

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
HARRISON PIPELINE COMPANY, LLC FOR
AUTHORITY TO OPERATE AS AN OHIO
PIPELINE COMPANY.

CASE NO. 18-116-PL-ACE

FINDING AND ORDER

Entered in the Journal on May 18, 2022

I. SUMMARY

{¶ 1} The Commission approves the application filed by Harrison Pipeline Company, LLC to relinquish authority to operate as an intrastate pipeline company in the state of Ohio.

II. DISCUSSION

{¶ 2} Pursuant to R.C. 4905.04, 4905.05, and 4905.06, the Commission has the authority to supervise and regulate pipeline companies as defined in R.C. 4905.03 and public utilities as defined in R.C. 4905.02. Pursuant to R.C. 4905.04, 4905.05, and 4905.06, the Commission is vested with the power and jurisdiction to supervise and regulate public utilities.

{¶ 3} A pipeline company, as defined in R.C. 4905.03(F), is a company that is engaged in the business of transporting natural gas, oil, or coal or its derivatives through pipes or tubing, either wholly or partly within this state, but not when engaged in the business of the transport associated with gathering lines, raw natural gas liquids, or finished product natural gas liquids.

{¶ 4} Harrison Pipeline Company, LLC (HPC or Company) is a Delaware limited liability company that is registered to do business in Ohio and is a wholly owned subsidiary of Harrison Pipeline Holding, LLC.

{¶ 5} On January 19, 2018, as amended on April 22, 2019, HPC filed an application, pursuant to R.C. 4905.02, 4905.03(F), and 4905.63, for authority to operate as an intrastate pipeline company in the state of Ohio. In its application, HPC explained that it planned to

operate, maintain, and transport natural gas through a pipeline to the Harrison Power Plant, a natural-gas fired, combined-cycle, electric generating facility located in the Village of Cadiz Industrial Park in Harrison County, Ohio. The Company also noted that other large commercial or manufacturing customers along the pipeline route might seek transportation of natural gas through the new pipeline.

{¶ 6} By Finding and Order issued October 7, 2020, the Commission approved HPC's application for authority to operate as an intrastate pipeline company. In that Finding and Order, the Commission noted that its approval of HPC's application did not relieve HPC of the obligation to file, at the appropriate time, an application with the Commission for approval of a proposed tariff or reasonable arrangement entered into with any customer.

{¶ 7} On April 1, 2022, HPC filed an application to relinquish authority to operate as an intrastate pipeline company. Through this application, HPC seeks approval from the Commission for (1) the cancellation of HPC's authority to operate as an Ohio pipeline company and (2) the removal of HPC from the rolls of public utilities regulated by the Commission. HPC states that it holds no pipeline assets and has not served any customers since the Commission granted it authority to operate as a regulated pipeline company under R.C. 4905.03(F). HPC asserts that it has paid all required Commission assessments resulting from the authority granted by the Commission, but that a decision has been made by the Company that it will not operate as a pipeline company in Ohio. HPC explains that it has not filed a tariff or reasonable arrangement with the Commission and has not entered into a contract with any customer to provide service. The Company notes that on April 20, 2018, it received approval from the Ohio Power Siting Board (Board), in Case No. 18-73-GA-BLN, for the pipeline to serve the Harrison Power Plant. Through subsequent proceedings in Case Nos. 19-852-EL-BGN and 21-867-GA-BNR, the Board approved filings from Harrison Power LLC (Harrison Power) which stated that Harrison Power would be owning and operating the pipeline serving the Harrison Power Plant. While HPC originally contemplated serving other customers as an intrastate pipeline company, the pipeline, as

now designed, will only serve the Harrison Power Plant by delivering natural gas from the Rover Interstate Pipeline to the Harrison Power Plant. In addition, the pipeline will be owned and constructed by Harrison Power, not HPC.

{¶ 8} In support of its application, the Company attached an affidavit from Raj Suri, President of HPC. In his affidavit, Mr. Suri states that: HPC will not be the owner or operator of the natural gas pipeline that will serve the Harrison Power Plant; HPC does not own any tangible physical assets and does not and will not have any customers; HPC has not rendered and does not intend to render any public utility service and does not intend to operate as a public utility in Ohio; and, HPC has paid all of its assessments that are due and owing as a result of it being a public utility in Ohio. Based upon the information outlined in the application and accompanying affidavit, HPC asserts that there is no reason for the Company to maintain its authority to operate as an intrastate pipeline company and HPC desires to relinquish such authority. Upon relinquishing this authority, HPC states that it should be removed from the rolls of public utilities regulated by the Commission.

{¶ 9} No filings were made in the docket opposing HPC's application to relinquish its authority to operate as an intrastate pipeline company.

{¶ 10} Having reviewed HPC's application to relinquish authority, the Commission concludes that the application is reasonable and should be approved. As outlined in the application and supporting affidavit, while this Commission previously granted HPC authority to operate as an intrastate pipeline company, the Company has never utilized this authority to serve any customers, nor has it filed a tariff or reasonable arrangement for Commission approval. Further, HPC represents that it holds no pipeline assets and has no customers. Based upon these facts, the Commission finds that HPC's relinquishment of its authority to operate as an intrastate pipeline company is appropriate, approves its application, and directs that HPC be removed from the rolls of public utilities regulated by the Commission.

III. ORDER

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That HPC's application to relinquish authority to operate as an intrastate pipeline company be approved and that HPC be removed from the rolls of public utilities regulated by the Commission. It is, further,

{¶ 13} ORDERED, That a copy of this Finding and Order be served upon all interested persons and parties of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

DMH/hac

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Case No(s). 18-0116-PL-ACE

Summary: Finding & Order approving the application filed by Harrison Pipeline Company, LLC to relinquish authority to operate as an intrastate pipeline company in the state of Ohio. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio