



Sandra Mattavous-Frye, Esq.
People's Counsel

March 30, 2020

VIA ELECTRONIC FILING

Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission
of the District of Columbia
1325 G Street, N.W., Suite 800
Washington, D.C. 20005

Re: Formal Case No. 1162, *In the Matter of the Application of Washington Gas Light Company for the Authority to Increase Existing Rates and Charges for Gas Service*

Dear Ms. Westbrook-Sedgwick:

Enclosed for filing in the above-referenced proceeding, please find the *Office of the People's Counsel for the District of Columbia's Motion to Compel Washington Gas Light Company's Responses to OPC Data Request Nos. 5-1, 5-2, 5-4, 5-5, 5-6, 5-7, and 5-9.*

If there are any questions regarding this matter, please contact me at (202) 727-3071.

Sincerely,

/s/ Timothy R. Oberleiton

Timothy R. Oberleiton
Assistant People's Counsel

Enclosure

cc: Parties of record

**IN THE MATTER OF)
THE APPLICATION OF WASHINGTON)
GAS LIGHT COMPANY REQUEST FOR) Formal Case No. 1162
AUTHORITY TO INCREASE EXISTING)
RATES AND GAS SERVICE)**

I. INTRODUCTION

II. BACKGROUND

1

Notice of Objection, objecting to respond, either in part or in whole, to eight of OPC's nine discovery requests concerning the topics identified above. WGL claims that the information sought (1) would require the Company to perform a study and would be overly burdensome to produce; (2) is beyond the scope of the instant proceeding and is therefore irrelevant; and (3) involves issues being addressed in other ongoing proceedings. OPC has conferred with WGL's counsel via phone and email in an effort to amicably resolve this matter. Despite these attempts, a full resolution has not been reached to produce the requested information at this time. Accordingly, the Office must file this *Motion* to preserve its rights to compel a response should resolution not be achieved. If resolution is achieved, in whole or part, the Office must also file this *Motion* to preserve its right to compel should WGL fail to provide agreed-upon information.

III. ARGUMENT

The Commission has repeatedly held that the scope of discovery in Commission proceedings is broad.⁴ According to the Commission, “[d]iscovery is appropriate so long as the information appears reasonably calculated to lead to the discovery of admissible evidence.”⁵ Moreover, the District of Columbia Circuit Court of Appeals has clarified that D.C. Code § 34-1118(c) gives OPC a statutory right to obtain information and documents reasonably relevant and material to a Commission investigation or proceeding, and that the burden of justifying any restriction on disclosure of relevant and material information rests with the utility.⁶

⁴ See, e.g., *Formal Case No. 1005, In the Matter of Verizon Washington, D.C. Inc.'s Price Cap Plan 2002 for the Provision of Local Telecommunications Services in the District of Columbia*, Order No. 12801 ¶ 5, rel. July 30, 2003 (“Order No. 12801”).

⁵ *Formal Case No. 850, In the Matter of Investigation into the Reasonableness of the Authorized Return On Equity, Rate of Return, and Current Charges and Rates for Telecommunications Services Offered By the Chesapeake & Potomac Telephone Co.*, Order No. 9699, rel. April 19, 1991.

⁶ *Office of the People's Counsel v. Pub. Serv. Comm'n of the District of Columbia*, 21 A.3d 985, 992 (D.C.

The Office respectfully requests that the Commission overrule WGL's *Notice of Objection* to the Requests and direct the Company to expeditiously produce a complete response to the Requests. The information sought is not only highly relevant and probative but central in the evaluation of the reasonableness of the Company's construction budgets and costs associated with the Company's PROJECT*pipes*, VMCR, and MSR programs, and other ongoing system maintenance activities for which the Company seeks an increase to its base rates.

As discussed below, all of the data requests at issue are directly related to the scope of this case and are reasonably calculated to lead to the discovery of admissible evidence.

OPC's Data Request No. 5-1. OPC's Data Request No. 5-1 seeks a detailed breakdown of the costs associated with the Company's construction projects closed to Gas Plant in Service since the Company's last base rate case. Through this request, the Office seeks general information that utilities routinely maintain in determining the costs that are expended by the business and for which the Company now seeks rate base treatment. This information constitutes the blueprint for the core utility operations of the Company in the District. The Office therefore is perplexed by the Company's objection that it cannot provide this information, in part or in whole, or in any format, because "it would require the performance of a special study which the Company has not performed." The Company undoubtedly possesses this information in some form or capacity because the Company's construction costs and budget are a component of the rate base increase currently at issue. Moreover, the information sought in Data Request No. 5-1 is highly relevant because it is the only way to evaluate whether the construction costs were prudently incurred and should be permitted in the Company's rate base.

2011).

OPC's Data Request No. 5-2. OPC's Data Request No. 5-2 sought information related to the Company's forecasted constructed budget for all available years. WGL objects to this request on the grounds that the information sought is outside the scope of this proceeding and is therefore irrelevant. The information related to the Company's future construction activities is, however, highly relevant to an assessment of the Company's construction programs and the costs included in the Company's current rate increase request. For example, a comparison of the Company's historical expenditures to its forecasted budgets for similar programs can reveal imprudent expenses for which it seeks rate recovery in this proceeding. Similarly, large required outlays in future budgets can be the product of imprudent business decisions in prior years and can help identify misplaced construction priorities or O&M expenditures. High levels of pipe replacement expense or leak remediation projects can help the Commission identify whether the Company's prior expenditures were properly calibrated to meet its reliability obligations. Accordingly, the Company should disclose this information so the parties can evaluate the costs that the Company has included in plant in service in this proceeding.

OPC's Data Request No. 5-4. OPC's Data Request No. 5-4 seeks information related to the individual projects comprising the Company's PROJECT*pipes* program, including each project's location, description, and cost. The request also sought a priority-by-risk ranking of the various projects. WGL objects on the grounds that issues related to PROJECT*pipes* generally are being addressed in *Formal Case Nos. 1115* and *1154* and therefore are irrelevant. It is critical to note that the information that the Office seeks in this Request is not the subject of either *Formal Case Nos. 1115* or *1154*, which are limited to the proposed surcharge mechanism. Collateral estoppel is therefore not at issue. Nevertheless, even if the information sought was the subject of other proceedings, this fact alone does foreclose the production of relevant information. The

Commission has long held that the test is not whether the information sought in a discovery request is the subject of other proceedings, but whether the information requested “appears reasonably calculated to lead to the discovery of admissible evidence.”⁷ Here, it is critical to determine whether the costs of PROJECTpipes, a massive undertaking, are being properly applied to the Company’s proposed rate base increase.⁸

The Commission previously ruled against WGL and in favor of the Office in a situation almost identical to the one presented here. In the Company’s last base rate case in *Formal Case No. 1137*,⁹ the Office propounded discovery requests on the Company seeking general information about the management of the Company’s PROJECTpipes program. WGL objected to the request, stating that the parties had already litigated and resolved the relevant issue in *Formal Case No. 1115*. In ruling in favor of the Office, the Commission found that the contested discovery request sought “information about the management of the project, not about the specific calculation of the [PROJECTpipes] surcharges. . . . Therefore, the Commission is not persuaded that discovery in this instance is precluded by collateral estoppel because the issues subject to OPC’s DRs were not specifically litigated and decided in Formal Case No. 1115.”¹⁰ Such is the case here. The Office seeks general information regarding the PROJECTpipes program that is not the subject of litigation in any other proceeding. Moreover, the information is relevant to the reasonableness of the level of PROJECTpipes construction costs that the Company included in its rate base increases. The

⁷ *Formal Case No. 850*, Order No. 9699, rel. April 19, 1991.

⁸ In fact, on March 26, 2020, the Commission stated that “[t]he Commission and the parties will be reviewing the reasonableness of [the PROJECTpipes ratemaking adjustment in the context of the rate case.” See *Formal Case No. 1162, In The Matter of the Application of Washington Gas Light Company for Authority to Increase Existing Rates And Charges for Gas Service, et al.*, Order No. 20314, 6 n.25, rel. Mar. 26, 2020.

⁹ *Formal Case No. 1137, In The Matter Of The Application Of Washington Gas Light Company For Authority to Increase Existing Rates and Charges for Gas Service* (2016).

¹⁰ *Formal Case No. 1137*, Order No. 18256, at P 32, rel. June 27, 2016.

information is also critical to assess whether all of the project costs that will be moved into rate base are fully in-service and will provide benefits to ratepayers during the rate-effective period.

The Company further objects that because the particular information sought in this request was not raised in its application, the Office may not then pursue it in discovery. This objection applies the same flawed reasoning as the Company's prior objection: the Company may not dictate the relevancy of a particular document or data based on its absence in the Company's application. The Commission is clear: if the requested information will lead to the discovery of admissible evidence, it must be produced.¹¹ The information sought in this request concerning the Company's PROJECT*pipes* program is exceedingly relevant as it is a critical component of the Company's proposed base rate increase. It will also allow the parties to determine whether the costs incurred pursuant to PROJECT*pipes* were done so prudently.

OPC's Data Request No. 5-5. OPC's Data Request No. 5-5 seeks information regarding the steps the Company has taken to implement the recommendations contained in the Liberty Consulting Report and the Jacobs Consultancy Cost-Benefit Analysis (the "Audit Reports"), specifically with respect to PROJECT*pipes*. The Company objects on the same grounds as in response to Data Request No. 5-4: namely, that the request is irrelevant because it involves issues being addressed in other proceedings, and because the subject of the request was not initially raised in the Company's application. As discussed above, information regarding PROJECT*pipes* costs are directly relevant to this case. The Commission and the Office must determine whether the costs associated with PROJECT*pipes* were prudently incurred, and the question of whether the Company has implemented the recommendations outlined in the Audit Reports bears directly on that finding. If, for example, the Company chose not to implement internal cost tracking or cost

¹¹ *Formal Case No. 850*, Order No. 9699, rel. April 19, 1991.

saving mechanisms proposed by independent auditors, that information should be presented to the Commission as it assesses the reasonableness of costs included in the WGL rate application.

OPC’s Data Request No. 5-6. OPC’s Data Request No. 5-6 seeks copies of all internal or external audits conducted of the Company’s PROJECT*pipes* program. The Company objects on the same grounds as in response to Data Request Nos. 5-4 and 5-5: namely, that the request is irrelevant because it involves issues being addressed in other proceedings, and because the subject of the request was not initially raised in the Company’s application. As discussed above, information regarding PROJECT*pipes* costs proposed for rate base treatment is directly relevant to this case. The Commission and the Office must determine whether the costs associated with PROJECT*pipes* were prudently incurred, which the parties can better determine by reviewing all audits conducted of PROJECT*pipes*.

OPC’s Data Request No. 5-7 (A, C—E). OPC’s Data Request No. 5-7 (A, C—E) seeks information regarding the Company’s Vintage Mechanical Couplings Replacement (“VMCR”) program, including general information such as its purpose and scope; the status of the work done pursuant to the program; and any audits and reviews of the program. WGL objects to the requests on the grounds that the information sought is outside the scope of this proceeding and therefore is irrelevant. WGL also stated that the issues identified in this request were not raised in its application or supporting testimony.

Information regarding the Company’s VMCR is highly relevant to this proceeding. As the Commission is aware, WGL agreed to a \$28 million dollar expense cap on VMCR as part of a settlement agreement submitted in *Formal Case No. 1027*.¹² WGL was authorized by the

¹² *Formal Case No. 1027, In the Matter of the Emergency Petition of the Office of the People’s Counsel for an Expedited Investigation of the Distribution System of Washington Gas Light Company*; GT97-3, *In the Matter of the Application of Washington Gas Light Company for Authority to Amend its Rate Schedule No. 6*; GT 06-1, *In the Matter of the Application of Washington Gas Light Company for Authority to Amend*

Commission to recover the entire \$28 million of VMCR costs in base rates in *Formal Case No. 1137*, noting that, “WGL has actually expended the \$28 million on the VMCR Program, even though the VMCR Program is not yet complete.”¹³ In *Formal Case No. 1162*, WGL now contends that it is not seeking any VCMR recovery above the \$28 million in this proceeding. It is therefore critical for the Office to understand whether the VMCR program has been completed and whether the Company has included any other expenditures in the its proposed base rates that fall within the scope of the VMCR program and should have been subject to the \$28 million expense cap. As such, the requested information is highly relevant.

OPC’s Data Request No. 5-8. OPC’s Data Request No. 5-8 seeks information detailing the safety and integrity standards and programs the Company adopted in implementing PROJECTpipes. The Company objects on the same grounds that the request is irrelevant because it involves issues being addressed in other proceedings, and because the subject of the request was not initially raised in the Company’s application. The Company’s position is directly counter to the Commission’s finding in Order No. 20314 in which the Commission highlighted the relevance of safety and reliability standards in this rate case, stating that “[a]s part of this base rate case, the Commission will be reviewing WGL’s gas leak repair expenses during the test year.”¹⁴ As the Commission explained, it is mandated by the Clean Energy DC Omnibus Amendment Act of 2018 to consider the environmental and climate change impacts of the Company’s filing, and, in

General Service Provision No.23, Unanimous Agreement of Stipulation and Full Settlement at 5, filed October 2, 2009.

¹³ *Formal Case No. 1137, In The Matter Of The Application Of Washington Gas Light Company For Authority to Increase Existing Rates and Charges for Gas Service*, Order No. 18712 at P 101, rel. Mar, 3, 2017.

¹⁴ *Formal Case No. 1162, In The Matter of the Application of Washington Gas Light Company for Authority to Increase Existing Rates And Charges for Gas Service, et al.*, Order No. 20314, at P 13, rel. Mar. 26, 2020.

particular, the effects of any natural gas leaks on the Company's system.¹⁵ Accordingly, the requested documents are plainly relevant to this proceeding as they relate to how the Company is managing different parts of its system, especially those at high-risk and prone to potential gas leaks.

OPC's Data Request No. 5-9. OPC's Data Request No. 5-9 seeks information related to the costs associated with the Mercury Service Regulators on the Company's Distribution System. WGL objects on the grounds that issues associated with mercury regulators are being addressed in *Formal Case No. 1157*. WGL stated, however, that it would identify mercury regulator costs that are included in the cost of service of this case. The information sought in this request is relevant because it may reveal that the Company's mercury program constitutes a potentially considerable expense on ratepayers. Moreover, given their age and condition, the MSRs are a potential source of natural gas leaks on the WGL systems (and the Commission is currently investigating in *Formal Case No. 1157*¹⁶ the Company's response to an NTSB report which found that MSRs were the source of a leak which resulted in a deadly explosion in the Company's Maryland service territory in 2016). As such, the documents and information sought by the Office is directly relevant to this proceeding.

¹⁵ *Id.*

¹⁶ *Formal Case No. 1157, In the Matter of the Investigation into Washington Gas Light Company's Compliance with the Recommendations of the National Transportation Safety Board* (2019).

IV. CONCLUSION

WHEREFORE, for the reasons stated above, OPC respectfully requests that the Commission: (a) overrule the objections in WGL's March 23 *Notices of Objection*; (b) grant the Office's *Motion to Compel*; and (c) issue an order compelling WGL to respond fully to OPC Data Requests Nos. 5-1, 5-2, 5-4, 5-5, 5-6, 5-7(A, C—E), 5-8, and 5-9, as discussed above.

Respectfully submitted,

/s/ Sandra Mattavous-Frye
Sandra Mattavous-Frye, Esq.
People's Counsel
D.C. Bar No. 375833

Karen R. Sistrunk, Esq.
Deputy People's Counsel
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Assistant People's Counsel
D.C. Bar No. 1617107

**OFFICE OF THE PEOPLE'S COUNSEL
FOR THE DISTRICT OF COLUMBIA**
1133 15th Street, NW, Suite 500
Washington, D.C. 20005-2710
(202) 727-3071

Dated: March 30, 2020

ATTACHMENT A



Sandra Mattavous-Frye, Esq.
People's Counsel

March 16, 2020

Cathy Thurston-Seignious
Supervisor, Administrative and
Associate General Counsel
Washington Gas Light Company
1000 Main Avenue, SW, Suite 700
Washington, DC 20024

Re: Formal Case No. 1162, *In the Matter of the Application of Washington Gas Light Company for Authority to Increase Existing Rates and Charges for Gas Service*

Dear Sir or Madam:

Enclosed for filing in the above-referenced proceeding, please find the *Office of the People's Counsel for the District of Columbia's Data Request No. 5*. Responses to this request are due back to OPC by April 6, 2020.

If there are any questions regarding this matter, please contact me at (202) 727-3071.

Sincerely,

/s/ Timothy R. Oberleiton

Timothy R. Oberleiton
Assistant People's Counsel

Enclosure

cc: Parties of record

**DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION
FORMAL CASE NO. 1162**

**OFFICE OF THE PEOPLE’S COUNSEL
DATA REQUEST NO. 5
TO THE WASHINGTON GAS LIGHT COMPANY**

March 16, 2020

The Office of the People’s Counsel for the District of Columbia (“OPC”), acting pursuant to its independent investigatory authority pursuant to D.C. Code § 34-804(d)(4) (Lexis 2019), and in its role as the statutory representative of the District’s utility customers and ratepayers, hereby serves the following Office of the People’s Counsel Data Request No. 5 on the Washington Gas Light Company (“WGL” or “Company”).

I) Communications and Due Date

All responses and all attachments should be served via email on each of the following:

Timothy R. Oberleiton: toberleiton@opc-dc.gov

John Michael Adragna: jadragna@mccarter.com

Kevin J. Conoscenti: kconoscenti@mccarter.com

William C. Simmerson: wsimmerson@mccarter.com

Pursuant to 15 DCMR § 122.3, please provide responses to these data requests by April 6.

II) Definitions and Instructions

Please refer to the Definitions and Instructions included in the OPC’s First Set of Data Requests filed on February 11, 2020.

III) Data Requests

5-1. **Construction Program.** Identify and provide a detailed cost breakdown for all construction projects closed to Gas Plant In Service since Washington Gas Light Company’s (the “Company”) last base rate case. In responding to this request, provide the following for each identified project:

- A. The name and location (street address/ward) of the project;
- B. A description of the project, the work performed, and an assessment of the need for the project;
- C. The cost estimate of the project, including unit costs for each item being installed or abandoned;
- D. The final project cost;

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March 16, 2020

- E. The priority-by-risk ranking of the projects, and all criteria, inputs and assumptions employed, and a detailed explanation of, the process employed to obtain such rankings; and
 - F. A description of any alternatives considered by the Company.
- 5-2. **Construction Budget.** Provide a copy of the Company's current forecasted construction budget for all years in which such forecasts have been prepared.
- 5-3. **PROJECTpipes.** Referencing WGL Witness Robert Tuoriniemi's testimony at page 60, lines 8-15:
 - A. Provide a detailed cost breakdown of the \$83,332,819 net addition to gas plant and CWIP related to PROJECTpipes during the test year.
 - B. Provide a detailed cost breakdown of the \$103,053,082 in cumulative PROJECTpipes costs included in ratemaking Adjustment 7.
- 5-4. **PROJECTpipes.** Identify and describe each individual project that comprises the PROJECTpipes program. In responding to this request, include for each project:
 - A. The name and location (street address/ward) of the project;
 - B. The description of the project (e.g., whether the project involved the installation or abandonment of any pipe or service);
 - C. The cost estimate of the project, including unit costs for each item being installed or abandoned, and how each cost is factored in to the total PROJECTpipes program cost; and
 - D. The priority-by-risk ranking of the projects, and all criteria, inputs and assumptions employed, and a detailed explanation of, the process employed to obtain such rankings.
- 5-5. **PROJECTpipes.** Identify the steps that the Company has taken to implement the recommendations contained in the Liberty Consulting Report and the Jacobs Consultancy Cost-Benefit Analysis. In responding to this question, provide all internal corporate memoranda, procedures, policies, manuals, etc., related to the implementation of each recommendation. In addition, identify the date when such measures became effective.

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TO THE WASHINGTON GAS LIGHT COMPANY**

March 16, 2020

- 5-6. **PROJECTpipes.** Provide copies of all internal or external audits conducted of the Company's PROJECT*pipes* program.
- 5-7. **VMCR Program.**
- A. Describe the purpose and scope of the Company's Vintage Mechanical Couplings Replacement ("VMCR") program.
 - B. Referencing Adjustment 7, provide a detailed breakdown of the \$1.8 million in VMCR costs moved from WGL's regulatory asset account to Gas Plant in Service.
 - C. Referencing WGL Witness Tuoriniemi's testimony at page 56, lines 5-9:
 - a. Has the Company performed, or is the Company performing, work necessary to complete the VMCR program?
 - b. If the answer to subpart "a" is in the affirmative, provide a detailed breakdown of all costs incurred in connection with the VMCR program since the filing of the Company's application in *Formal Case No. 1137*. In responding to this question, explain how the Company has accounted for those additional expenditures above the \$28 million settlement cap. Are any costs associated with this work reflected in the Company's proposed revenue requirement in this proceeding?
 - c. If the answer to subpart "a" is in the negative, describe the steps that the Company is taking to ensure that vintage mechanical couplings on the WGL system are safe and reliable.
 - D. Provide copies of all internal or external audits conducted of the Company's VMCR program.
 - E. Provide copies of any internal or external analyses, reports, assessments, etc., of the reliability of any vintage mechanical couplings remaining on the Company's transmission and/or distribution system.
- 5-8. **Reliability.** Provide all documents describing all safety and integrity standards and programs adopted and followed by the Company in implementing PROJECT*pipes*. In responding to this request, include the following:

**DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION
FORMAL CASE NO. 1162**

**OFFICE OF THE PEOPLE’S COUNSEL
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TO THE WASHINGTON GAS LIGHT COMPANY**

March 16, 2020

- A. Provide documents describing all aging leak prone mains and services and year-by-year miles of main and services installed and abandoned, including the accompanying costs;
 - B. Provide all documents establishing, explaining, and implementing the Company’s Transmission Integrity Management Program (“TIMP”), including how the Company incorporates its TIMP-related policies into PROJECT*pipes*;
 - C. Provide all documents establishing, explaining, and implementing the Company’s Distribution Integrity Management Program (“DIMP”), including how the Company incorporates its DIMP-related policies into PROJECT*pipes*;
 - D. Provide copies of annual WGL reports filed with the Department of Transportation over the last five years (2015 through the present); and
 - E. Identify leak rates by grade (1, 2, or 3) for mains and services over the last five years (2015 through the present).
- 5-9. **Mercury Service Regulators.** Identify all costs associated with the inspection, removal, and replacement of Mercury Service Regulators on the Company’s distribution system. In responding to this request:
- A. Identify how the Company prioritized the removal of Mercury Service Regulators.
 - B. Provide all reports, audits, studies, analyses, memoranda, etc., in the Company’s possession concerning the condition of Mercury Service Regulators on the Company’s distribution system.

CERTIFICATE OF SERVICE

Formal Case No. 1162, In the Matter of the Application of Washington Gas Light Company for Authority to Increase Existing Rates and Charges for Gas Service

I certify that on March 16, 2020, a copy of the *Office of the People's Counsel for the District of Columbia's Data Request No. 5 to Washington Gas Light Company* was served on the following parties of record by hand delivery, first class mail, postage prepaid or electronic mail:

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/s/ Timothy R. Oberleiton
Timothy R. Oberleiton
Assistant People's Counsel

ATTACHMENT B

March 23, 2020

Timothy R. Oberleiton, Esquire
Office of the People's Counsel
for the District of Columbia
1133 15th Street, NW, Suite 500
Washington, DC 20005

**Re: Formal Case No. 1162
[Washington Gas's Notice of Objection to OPC DR No. 5]**

Dear Mr. Oberleiton:

Washington Gas Light Company hereby submits its Notice of Objection to the Office of the People's Counsel for the District of Columbia's Data Request No. 5 in the above referenced proceeding.

If you have questions regarding this matter, feel free to contact me.

Sincerely,



Cathy Thurston-Seignious
Supervisor, Administrative and
Associate General Counsel

cc: Per Certificate of Service
Brinda Westbrook-Sedgwick, Commission Secretary (e-file)

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

WASHINGTON GAS LIGHT COMPANY

FORMAL CASE NO. 1162

WASHINGTON GAS'S RESPONSE
AND/OR NOTICE OF OBJECTION/UNAVAILABILITY TO
THE OFFICE OF PEOPLE'S COUNSEL

OPC DATA REQUEST NO. 5

QUESTION NO. 5-1

- Q. Construction Program.** Identify and provide a detailed cost breakdown for all construction projects closed to Gas Plant In Service since Washington Gas Light Company's (the "Company") last base rate case. In responding to this request, provide the following for each identified project:
- A. The name and location (street address/ward) of the project;
 - B. A description of the project, the work performed, and an assessment of the need for the project;
 - C. The cost estimate of the project, including unit costs for each item being installed or abandoned;
 - D. The final project cost;
 - E. The priority-by-risk ranking of the projects, and all criteria, inputs and assumptions employed, and a detailed explanation of, the process employed to obtain such rankings; and
 - F. A description of any alternatives considered by the Company.

WASHINGTON GAS'S OBJECTION

03/23/2020

Washington Gas objects to this request on the grounds that it would require the performance of a special study which the Company has not performed. Furthermore, this request would be overly burdensome.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

WASHINGTON GAS LIGHT COMPANY

FORMAL CASE NO. 1162

WASHINGTON GAS'S RESPONSE
AND/OR NOTICE OF OBJECTION/UNAVAILABILITY TO
THE OFFICE OF PEOPLE'S COUNSEL

OPC DATA REQUEST NO. 5

QUESTION NO. 5-2

Q. Construction Budget. Provide a copy of the Company's current forecasted construction budget for all years in which such forecasts have been prepared.

WASHINGTON GAS'S OBJECTION

03/23/2020

Washington Gas objects to this request on the grounds that it seeks information that is outside the scope of this proceeding and, therefore, irrelevant to this case. The Company has not raised issues associated with its forecasted construction budget in its application or supporting testimony; therefore, it is not the subject of the instant proceeding.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

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WASHINGTON GAS'S RESPONSE
AND/OR NOTICE OF OBJECTION/UNAVAILABILITY TO
THE OFFICE OF PEOPLE'S COUNSEL

OPC DATA REQUEST NO. 5

QUESTION NO. 5-4

- Q. PROJECTpipes.** Identify and describe each individual project that comprises the PROJECTpipes program. In responding to this request, include for each project:
- A. The name and location (street address/ward) of the project;
 - B. The description of the project (e.g., whether the project involved the installation or abandonment of any pipe or service);
 - C. The cost estimate of the project, including unit costs for each item being installed or abandoned, and how each cost is factored in to the total PROJECTpipes program cost; and
 - D. The priority-by-risk ranking of the projects, and all criteria, inputs and assumptions employed, and a detailed explanation of, the process employed to obtain such rankings.

WASHINGTON GAS'S OBJECTION

03/23/2020

Washington Gas objects to this request on the grounds that it seeks information that is outside the scope of this proceeding and, therefore, irrelevant to this proceeding. Issues associated with PROJECTpipes, other than those related to the cost of service in this case as presented in testimony, are being addressed in other ongoing proceedings, *i.e.*, Formal Case Nos. 1115 and 1154. The Company has not raised the issues addressed in this request in its application or supporting testimony; therefore, they are not the subject of the instant proceeding. The Commission should continue its review of these issues in the other designated dockets.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

WASHINGTON GAS LIGHT COMPANY

FORMAL CASE NO. 1162

WASHINGTON GAS'S RESPONSE
AND/OR NOTICE OF OBJECTION/UNAVAILABILITY TO
THE OFFICE OF PEOPLE'S COUNSEL

OPC DATA REQUEST NO. 5

QUESTION NO. 5-5

- Q. PROJECTpipes.** Identify the steps that the Company has taken to implement the recommendations contained in the Liberty Consulting Report and the Jacobs Consultancy Cost-Benefit Analysis. In responding to this question, provide all internal corporate memoranda, procedures, policies, manuals, etc., related to the implementation of each recommendation. In addition, identify the date when such measures became effective.

WASHINGTON GAS'S OBJECTION

03/23/2020

Washington Gas objects to this request on the grounds that it seeks information that is outside the scope of this proceeding and, therefore, irrelevant to this proceeding. Issues associated with *PROJECTpipes*, other than those related to the cost of service in this case as presented in testimony, are being addressed in other ongoing proceedings, *i.e.*, Formal Case Nos. 1115, 1142 and 1154. The Company has not raised the issues addressed in this request in its application or supporting testimony; therefore, they are not the subject of the instant proceeding. The Commission should continue its review of these issues in the other designated dockets.

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OPC DATA REQUEST NO. 5

QUESTION NO. 5-6

- Q. PROJECTpipes.** Provide copies of all internal or external audits conducted of the Company's *PROJECTpipes* program.

WASHINGTON GAS'S OBJECTION

03/23/2020

Washington Gas objects to this request on the grounds that it seeks information that is outside the scope of this proceeding and, therefore, irrelevant to this proceeding. Issues associated with *PROJECTpipes*, other than those related to the cost of service in this case as presented in testimony, are being addressed in other ongoing proceedings, *i.e.*, Formal Case Nos. 1115 and 1154. The Company has not raised the issues addressed in this request in its application or supporting testimony; therefore, they are not the subject of the instant proceeding. The Commission should continue its review of these issues in the other designated dockets.

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OPC DATA REQUEST NO. 5

QUESTION NO. 5-7

Q. VMCR Program.

- A. Describe the purpose and scope of the Company's Vintage Mechanical Couplings Replacement ("VMCR") program.
- B. Referencing Adjustment 7, provide a detailed breakdown of the \$1.8 million in VMCR costs moved from WGL's regulatory asset account to Gas Plant in Service.
- C. Referencing WGL Witness Tuoriniemi's testimony at page 56, lines 5-9:
 - a. Has the Company performed, or is the Company performing, work necessary to complete the VMCR program?
 - b. If the answer to subpart "a" is in the affirmative, provide a detailed breakdown of all costs incurred in connection with the VMCR program since the filing of the Company's application in *Formal Case No. 1137*. In responding to this question, explain how the Company has accounted for those additional expenditures above the \$28 million settlement cap. Are any costs associated with this work reflected in the Company's proposed revenue requirement in this proceeding?
 - c. If the answer to subpart "a" is in the negative, describe the steps that the Company is taking to ensure that vintage mechanical couplings on the WGL system are safe and reliable.
- D. Provide copies of all internal or external audits conducted of the Company's VMCR program.
- E. Provide copies of any internal or external analyses, reports, assessments, etc., of the reliability of any vintage mechanical

couplings remaining on the Company's transmission and/or distribution system.

WASHINGTON GAS'S PARTIAL OBJECTION

03/23/2020

Subparts (A), (C), (D) and (E):

Washington Gas objects to this request on the grounds that it seeks information that is outside the scope of this proceeding and, therefore, irrelevant to this proceeding. The Company has not raised the issues addressed in this request, with the exception of subpart (B), in its application or supporting testimony; therefore, they are not the subject of the instant proceeding. Washington Gas will respond to subpart (B), which is directly related to a cost of service adjustment.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

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OPC DATA REQUEST NO. 5

QUESTION NO. 5-8

- Q. Reliability.** Provide all documents describing all safety and integrity standards and programs adopted and followed by the Company in implementing PROJECT*pipes*. In responding to this request, include the following:
- A. Provide documents describing all aging leak prone mains and services and year-by-year miles of main and services installed and abandoned, including the accompanying costs;
 - B. Provide all documents establishing, explaining, and implementing the Company's Transmission Integrity Management Program ("TIMP"), including how the Company incorporates its TIMP-related policies into PROJECT*pipes*;
 - C. Provide all documents establishing, explaining, and implementing the Company's Distribution Integrity Management Program ("DIMP"), including how the Company incorporates its DIMP-related policies into PROJECT*pipes*;
 - D. Provide copies of annual WGL reports filed with the Department of Transportation over the last five years (2015 through the present); and
 - E. Identify leak rates by grade (1, 2, or 3) for mains and services over the last five years (2015 through the present).

WASHINGTON GAS'S OBJECTION

03/23/2020

Washington Gas objects to this request on the grounds that it seeks information that is outside the scope of this proceeding and, therefore, irrelevant to this proceeding. Issues associated with PROJECT*pipes*, other than those related to the cost of service in this case as presented in testimony, are being addressed in other ongoing proceedings, *i.e.*, Formal Case Nos. 1115 and 1154. The Company has not raised the issues addressed in this request in its application or supporting testimony; therefore, they are

not the subject of the instant proceeding. The Commission should continue its review of these issues in the other designated dockets.

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

WASHINGTON GAS LIGHT COMPANY

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OPC DATA REQUEST NO. 5

QUESTION NO. 5-9

- Q. Mercury Service Regulators.** Identify all costs associated with the inspection, removal, and replacement of Mercury Service Regulators on the Company's distribution system. In responding to this request:
- A. Identify how the Company prioritized the removal of Mercury Service Regulators.
 - B. Provide all reports, audits, studies, analyses, memoranda, etc., in the Company's possession concerning the condition of Mercury Service Regulators on the Company's distribution system.

WASHINGTON GAS'S PARTIAL OBJECTION

03/23/2020

Washington Gas objects to this request on the grounds that it seeks information that is outside the scope of this proceeding and, therefore, irrelevant to this case. Issues associated with mercury regulators are being addressed in another ongoing proceeding, *i.e.*, Formal Case No. 1157 and should remain in that docket. However, the Company will identify any mercury regulator costs that are included in the cost of service in this case.

CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that on this 23rd day of March 2020, I caused copies of the foregoing to be hand-delivered, mailed, postage-prepaid, or electronically delivered to the following:

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CATHY THURSTON-SEIGNIOUS

CERTIFICATE OF SERVICE

Formal Case No. 1162, In the Matter of the Application of Washington Gas Light Company for Authority to Increase Existing Rates and Charges for Gas Service

I certify that on March 30, 2020, a copy of the *Office of the People's Counsel for the District of Columbia's Motion to Compel Washington Gas Light Company's Responses to OPC Data Request Nos. 5-1, 5-2, 5-4, 5-5, 5-6, 5-7, and 5-9* was served on the following parties of record by hand delivery, first class mail, postage prepaid or electronic mail:

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