

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1325 G STREET, N.W., SUITE 800
WASHINGTON, D.C. 20005**

January 4, 2024

**FORMAL CASE NO. 1154, IN THE MATTER OF WASHINGTON GAS LIGHT
COMPANY'S APPLICATION FOR APPROVAL OF PROJECTPIPES 2 PLAN,**

NOTICE OF COMMUNICATION OF COMMISSIONER BEVERLY

Pursuant to D.C. Code §34-802, which gives any Commissioner the power to independently exercise any power of inquiry possessed by the Commission itself, I requested information from a party. In keeping with the spirit of Commission Rule 15-108, governing ex parte communications, I am disclosing the following communication.

On December 22, 2023, I sent an email to Brian Petruska (General Counsel of the Laborers' International Union of North America, or "LIUNA"), inquiring about the brief that he filed in *Formal Case No. 1154*. I asked if he had anything from Washington Gas Light Company ("WGL") stating that it would have to layoff the workers for the reason articulated in his brief (Attachment A). He responded by email and said that the Union had not received any communications from WGL, but he did receive a letter from WGL's contractor, which he attached (Attachment B). The letter is from NPL Construction and appears to be a form letter notifying its own construction employees that "we have received notice from our customer about cancelation of work for the remainder of December. The furlough will be effective starting December 11, 2023 and we will communicate updates as we approach the new year." The letter listed Javier Castillo as one of two people to contact if the employee had any questions. I called Mr. Castillo on December 27th and asked if he had any information from WGL linking the furlough to the Commission's delay in approving the surcharge. He was initially confused by the question and asked whether I was talking about crews in Maryland and Virginia. I said, no, I'm just talking about DC. He said that his company doesn't have any crews in DC. He also explained that the letter is not about one particular customer or a particular customer's financial situation, so it's not directed at WGL. I did not attempt to determine the truth or falsity of any statement referenced in this disclosure nor do I have any opinion on that subject, especially since any person I reference in this filing may have a further explanation for his statement. The sole purpose of this filing is to disclose my communication in the interest of transparency and leave it to the parties to pursue any line of inquiry that they deem appropriate.

ATTACHMENT A

From: Beverly, Richard (PSC)
Sent: Friday, December 22, 2023 12:56 PM
To: bpetruska@maliuna.org

Subject: Brief

Mr. Petruska

I read your recently filed brief in Formal Case 1154. Unfortunately, by the time your brief was filed at 3:47 pm on December 19th, the Commission had already approved an order in this matter at 10:00 am. The order holds in abeyance Washington Gas Light Company's (WGL) motion to extend PROJECTpipes, pending receipt of additional information. I share your concern for the safety and reliability of the system as well as your concern for the wellbeing of the contract workers that have been laid off due to our need to examine the cost/benefit of continuing this program in its present form.

As you know, pipe replacement has always been part of WGL's regular operations and will continue to be necessary whether the surcharge continues or not. Although the surcharge will stop when it hits its cap, we did not direct WGL to stop work on pipe replacement nor did we preclude WGL from paying its crews for necessary work and seeking recovery in the next rate case. To that end, and as soon possible, I would like to see any correspondence that WGL has given to you which states or implies that it has ceased or will cease pipeline replacement and/or that workers will be laid off because they cannot be paid by any means other than through the surcharge.



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Richard A. Beverly
Commissioner
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The FITDC Fresh Start 5k run/walk is celebrating 10 years! You are invited to join Mayor Bowser on January 1, 2024 at 10:00 AM to hit the ground running in the new year!
For details and to register: fitdcfreshstart5k.com

ATTACHMENT B



NPL

A Centuri Company

December 11, 2023

11801 Tech Road,
Silver Spring, MD 20904

Subject: Important Notice: Year End Furlough

Dear NPL Construction Employees,

I trust this message finds you well. I am reaching out to you with a heavy heart to convey important information regarding a development that will impact our operations for the remainder of this year.

As we navigate the challenges posed by external factors, I want to express our deep appreciation for your continued hard work and dedication to NPL Construction. Your commitment remains the bedrock of our success, and we are grateful for each and every one of you.

Unfortunately, we have received notice from our customer about the cancellation of work for the remainder of December. The furlough will be effective starting December 11, 2023, and we will communicate updates as we approach the new year.

We understand the significant impact this decision may have, particularly during the holiday season. Please know that this choice was made after careful consideration, and it is not a reflection of our customer's intentions but rather a response to circumstances beyond our control.

If you choose to file for unemployment benefits, you can use this letter as proof of the temporary furlough. We recommend reaching out to the appropriate state authorities for further guidance on the unemployment claims process.

For any questions, concerns, or assistance, please do not hesitate to contact Javier Castillo in our HR department at JaCastillo@GoNPL.com or (703) 853-3912, and Cindy Croat at Cindy.Croat@GoNPL.com or (571) 359-3372. You are also advised to reach out to your Union Representative for additional resources.

We sincerely regret any inconvenience this situation may cause you and your families. Your understanding, flexibility, and continued commitment to maintaining our standards of excellence are highly valued.

As we navigate through this challenging period together, we remain optimistic about resuming our regular operations at the earliest opportunity. Thank you for your ongoing contributions to our team.

Wishing you and your loved ones a peaceful holiday season.

Sincerely,

Sherell Stone
Director of Construction
NPL Construction