natural gas capacity expansion efforts in Franklin, Logan, Madison, Pickaway, and Union counties. OGAP also fosters collaboration among member entities to support overall natural gas capacity expansion efforts while actively pursuing long-term regional natural gas solutions.

OGAP's current members include both private and public entities located in Franklin, Logan, Madison, and Union counties. OGAP's members include the City of Marysville, in which at least a portion of the Project is proposed to be located. OGAP also has other members located near the proposed Project route. In addition, OGAP's members include natural gas users, many of which are Columbia customers. If the Project is constructed, OGAP's members will likely receive gas that has been transported through the Project to reach their location.

OGAP and its members are committed to making sure that communities in Central Ohio benefit from projected growth in the region by ensuring critical access to affordable energy solutions including natural gas supply. While the Project may seem like a solution, OGAP is concerned that (1) the Project is part of a larger pipeline system that is not being presented to the Board as a whole and (2) the Project will not be capable of providing a natural gas supply to meet the long-term needs of the region, which is poised for additional commercial, industrial, and residential development.

### **III. THE OHIO GAS ACCESS PARTNERSHIP SATISFIES THE BOARD'S STANDARD FOR INTERVENTION**

Ohio Adm.Code 4906-2-12(B) states that petitions for leave to intervene shall be granted upon a showing of good cause and states that the following may be considered in that analysis:

- (a) The nature and extent of the person's interest.
- (b) The extent to which the person's interest is represented by existing parties.
- (c) The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding.

- (d) Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice an existing party.

As explained below, OGAP's petition to intervene satisfies the Board's standard for intervention.<sup>2</sup>

**A. OGAP's Interest in this Proceeding Goes to the Core of OGAP's Purpose**

OGAP has an interest in ensuring that gas supply constraints do not constrain economic growth in western Central Ohio, and that the Project is an appropriate vehicle to alleviate these constraints. OGAP advocates for the region in which its members are located and access to energy, including natural gas, is essential to current residents and businesses, as well as residents and businesses looking to move to Central Ohio in the future. Unfortunately, and central to OGAP's formation, natural gas capacity limitations are impacting growth opportunities in the region. Specifically, in Union County, natural gas capacity may be fully utilized within 5 years at the current growth rate, and inadequate capacity has already resulted in lost opportunities for new growth. In addition, uncertain gas supply in Madison County and Logan County continues to limit growth opportunities for some businesses. Thus, OGAP has an interest in ensuring that Columbia's pipeline development in western Central Ohio, which would include the Project, is fully evaluated to determine whether it will support appropriate natural gas expansion efforts, is in the public interest, and meets the needs of the region.

**1. OGAP Has an Interest in Ensuring the Project is Evaluated as Part of the Totality of Columbia's Larger Pipeline Project**

Importantly, OGAP has an interest in ensuring that Columbia's expansion plans are comprehensively evaluated in totality, which means Columbia should not be allowed to submit an accelerated application for the Project. Specifically, the Project appears to be only a small

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<sup>2</sup> OGAP's petition to intervene is also timely. Columbia published notice of the Project in a local newspaper December 23, 2019. Thus, this petition is being filed within the 10-day timeframe under Ohio Adm.Code 4906-6-08(A)(6).

part of a larger pipeline planned by Columbia, a project that Columbia has termed the Northern Loop Project. The Northern Loop Project is “designed to bring natural gas from pipelines on the eastern side of Franklin County, where supplies are abundant, to areas north and west of Columbus.”<sup>3</sup>

The fact that the Project is part of the Northern Loop Project is evident. For example, in a social media post, Columbia itself refers to the Northern Loop and the Marysville Connector **as a single project**.<sup>4</sup> In addition, published news reports describe the Project and the Northern Loop Project as part of a single “initiative”.<sup>5</sup> Indeed, both the Project and the Northern Loop Project have essentially identical construction schedules and projected in-service dates.<sup>6</sup> Additionally, the southeastern terminus of the Project, as shown in Letter of Notification Application Appendix A, Figure 2 and Appendix B, Figure 1, does not connect to any other Columbia gas pipeline, and appears to be located in an open rural area far from any development. This is very likely where the Northern Loop Project will connect to the Project, which raises the question of whether the Project can utilize an accelerated application when it likely will be part of a longer pipeline.

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<sup>3</sup> <https://www.columbiagasohio.com/services/work-in-your-neighborhood/northern-loop-project> “How does the Northern Loop project answer the need for new gas supplies?” (Last visited January 2, 2020.)

<sup>4</sup> See Updates - <https://www.linkedin.com/company/columbia-gas-of-ohio->. (“Proud to share **one** of our biggest projects to date: The Columbus Northern Loop and Marysville Connector. Exciting to see this area's growth.”) (Emphasis added) (Last visited January 2, 2020.)

<sup>5</sup> <https://www.10tv.com/article/columbia-gas-planning-135-million-pipeline-project-central-ohio-2019-dec> (“The final phase is currently in the planning stages and will run from southern Delaware County to southwest Union County, where it will connect to the existing gas distribution system. Another part of the initiative, called the Marysville Connector project, is designed to bring natural gas to Union County.”) (Last visited January 2, 2020.)

<sup>6</sup> Compare Columbia Letter of Notification Application at 4 (“Installation of the proposed pipeline is scheduled to begin on or about February 21, 2022, and the in-service date (completion date) of this Project is expected to be on or about December 26, 2022.”) and Northern Loop Timeline: <https://www.columbiagasohio.com/services/work-in-your-neighborhood/northern-loop-project> (“We hope to receive approval of the project by 2020 so that construction can take place in 2022, with the line going into service by the end of that year.”) (Last Visited January 2, 2020)

Although Columbia has not made a filing yet with the Board regarding the Northern Loop Project, the Board should consider the Project and its connection to the Northern Loop Project as a single major utility facility, as that term is defined under R.C. Chapter 4906. Columbia filed its application for the Project as a letter of notification for a gas pipeline under Ohio Adm.Code 4906-1-01, Appendix B. But the Project appears to be one component of a major pipeline that, as a whole, should be properly evaluated through a standard certificate of environmental compatibility and public need application proceeding, under Ohio Adm.Code Chapter 4906-5. Given that segments of a pipeline system cannot be truncated for purposes of an OPSB application, Columbia should be filing a standard application with the Board for the Project and the rest of the pipeline that is subject to the Board's jurisdiction.

Completing the standard certificate of environmental compatibility and public need application process would allow all interested parties to engage in a fuller and more comprehensive consideration of the supply issues facing western Central Ohio. It will also afford the Board and the Board's Staff more time to complete a review of the Columbia pipeline system expansion, including the Project. The standard certificate process would also require Columbia to expressly consider alternative routes for the Project, and to identify and discuss an alternate route for the Project, in addition to the "preferred" route identified in the Letter of Notification application. For example, an alternative route could be another source for natural gas supply from existing interstate pipelines such as the Rockies Express Pipeline.

OGAP's interest in Columbia's lack of consideration of the rest of the pipeline is one reason why OGAP's intervention in this proceeding is needed and warranted.

## 2. OGAP Has an Interest in Ensuring the Project is in the Long-Term Public Interest

OGAP also has an interest in ensuring that the Project is in the **long-term** public interest. OGAP does not dispute that additional natural gas supply capacity is needed in western Central Ohio, and appreciates Columbia's recognition of that fact. However, the Project is not a comprehensive, regional, long-term solution to the area's energy needs, especially as it will preclude other investment from Columbia, either alone or in partnership with other entities, to bring natural gas supply to the area. Given the ongoing growth in the area in which OGAP's members are located, OGAP is concerned that the Project is an expensive and short-term action that will drive up costs for Columbia's rate-payers without solving the natural gas supply issue in the area.

One long-term solution is to develop connections to an existing interstate pipeline. For example, the Rockies Express Pipeline ("REX") is a 1,698-mile natural gas pipeline system that spans from Rio Blanco County, Colorado, to Monroe County, Ohio. REX became fully operational in November 2009 with a capacity of 1.8 billion cubic feet per day.<sup>7</sup> REX runs through southwestern Central Ohio, including Fayette County and Pickaway County.<sup>8</sup> OGAP believes that a pipeline running north from REX west of Columbus, through Madison County and into the area in Union County in which the Project is planned, is a better solution to the gas supply issues on the west side of Columbus. A REX pipeline connection could be routed through less populated areas, have fewer cultural and environmental impacts, and bring more natural gas supply to the area when compared to the Project. Unfortunately, Columbia's partial

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<sup>7</sup> <https://pipeline.tallgrassenergy.com/Pages/Content.aspx?pipeline=501&type=SMRY> (Last Visited January 2, 2020)

<sup>8</sup> <https://pipeline.tallgrassenergy.com/Content/General/Tallgrass%20System%20Map.pdf> (Last Visited January 2, 2020)

build-out, through the Project, will limit the incentives for a REX pipeline connection and hinder long-term growth in the area – contrary to OGAP’s mission and purpose.

OGAP’s participation in this proceeding is necessary to ensure that the Project and Columbia’s plans for service in western Central Ohio are in fact in the public interest, and that all alternatives are considered prior to making a multimillion dollar investment that, if constructed, could actually take away any future incentive to invest in better and more long-term solutions for natural gas pipelines into the area and region.

**B. OGAP’s Interests are Not Represented by Any Other Party**

While OGAP expects public entities to intervene in this proceeding, no other party in this proceeding represents OGAP’s interest on a regional basis and no other party will bring the unique experience and perspective that OGAP possesses. OGAP’s mix of public and private sector members, experience and **specific focus on natural gas supply issues** in western Central Ohio will assist the Board in its evaluation of whether the Project is in the public interest.

**C. OGAP’s Participation will Contribute to a Just and Expeditious Resolution of the Issues Involved in this Proceeding, and will not Unduly Delay the Proceeding or Prejudice an Existing Party**

OGAP not only can contribute to a just and expeditious resolution of the issues involved in the proceeding, its participation will not unduly delay the proceeding or unjustly prejudice an existing party. This proceeding is in its early stages and construction of both the Project (and Northern Loop Project) are not expected to start until February 2022. As well, OGAP has a unique perspective, extensive experience and extensive knowledge regarding local gas supply conditions, all of which can assist the Board in its consideration of this matter.



#### IV. CONCLUSION

For all of the above reasons, intervention is reasonable, good cause has been established, and OGAP's petition for leave to intervene should be granted.

Respectfully submitted,

/s/ Michael J. Settineri

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### **CERTIFICATE OF SERVICE**

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) or otherwise via U.S. regular mail on this 2nd day of January 2020 upon all persons/entities listed below:

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Summary: Petition for Leave to Intervene electronically filed by Mr. Michael J. Settineri on behalf of Ohio Gas Access Partnership, Inc.