



August 4, 2020

**VIA ELECTRONIC FILING**

Brinda Westbrook-Sedgwick  
Commission Secretary  
Public Service Commission  
of the District of Columbia  
1325 G Street, NW, Suite 800  
Washington, DC 20005

**Re: Formal Case No. 1142,  
In the Matter of the Merger Application of AltaGas Ltd. and WGL Holdings, Inc.**

Dear Brinda Westbrook-Sedgwick:

Attached please find Sierra Club's Response to AltaGas Ltd Correspondence Regarding the July 29<sup>th</sup> Public Community Meeting on the Climate Business Plan.

Thank you for your attention to this matter. Should you have any questions, please contact me at [smiller@earthjustice.org](mailto:smiller@earthjustice.org).

Sincerely,

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Susan Stevens Miller, DC Bar No. 1026066  
Earthjustice  
(202) 667-4500  
[smiller@earthjustice.org](mailto:smiller@earthjustice.org)

*Counsel for Sierra Club*

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE DISTRICT OF COLUMBIA**

**IN THE MATTER OF  
THE MERGER APPLICATION OF  
ALTAGAS LTD. AND WGL HOLDINGS,  
INC.**

**Formal Case No. 1142**

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**RESPONSE OF SIERRA CLUB TO ALTAGAS LTD. CORRESPONDENCE  
REGARDING THE JULY 29<sup>TH</sup> PUBLIC COMMUNITY MEETING ON THE  
CLIMATE BUSINESS PLAN**

Sierra Club, by its undersigned counsel, respectfully provides this response to AltaGas LTD.'s ("AltaGas" or the "Company") July 31, 2020 correspondence regarding the Company's attempt to comply with Commitment Term No. 79 of Commission Order No. 19396, Appendix A. ("Commitment No. 79").<sup>1</sup> The Commission should be aware that the manner in which AltaGas conducted the July 29<sup>th</sup> public community meeting made a mockery of the public meeting requirement set forth in Commitment Term No. 79. As concerns the public meeting requirement in merger Commitment No. 79, the Commission should 1) reject the AltaGas implied contention that the July 29<sup>th</sup> public community meeting meets the requirements of Commitment No. 79; 2) establish basic requirements that AltaGas must comply with for its future public community meetings; 3) require that all public community meetings be recorded; and 4) require that the recordings of these meetings be available to the public.

More importantly, AltaGas has consistently pointed to the public meeting requirement as support for their contention that the Commission does not need to hold evidentiary proceedings on the Climate Business Plan for Washington DC<sup>2</sup>. AltaGas's bad faith performance during the

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<sup>1</sup> Formal Case No. 1142 ("Formal Case No. 1142"), *In the Matter of the Merger of AltaGas Ltd. and WGL Holdings, Inc.*, Order No. 19396, App. A (June 29, 2018).

<sup>2</sup> Formal Case No. 1142, Climate Business Plan for Washington D.C. (Mar. 16, 2020) ("Climate Business Plan").

community public meeting illustrates the fallacy of this argument. The Commission should find that these community public meetings, which AltaGas is apparently using to sow confusion and mislead District residents, are not sufficient to examine the Climate Business Plan and will not protect the public interest. Therefore, the Commission should institute an evidentiary proceeding and instruct parties to develop a plan to transition Washington Gas Light Company (“WGL”) to a business model consistent with DC’s climate commitment of carbon neutrality.

### DISCUSSION

On June 29, 2018, the Commission approved the Unanimous Agreement of Stipulation and Full Settlement on the merger of AltaGas Ltd. and WGL Holdings, Inc. in the above-captioned proceeding (“Settlement Agreement”).<sup>3</sup> The Settlement Agreement set forth numerous merger commitments, including Merger Commitment No. 79, which provides:

By January 1, 2020, AltaGas will file with the Commission a long-term business plan on how it can evolve its business model to support and serve the District’s 2050 climate goals (e.g., providing innovative and new services and products instead of relying only on selling natural gas). **After the business plan is filed, AltaGas will hold bi-annual public meetings to report on and discuss its progress on the business plan.**<sup>4</sup>

On December 6, 2019, AltaGas filed a motion for extension of time, requesting that the filing of the Climate Business Plan be delayed until March 16, 2020.<sup>5</sup> The Commission subsequently granted this request.<sup>6</sup> On March 16, 2020, AltaGas filed its Climate Business Plan.

On June 29, 2020, AltaGas and WGL hosted a public community meeting to discuss its Climate Business Plan. The public community meeting was hosted by a panel of senior leaders from WGL and included representatives from ICF Resources, the independent consultant who

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<sup>3</sup> Formal Case No. 1142, Order No. 19396 and App. A.

<sup>4</sup> *Id.* at Appendix A at 29 (emphasis added).

<sup>5</sup> Formal Case No. 1142, AltaGas Ltd.’s Motion for Extension of Time, ¶ 3 (Dec. 6, 2019).

<sup>6</sup> Formal Case No. 1142, Order No. 20276, ¶ 1 (Dec. 19, 2019).

assisted in developing the Climate Business Plan. Because of the current restrictions in the District regarding the size of public gatherings during the COVID-19 pandemic, the meeting was held virtually.<sup>7</sup>

The AltaGas July 31, 2020 correspondence omitted several key details regarding how WGL conducted the meeting, including WGL's rejection of many of the participants questions based on the content of those participants' questions. More disconcerting is the fact that WGL representatives provided false and misleading information at the meeting.

AltaGas asserts in its correspondence that at the July 29, 2020 community public meeting: "Participants submitted written questions to the panel on a wide variety of topics regarding the Plan in real time to which the panel responded."<sup>8</sup> In fact, the meeting's moderator, WGL sustainability manager John Friedman, refused to read questions which asked WGL to address some of the dubious claims made in the Climate Business Plan. Instead, Mr. Friedman asked questions complimentary of the plan, many of which came directly from Mr. Friedman himself.

At one point, Mr. Friedman acknowledged that many attendees asked questions about fossil gas alternatives like manure gas, landfill gas and synthetic gas, but Mr. Friedman refused to read any of those questions. Mr. Friedman acknowledged that those questions cited studies about fossil gas alternatives, but Mr. Friedman dismissed the studies cited in the attendees' questions as "national" rather than "regional" and asked his own question to the ICF consultant at the meeting about the report ICF prepared for WGL.

Additionally, WGL provided false and inaccurate information at the meeting. Responding to a question about health impacts posed by gas stoves, WGL assistant vice president and chief

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<sup>7</sup> Formal Case No. 1142, AltaGas Ltd.'s Letter Regarding Commission's Public Meeting, at 1 (July 31, 2020).

<sup>8</sup> *Id.*

social responsibility officer Melissa Adams falsely told meeting participants that gas stoves do not emit more chemicals harmful to human health than electric stoves emit. Ms. Adams falsely said the health threat from stoves depends not on whether the stoves are gas-fired or use electricity, but instead on the aroma of the food. Ms. Adams offered no evidence for her claim that health threats from gas stoves and electric stoves are the same, nor did she offer evidence for her claim that the aroma of food is the determinant of a stove's health impacts. Ms. Adams' claims are contrary to research on the topic.<sup>9</sup> Sierra Club is unaware of *any* study suggesting that the aroma of the food is responsible for the stove's adverse health impacts.

### CONCLUSION

Community public meetings are an essential aspect of utility regulation. For many members of the public, these meetings are the only opportunity they have to learn about the utilities plans, plans that the public will ultimately pay for. These meetings are also the only method the public has to get their questions and concerns addressed by the Company. The manner in which WGL conducted the July 29<sup>th</sup> meeting violated the public trust and this behavior should not be tolerated by the Commission.

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<sup>9</sup> Research has shown demonstrated associations between gas stove use and increased respiratory symptoms for household residents, particularly children. UCLA Fielding School of Public Health Department of Environmental Health Sciences, *Effects of Residential Gas Appliances on Indoor and Outdoor Air Quality and Public Health in California* (Apr. 2020), <https://coeh.ph.ucla.edu/effects-residential-gas-appliances-indoor-and-outdoor-air-quality-and-public-health-california>. Children living in a home with gas cooking have a 42% increased risk of having current asthma, a 24% increased risk of lifetime asthma and an overall 32% increased risk of having current and lifetime asthma. Weiwei Lin, et al., *Meta-analysis of the effects of indoor nitrogen dioxide and gas cooking on asthma and wheeze in children*, 42 Int'l Journal of Epidemiology 1724, 1728–1729 (Dec. 2013), <https://academic.oup.com/ije/article/42/6/1724/737113>.

Because WGL rejected questions it believed were critical of its Climate Business Plan and provided false and misleading information to the public at the community public meeting, the Sierra Club respectfully requests that:

1. The Commission find that WGL's July 29 meeting failed to meet the requirement under Commitment #79 of the AltaGas/Washington Gas merger to hold bi-annual public meetings;
2. The Commission require WGL to publicly release the video it recorded of its July 29 meeting;<sup>10</sup>
3. The Commission require WGL to record and publicly release the recorded video of all subsequent community public meetings on its Climate Business Plan; and
4. The Commission require that in all future community public meetings on its Climate Business Plan, whether held in-person, online or via any other medium or venue, WGL allow meeting participants to ask questions themselves, without prior review by WGL representatives. WGL should be expressly forbidden from censoring questions, refusing to allow certain questions to be asked, and re-wording questions asked by meeting participants.
5. The Commission should institute an evidentiary proceeding and instruct parties to develop a plan to transition WGL to a business model consistent with DC's climate commitment of carbon neutrality.

Continued for signature

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<sup>10</sup> Sierra Club has received conflicting responses from WGL regarding whether the July 29<sup>th</sup>, 2020 meeting was recorded.

Respectfully submitted,



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Susan Stevens Miller, D.C. Bar No. 1026066  
Staff Attorney, Clean Energy Program  
Earthjustice  
1001 G St. NW, Ste. 1000  
Washington, D.C. 20001  
(202) 667-4500  
smiller@earthjustice.org

**AFFIDAVIT OF MR. MARK RODEFFER**

1. I am a person of the full age of majority and competent to testify to all factual matters regarding the July 29, 2020 community public meeting addressed in the Sierra Club Response.
2. I participated in the July 29, 2020 community public meeting via the video platform provided by WGL.
3. The descriptions of WGL's actions and statements during the July 29, 2020 community public meeting are true and correct.

Dated August 4, 2020



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Mark Rodeffer

## CERTIFICATE OF SERVICE

I hereby certify that on this 4<sup>th</sup> day of August 2020, a copy of the foregoing was served on the following parties by electronically mail:

Brinda Westbrook-Sedgwick  
Commission Secretary  
Public Service Commission  
of the District of Columbia  
1325 G Street, NW, Suite 800  
Washington, DC 20005  
[bwestbrook@psc.dc.gov](mailto:bwestbrook@psc.dc.gov)

Anjali G. Patel, Esq.  
Office of People's Counsel  
1133 15<sup>th</sup> St. NW, Suite 500  
Washington DC 20005  
[apatel@opc-dc.gov](mailto:apatel@opc-dc.gov)

Christopher Lipscombe  
Lara Walt  
Office of the General Counsel  
Public Service Commission  
of the District of Columbia  
1325 G Street, NW, Suite 800  
Washington, DC 20005  
[CLipscombe@psc.dc.gov](mailto:CLipscombe@psc.dc.gov)  
[lwalt@psc.dc.gov](mailto:lwalt@psc.dc.gov)

Hussain Karim  
Alan J. Barak  
Department of Energy and Environment  
1200 First Street, NE, 5th Floor  
Washington, DC 20002  
[hussain.karim@dc.gov](mailto:hussain.karim@dc.gov)  
[alan.barak@dc.gov](mailto:alan.barak@dc.gov)

Karen Hardwick  
John C. Dodge  
Cathy Thurston-Seignious  
Paul S. Buckley  
Meera Ahamed  
Associate General Counsel  
Washington Gas Light Company  
1000 Maine Ave., S.W.  
Washington, DC 20024  
[cthurston-seignious@washgas.com](mailto:cthurston-seignious@washgas.com)

Brian R. Caldwell  
Assistant Attorney General  
Office of the Attorney General  
441 4th Street, NW  
Washington, DC 20001  
[Brian.caldwell@dc.gov](mailto:Brian.caldwell@dc.gov)

Dennis Jarnouneau  
Andrea Harper  
Kim Hassan  
Pepco  
701 Ninth Street, NW  
Washington, DC 20068  
[djamouneau@pepcoholdings.com](mailto:djamouneau@pepcoholdings.com)

Frann G. Francis, Esq.  
Senior Vice President & General Counsel  
Apartment and Office Building Association  
of Metropolitan Washington  
1025 Connecticut Avenue, NW, Suite 1005  
Washington, DC 20036  
[FFrancis@aoba-metro.org](mailto:FFrancis@aoba-metro.org)

James F. Wallington  
Baptiste & Wilder, P.C.  
1150 Connecticut Avenue, NW, Suite 315  
Washington, DC 20036

Andrew G. Pizor  
National Consumer Law Center  
1001 Connecticut Avenue, NW, Suite 510  
Washington, DC 20036-5528

[jwallington@bapwild.com](mailto:jwallington@bapwild.com)

Scott H. Strauss, Esq.  
Spiegel & McDiarmid LLP  
1875 I St., NW  
Suite 700  
Washington, DC 20006  
[Scott.strauss@spiegelmcid.com](mailto:Scott.strauss@spiegelmcid.com)

Mark Murphy, Esq.  
Mooney, Green, Saindon, Murphy & Welch,  
P.C. on behalf of the International  
Brotherhood of Teamsters Local No. 96  
1920 L Street, NW - Suite 400  
Washington, DC 20036  
[mmurphy@mooneygreen.com](mailto:mmurphy@mooneygreen.com)

Emily W. Medlyn  
U.S. Army Legal Services Agency -  
Regulatory Law Office  
927 5 Guns ton Road  
Fort Belvoir, VA 22060  
[emily.w.medlyn.civ@mail.mil](mailto:emily.w.medlyn.civ@mail.mil)

Bruce Oliver  
Reville Hill Associates, Inc.  
7103 Laketree Drive  
Fairfax Station, VA 22039  
[revilohill@verizon.net](mailto:revilohill@verizon.net)

May Va Lor  
Corporate Affairs Department  
LiUNA  
905 16th St., NW, Washington, DC 20006  
[mlor@liuna.org](mailto:mlor@liuna.org)

[apizor@nclc.org](mailto:apizor@nclc.org)

Brian Petruska  
General Counsel  
LiUNA Mid-Atlantic Region  
11951 Freedom Drive, Suite 310  
Reston, VA 20190  
[bpetruska@maliuna.org](mailto:bpetruska@maliuna.org)

J. Joseph Curran, III,  
F. William DuBois,  
Kenneth L. Thompson  
Christopher S. Gunderson  
Venable LLP  
750 East Pratt Street, 7th Floor  
Baltimore, MD 21202  
[JCurran@venable.com](mailto:JCurran@venable.com)

Moxila A. Upadhyaya  
Venable LLP  
600 Massachusetts Avenue, N.W.  
Washington, D.C. 20001  
[MAUpadhyaya@venable.com](mailto:MAUpadhyaya@venable.com)

Dan Dyer  
President, OPEIU Local 2  
AFL-CIO  
8555 16th St., NW, Suite 550  
Silver Spring, MD 20190  
[ddyer@opeiu-local2.org](mailto:ddyer@opeiu-local2.org)

*/s/ Gabriela Rojas-Luna*  
Gabriela Rojas-Luna, Litigation Assistant  
Earthjustice