

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Columbia Gas Transmission, L.L.C.**        ) **Docket Nos. RP20-1060**  
  )                       **RP20-1159**  
  )                       **(consolidated)**

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**THE PUBLIC UTILITIES COMMISSION OF OHIO  
STATEMENT IN NON-OPPOSITION  
OF STIPULATION AND AGREEMENT OF PARTIAL SETTLEMENT**

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The Public Utilities Commission of Ohio (PUCO) submits its Statement in Non-Opposition of the Stipulation and Agreement of Partial Settlement (“Partial Settlement Agreement”) filed on behalf of the Columbia Gas Transmission Company (“Columbia Transmission”) and the Settling Parties in this proceeding on July 1, 2021. The PUCO intervened in the above-captioned proceeding on October 20, 2020 and was granted intervention on November 18, 2020.

**I. INTRODUCTION**

The Partial Settlement Agreement resolves certain limited issues set for hearing by the Federal Energy Regulatory Commission (“FERC” or “Commission”) in this docket. The Partial Settlement Agreement is the product of negotiations extending over 6 months, numerous formal and informal settlement conferences, and consultations between a diverse set of parties. Parties to the negotiations include state commissions, state consumer advocates, local gas distribution companies, competitive retail natural gas suppliers, natural gas shippers and producers, Columbia Transmission Company and

FERC Trial Staff. The PUCO staff, as formally represented by the Ohio Attorney General's Office, attended the scheduled settlement discussions. In its July 1, 2021 Settlement Agreement filing, Columbia Transmission included approximately 48 separate representatives as Settling Parties.<sup>1</sup> The parties continue negotiations on the remaining issues in the rate case pursuant to FERC settlement procedures.

## **II. THE PARTIAL SETTLEMENT AGREEMENT REPRESENTS RESOLUTION OF SEVERAL RATE ISSUES**

On July 31, 2020, Columbia submitted a general rate case filing pursuant to section 4 of the Natural Gas Act, containing proposed revisions to its FERC Gas Tariff, Fourth Revised Volume No. 1 ("Tariff"). In the rate case filing, Columbia proposed, among other things: (a) to restate its base rates; (b) to roll in the costs of certain expansion facilities; (c) to establish a modernization cost recovery mechanism; and (d) on a prospective basis, following a Commission order approving the proposal, to change from its existing postage-stamp rate design to a two-zone rate structure. In addition, as relevant to this Partial Settlement, Columbia proposed certain changes to its Tariff, including to the General Terms and Conditions related to penalties and operational restrictions.<sup>2</sup>

The Commission accepted Columbia's proposed tariff records subject to refund, suspended their effectiveness for the maximum five-month period effective February 1,

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<sup>1</sup> Stipulation and Agreement of Partial Settlement and Motion for Shortened Comment Period, Appendix A, Docket No. RP20-1060-000, et al., (July 1, 2021).

<sup>2</sup> See General Section 4 Rate Filing & Tariff Changes, Transmittal Letter, Docket No. RP20-1060-000 (July 31, 2020).

2021, and established an evidentiary hearing to explore the issues presented in the rate case filing.<sup>3</sup>

The PUCO notes that the Partial Settlement agreement, among other things, provides for the resolution of the following items:

- The withdrawal of the currently effective Tariff revisions contained in the rate case filing with regard to penalties for scheduling and violations of interruption orders, operational flow orders, and unauthorized withdrawal.
- The elimination of currently effective Tariff revisions contained in the rate case filing to broaden Columbia Transmission's right to confiscate gas when customers exceed stated volume limitations.
- Columbia Transmission will not resubmit any of the withdrawn Tariff revisions or any materially similar proposals, to become effective on or before April 1, 2025.
- Columbia Transmission will withdraw its filing in FERC Docket RP21-351, known as the Capital Cost Recovery Mechanism (CCRM) filing, inclusive of the currently effective CCRM rates. According to Columbia's filing in RP21-351, the currently effective CCRM rates represent a 9.5 percent increase in rates over the previously effective CCRM.<sup>4</sup>

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<sup>3</sup> *Columbia Gas Transmission LLC*, 172 FERC ¶ 61,186 (August 31, 2020).

<sup>4</sup> Stipulation and Agreement of Partial Settlement and Motion for Shortened Comment Period at 7-8, Docket No. RP20-1060-000, et al., (July 1, 2021).

### **III. BENEFITS OF THE PARTIAL SETTLEMENT AGREEMENT TO OHIO RATEPAYERS**

The PUCO does not oppose the Partial Settlement Agreement as it will preclude the possibility of lengthy, expensive litigation before the Commission and potentially federal appellate courts. While it does not resolve all of the issues in Columbia Transmission's pending general rate case, the PUCO believes that the Partial Settlement Agreement reduces certain wholesale gas transmission costs including penalties and operational restrictions contained in the rate case filing, and, therefore, is ultimately beneficial to Ohio ratepayers.

### **IV. CONCLUSION**

The PUCO requests that FERC consider it a Settling Party to the July 1, 2021 Partial Settlement Agreement as a non-opposing party.

Respectfully submitted,

**Dave A. Yost**  
Ohio Attorney General

**John H. Jones**  
Section Chief

*/s/ Thomas G. Lindgren*

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**On Behalf of The  
Public Utilities Commission of Ohio**

July 15, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this date caused a copy of the foregoing document to be served on each person included on the official service list maintained for this proceeding by the Commission's Secretary, by electronic mail or such other means as a party may have requested, in accordance with Rule 2010 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.2010. Dated this the 15<sup>th</sup> day of July 2021, at Columbus, Ohio.

*/s/ Thomas G. Lindgren* \_\_\_\_\_

**Thomas G. Lindgren**  
Assistant Attorney General

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Summary: Motion The Public Utilities Commission of Ohio Statement in Non-Opposition of Stipulation and Agreement of Partial Statement under RP20-1060-000, et al. electronically filed by Mrs. Kimberly M. Naeder on behalf of PUCO