

January 8, 2021

VIA ELECTRONIC FILING

Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission
of the District of Columbia
1325 "G" Street, N.W., 8th Floor
Washington, D.C. 20005

**Re: Formal Case No. 874
[Public Transcript – Gas Procurement Working Group Meeting
(12/3/2020)]**

Dear Ms. Westbrook-Sedgwick:

Transmitted for filing is the public transcript for the December 3, 2020 Gas Procurement Working Group meeting. A confidential transcript is being filed under separate cover.

If there are questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Cathy Thurston-Seignious
Supervisor, Administrative and
Associate General Counsel

cc: Certificate of Service

WASHINGTON GAS

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GAS PROCUREMENT WORKING GROUP
FORMAL CASE NO. 874

+ + + + +

OPEN SESSION

+ + + + +

THURSDAY
DECEMBER 3, 2020

+ + + + +

The Gas Procurement Working Group met via Videoconference, at 10:00 a.m. EDT, Kimberly Lincoln-Stewart presiding.

PRESENT:

KIMBERLEY LINCOLN-STEWART, Public Service
Commission, Chairperson
RODNEY K. WILSON, Public Service Commission
ZACHARY WOLTZ, Public Service Commission
BARBARA L. BURTON, Office of the People's
Counsel
YOHANNES MARIAM, Office of the People's
Counsel
ALFRED BALOW, Washington Gas
EVERETT COATES, Washington Gas
MARCEL FORTUNE, Washington Gas
LUCINDA C. GIANINY, Washington Gas
JEREMY HAGEMEYER, Washington Gas
KEVIN MURPHY, Washington Gas
P. SCOTT MURPHY, Washington Gas
CATHY THURSTON-SEIGNIOUS, Washington Gas
ELIZABETH TOUMANIOS, Washington Gas
JIM WAGNER, Washington Gas

1 P-R-O-C-E-E-D-I-N-G-S

2 10:03 a.m.

3 MS. LINCOLN-STEWART: We're going to
4 start with the FERC update. So who's doing the
5 FERC update?

6 MR. WAGNER: Good morning, Kimberley.
7 This is Jim Wagner. And good morning to everyone
8 else, also. I hope everyone enjoyed their
9 Thanksgiving holiday. And just so folks know,
10 can everyone hear me okay?

11 GROUP: Yes.

12 MR. WAGNER: Okay. Thanks. Dave
13 Borden had been a member of Regulatory Affairs.
14 And he is no longer with the company. In fact,
15 he has returned to FERC where he had worked for
16 seven or so years before coming to Washington
17 Gas. So today I will be providing the FERC
18 update.

19 MS. LINCOLN-STEWART: Okay. Jim,
20 before we get to the FERC update, I have thought
21 better. And I think we need to all just
22 introduce ourselves and say who's on the call.

1 So, Jim, can you start for Washington
2 Gas? And let's go through all the Washington
3 Gas's people, then OPC's, and then the
4 Commission's.

5 MR. WAGNER: Sure. Jim Wagner with
6 Washington Gas, Rates and Regulatory Affairs.

7 MR. MURPHY: Scott Murphy with
8 Washington Gas, Energy Acquisition.

9 MR. COATES: Everett Coates, Customer
10 Experience, Washington Gas.

11 MR. FORTUNE: Marcel Fortune, Customer
12 Experience, Washington Gas.

13 MS. THURSTON-SEIGNIOUS: Cathy
14 Thurston-Seignious, OGC, Washington Gas.

15 MR. HAGEMEYER: Jeremy Hagemeyer,
16 Washington Gas.

17 MS. GIANINY: Cindy Gianiny,
18 Washington Gas, Regulatory Affairs.

19 MR. BALOW: Al Balow, Washington Gas,
20 Regulatory Affairs.

21 MR. TOUMANIOS: Elizabeth Toumanios,
22 Energy Acquisition, Washington Gas.

1 MS. LINCOLN-STEWART: OPC.

2 MS. BURTON: Hi, this is Barbara
3 Burton, OPC.

4 MR. MARIAM: Yohannes Mariam, OPC.

5 MS. LINCOLN-STEWART: Okay. Rod?

6 MR. WILSON: Rod Wilson, PSC.

7 MS. LINCOLN-STEWART: Zach.

8 MR. WOLTZ: Zachary Woltz, Commission
9 staff.

10 MS. LINCOLN-STEWART: And Kim Lincoln-
11 Stewart, PSC OGC.

12 Okay. I'm sorry, Jim. If you will,
13 start with the FERC update.

14 MR. WAGNER: Sure, no problem. Again,
15 good morning, all. I have five basic things to
16 report on today.

17 The first two will be administrative.
18 The next three relate to covered proceedings that
19 the company, along with many other utilities --

20 (Simultaneous speaking.)

21 MR. WAGNER: -- that many other
22 utilities -- I think -- if everyone's on mute,

1 then I'm getting background as I try to talk. So
2 thank you.

3 Two administrative items and then
4 three items on proceedings that the customer
5 groups are involved in.

6 First administrative item is that this
7 week two new FERC commissioners were approved.
8 Based on that, we have had three commissioners
9 prior to that. FERC is made up of five
10 commissioners.

11 Two new commissioners were appointed
12 and will be starting in January. One of the
13 commissioners is from our service territory.
14 Mark Christie has -- is currently the chairman of
15 the Virginia Commission. He has been a Virginia
16 commissioner for over 16 years.

17 He has also been involved on the PJM
18 board for about ten years, as well as a former
19 president of MACRUC. So he will be leaving the
20 Virginia Commission and will become one of the
21 five commissioners at FERC shortly.

22 A second commissioner, Allison

1 Clements, she is a consultant. She is president
2 of a company called goodgrid LLC, which does
3 energy policy and strategy consulting.

4 She did spend a decade at the Natural
5 Resource Defense Council prior to the consulting
6 company. And (telephonic interference) for the
7 Energy Foundation, where she did energy
8 efficiency and renewable work at that firm.

9 So, as of January, the FERC will be
10 back at full staff, having five commissioners at
11 that point in time. Okay.

12 Just a second announcement from FERC,
13 a company, a Dominion affiliate, made a filing
14 with FERC related to renewable natural gas.

15 So, as folks know, that is one of the
16 items Washington Gas has been talking about
17 through its climate business plan and, you know,
18 at the gas procurement working groups. In two of
19 the prior meetings, individuals from WGL have
20 done presentations and, you know, responded to
21 questions from members of the working group.

22 So the company filed at FERC tariffs

1 whereby they are looking to establish standards
2 for renewable natural gas. These are quality
3 standards. They are looking to promote the
4 development of RNG while also protecting the
5 integrity of the system.

6 After the filing, there were some
7 companies that were concerned about these
8 standards and how they were implemented and how
9 that could impact the competitive nature of
10 developing renewable natural gas.

11 So, based on that, the Commission,
12 FERC has suspended the tariffs for a five-month
13 period. And during that time, it has asked FERC
14 staff to set up a technical conference whereby
15 the issue can be discussed and various parties
16 will have an opportunity to give input and
17 express their support or concerns with the
18 particular filing.

19 So, you know, this will be of
20 importance to WGL as we're thinking that what
21 comes out of the FERC may be something that, you
22 know, gets moved or gets adopted --

1 MS. LINCOLN-STEWART: So, Jim, is that
2 a case number?

3 MR. WAGNER: You know what, Kimberley,
4 let me -- you know what, I don't have, I did not
5 write down the number. But what I will do is I
6 will send, or I'll ask Cathy to send it to the
7 group and the date of the technical conference.
8 I will forward that information so that any folks
9 -- it's free. You know, anyone can listen in to
10 the technical conference. So I'll get that
11 information for everyone.

12 MS. LINCOLN-STEWART: Okay. Thank
13 you.

14 MR. WAGNER: Okay. So that was the
15 other administrative. But, again, we'll follow
16 up. And the date hasn't been announced. This
17 was just, November 30th the Commission came out
18 with an order where it suspended the tariffs and
19 also said that it would set up a technical
20 conference on the issue. So we will get that
21 information to everyone.

22 Next up is Dominion. Dominion filed

1 a rate case back on January 30th of this year.
2 In prior meetings, Dave Borden would have talked
3 about the case. But I'm happy to report at this
4 time that a settlement in principle has been
5 reached in the case.

6 So, for folks who are not aware, the
7 FERC process for settlement is they actually have
8 a law judge who attends the settlement meeting.
9 So they don't, you know, speak at the meetings,
10 but they're there and they provide a sense of,
11 you know, having the parties working together
12 towards a settlement since many of the cases at
13 FERC do resolve in having a particular
14 settlement.

15 And what you'll find is at FERC the
16 settlements go a relatively long period of time.
17 So, for example, settlement discussions have been
18 going for ten months now. But, in November --
19 and Dominion has been good in working with the
20 parties.

21 So, again, at FERC all of the
22 utilities, so, for example, Virginia Natural Gas

1 and Washington Gas and BG&E and others, form a
2 customer group and we work together. We often
3 hire one consultant who does cost of service and
4 possibly rate design and other issues on behalf
5 of the customer group.

6 But, in any case, in November, a
7 settlement in principle was reached, which the
8 customer group felt was reasonable. And Dominion
9 was, I would say, fair over the process in
10 working to reach a resolution.

11 One of the keys was the parties did
12 file testimony on September 17th with a
13 consultant. And that helped to, Dominion to
14 lower its settlement offer. But in any case, a
15 settlement has been reached.

16 It will result in a decrease in rates
17 for Washington Gas customers from what they're
18 currently paying, which is a good outcome.
19 Interim rates will go into effect or did on
20 December 1st.

21 And Dominion is looking to make the
22 filing at FERC on January 29th. So more details

1 will be available then.

2 But it is a good decrease for
3 Washington Gas customers as a result of the
4 settlement. So I think all parties were pleased
5 with where the settlement ended up. So that's
6 the Dominion case.

7 Another case that's going on, it's not
8 a case rate, but it's Transco had a cash-out
9 where the customers owed money to Transco.

10 And again, this has been going on for
11 a while. Transco hasn't been as good in my view
12 at working through the settlement. There's been
13 some disagreement, again, with the customer group
14 on this particular settlement.

15 In fact, the law judge has taken a
16 pretty active role in trying to -- it should be a
17 case that settles. It's not a whole lot of
18 mystery in the case. But Transco wasn't willing
19 to in many cases, you know, understand the
20 viewpoint of the utility customer groups.

21 And the latest is the law judge has
22 got involved, has been talking to both parties.

1 Transco did make a more reasonable counteroffer
2 on November 11th. And the customer group has
3 responded with its counteroffer on November 23rd.

4 So, at this point, we are waiting to
5 see if Transco accepts the counteroffer. And at
6 that point, a settlement, hopefully, will be
7 reached. There's no reason for this particular
8 case to go to litigation. So that's our Transco
9 cash-out case.

10 And then the final case, the biggest
11 one, is Columbia. Columbia is the largest
12 supplier of Washington Gas on its system.
13 Columbia filed a case on July 31st, a large rate
14 case of 2020.

15 And parties, again, many utilities use
16 Columbia, so, for example, Piedmont, Duke Energy,
17 BG&E, Virginia Natural Gas, Washington Gas.
18 There's a large -- you know, there's 15 I think
19 or 16 different utilities that are part of our
20 customer group and that we're using a few
21 utilities to analyze the particular filing.

22 One of the problems with the filing is

1 that Columbia back in 2016 had approved what's
2 called the modernization settlement.
3 Modernization at FERC represents the replacement
4 of, accelerated replacement of plant.

5 So, similar to Washington Gas pipes
6 program at the utility level, pipelines, namely
7 Columbia, have had two large modernization
8 programs. They both were, you know, through
9 settlements were established.

10 And in the second settlement,
11 Columbia, as part of the settlement, agreed to
12 not file a rate case or have new rates into
13 effect until early in 2022.

14 So this particular case would have put
15 rates into effect January of '21. So the
16 utilities are claiming that Columbia does not
17 have the right at this point to file the rate
18 case and are looking for the case to be thrown
19 out at FERC.

20 A motion for summary rejection has
21 been filed by the customer groups. The basic
22 arguments in the case are that the only way the

1 settlement moratorium could be broken would be if
2 there were something that occurred. Namely, for
3 example, if yesterday PHMSA came out with a new
4 regulation that required Columbia to spend
5 millions and millions of dollars, that would
6 allow them to break the moratorium.

7 However, at the time of the
8 settlement, any of the new items that have
9 occurred from PHMSA were already in progress.

10 So, therefore, you know, the utilities are
11 looking to show that any of the reasons Columbia
12 is claiming that it can violate, to use a word,
13 the moratorium, you know, they failed to explain
14 why they have that right.

15 So, on November -- and FERC we believe
16 hears us and has asked for the law judge to make
17 a decision on this threshold issue. Namely, can
18 the case be filed and rates be put into effect
19 prior to what the Mod II settlement said would
20 occur?

21 So we have made filings, as have other
22 customer groups. Columbia has responded. And on

1 November 23rd, the customer group made an
2 additional filing with FERC.

3 So the law judge has indicated they
4 will make a decision shortly. But, you know, we
5 are hopeful that, one, they either throw the case
6 out and force Columbia to abide by the moratorium
7 in the settlement or, two, it allows the customer
8 group some leverage if FERC does let the case go
9 through in potentially reaching a favorable
10 settlement for the parties.

11 So that's the Columbia rate case kind
12 of and where we are today. So next up would be
13 waiting for the law judge to decide, you know,
14 does the customer group's argument that Columbia
15 has violated the moratorium stand and, therefore,
16 go forward from there. So that's Columbia.

17 And that's all I have today for the
18 FERC report. I'll turn it (telephonic
19 interference) questions I'll be happy to answer
20 them.

21 MS. LINCOLN-STEWART: Are there any
22 questions? Hearing none, let's move on to agenda

1 item 2, which is the update on gas procurement
2 activities.

3 MR. MURPHY: Yes, good morning. This
4 is Scott Murphy --

5 MS. THURSTON-SEIGNIOUS: Hey, Scott?

6 MR. MURPHY: -- report. Yes --

7 MS. THURSTON-SEIGNIOUS: Hey, Scott,
8 this is Cathy. I'm sorry. Can we go into
9 confidential session, Kimberley?

10 MS. LINCOLN-STEWART: Sure. Reporter,
11 we're going into confidential session. Any
12 conversation and documents should be marked as
13 such.

14 (Whereupon, the above-entitled matter
15 went off the record at 10:21 a.m.)

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A			
a.m 1:10 2:2 16:15	case 1:3 8:2 9:1,3,5 10:6,14 11:6,7,8,17 11:18 12:8,9,10,13,14 13:12,14,18,18,22 14:18 15:5,8,11	December 1:8 10:20	12:21,22 15:2
abide 15:6	cases 9:12 11:19	decide 15:13	filings 14:21
above-entitled 16:14	cash-out 11:8 12:9	decision 14:17 15:4	final 12:10
accelerated 13:4	Cathy 1:20 3:13 8:6 16:8	decrease 10:16 11:2	find 9:15
accepts 12:5	chairman 5:14	Defense 6:5	firm 6:8
Acquisition 3:8,22	Chairperson 1:13	design 10:4	first 4:17 5:6
active 11:16	Christie 5:14	details 10:22	five 4:15 5:9,21 6:10
activities 16:2	Cindy 3:17	developing 7:10	five-month 7:12
additional 15:2	claiming 13:16 14:12	development 7:4	folks 2:9 6:15 8:8 9:6
administrative 4:17 5:3 5:6 8:15	Clements 6:1	different 12:19	follow 8:15
adopted 7:22	Coates 1:17 3:9,9	disagreement 11:13	force 15:6
Affairs 2:13 3:6,18,20	Columbia 12:11,11,13 12:16 13:1,7,11,16 14:4,11,22 15:6,11,14 15:16	discussed 7:15	form 10:1
affiliate 6:13	comes 7:21	discussions 9:17	FORMAL 1:3
agenda 15:22	coming 2:16	documents 16:12	former 5:18
agreed 13:11	Commission 1:13,14 1:14 4:8 5:15,20 7:11 8:17	doing 2:4	Fortune 1:18 3:11,11
AI 3:19	Commission's 3:4	dollars 14:5	forward 8:8 15:16
ALFRED 1:17	commissioner 5:16,22	Dominion 6:13 8:22,22 9:19 10:8,13,21 11:6	Foundation 6:7
Allison 5:22	commissioners 5:7,8 5:10,11,13,21 6:10	Duke 12:16	free 8:9
allow 14:6	companies 7:7	E	full 6:10
allows 15:7	company 2:14 4:19 6:2 6:6,13,22	early 13:13	
analyze 12:21	competitive 7:9	EDT 1:10	
announced 8:16	concerned 7:7	effect 10:19 13:13,15 14:18	
announcement 6:12	concerns 7:17	efficiency 6:8	
answer 15:19	conference 7:14 8:7,10 8:20	either 15:5	
appointed 5:11	confidential 16:9,11	Elizabeth 1:21 3:21	
approved 5:7 13:1	consultant 6:1 10:3,13	ended 11:5	
argument 15:14	consulting 6:3,5	energy 3:8,22 6:3,7,7 12:16	
arguments 13:22	conversation 16:12	enjoyed 2:8	
asked 7:13 14:16	cost 10:3	establish 7:1	
attends 9:8	Council 6:5	established 13:9	
available 11:1	Counsel 1:15,16	Everett 1:17 3:9	
aware 9:6	counteroffer 12:1,3,5	everyone's 4:22	
B	covered 4:18	example 9:17,22 12:16 14:3	
back 6:10 9:1 13:1	currently 5:14 10:18	Experience 3:10,12	
background 5:1	customer 3:9,11 5:4 10:2,5,8 11:13,20 12:2,20 13:21 14:22 15:1,7,14	explain 14:13	
Balow 1:17 3:19,19	customers 10:17 11:3,9	express 7:17	
Barbara 1:15 4:2	D	F	
based 5:8 7:11	date 8:7,16	fact 2:14 11:15	
basic 4:15 13:21	Dave 2:12 9:2	failed 14:13	
behalf 10:4	decade 6:4	fair 10:9	
believe 14:15		favorable 15:9	
better 2:21		felt 10:8	
BG&E 10:1 12:17		FERC 2:4,5,15,17,20 4:13 5:7,9,21 6:9,12 6:14,22 7:12,13,21 9:7,13,15,21 10:22 13:3,19 14:15 15:2,8 15:18	
biggest 12:10		file 10:12 13:12,17	
board 5:18		filed 6:22 8:22 12:13 13:21 14:18	
Borden 2:13 9:2		filing 6:13 7:6,18 10:22	
break 14:6			
broken 14:1			
Burton 1:15 4:2,3			
business 6:17			
C			
C 1:18			
call 2:22			
called 6:2 13:2			
			G
			gas 1:1,3,10,17,17,18 1:18,19,19,20,20,21 1:21 2:17 3:2,6,8,10 3:12,14,16,18,19,22 6:14,16,18 7:2,10 9:22 10:1,17 11:3 12:12,17,17 13:5 16:1
			Gas's 3:3
			getting 5:1
			Gianiny 1:18 3:17,17
			give 7:16
			goodgrid 6:2
			group 1:3,10 2:11 6:21 8:7 10:2,5,8 11:13 12:2,20 15:1,8
			group's 15:14
			groups 5:5 6:18 11:20 13:21 14:22
			H
			Hagemeyer 1:19 3:15 3:15
			happy 9:3 15:19
			hear 2:10
			Hearing 15:22
			hears 14:16
			helped 10:13
			Hey 16:5,7
			Hi 4:2
			hire 10:3
			holiday 2:9
			hope 2:8
			hopeful 15:5
			hopefully 12:6
			I
			II 14:19

impact 7:9
implemented 7:8
importance 7:20
indicated 15:3
individuals 6:19
information 8:8,11,21
input 7:16
integrity 7:5
interference 6:6 15:19
Interim 10:19
introduce 2:22
involved 5:5,17 11:22
issue 7:15 8:20 14:17
issues 10:4
item 5:6 16:1
items 5:3,4 6:16 14:8

J

January 5:12 6:9 9:1
 10:22 13:15
Jeremy 1:19 3:15
Jim 1:21 2:7,19 3:1,5
 4:12 8:1
judge 9:8 11:15,21
 14:16 15:3,13
July 12:13

K

K 1:14
KEVIN 1:19
keys 10:11
Kim 4:10
Kimberley 1:13 2:6 8:3
 16:9
Kimberly 1:10

L

L 1:15
large 12:13,18 13:7
largest 12:11
latest 11:21
law 9:8 11:15,21 14:16
 15:3,13
leaving 5:19
let's 3:2 15:22
level 13:6
leverage 15:8
Lincoln- 4:10
Lincoln-Stewart 1:11
 1:13 2:3,19 4:1,5,7,10
 8:1,12 15:21 16:10
listen 8:9
litigation 12:8
LLC 6:2
long 9:16
longer 2:14
looking 7:1,3 10:21
 13:18 14:11

lot 11:17
lower 10:14
LUCINDA 1:18

M

MACRUC 5:19
Marcel 1:18 3:11
Mariam 1:16 4:4,4
Mark 5:14
marked 16:12
matter 16:14
meeting 9:8
meetings 6:19 9:2,9
member 2:13
members 6:21
met 1:10
millions 14:5,5
Mod 14:19
modernization 13:2,3,7
money 11:9
months 9:18
moratorium 14:1,6,13
 15:6,15
morning 2:6,7 4:15
 16:3
motion 13:20
move 15:22
moved 7:22
Murphy 1:19,20 3:7,7
 16:3,4,6
mute 4:22
mystery 11:18

N

natural 6:4,14 7:2,10
 9:22 12:17
nature 7:9
need 2:21
new 5:7,11 13:12 14:3,8
November 8:17 9:18
 10:6 12:2,3 14:15
 15:1
number 8:2,5

O

occur 14:20
occurred 14:2,9
offer 10:14
Office 1:15,16
OGC 3:14 4:11
OPC 4:1,3,4
OPC's 3:3
OPEN 1:5
opportunity 7:16
order 8:18
outcome 10:18
owed 11:9

P

P 1:20
P-R-O-C-E-E-D-I-N-G-S
 2:1
part 12:19 13:11
particular 7:18 9:13
 11:14 12:7,21 13:14
parties 7:15 9:11,20
 10:11 11:4,22 12:15
 15:10
paying 10:18
people 3:3
People's 1:15,16
period 7:13 9:16
PHMSA 14:3,9
Piedmont 12:16
pipelines 13:6
pipes 13:5
PJM 5:17
plan 6:17
plant 13:4
pleased 11:4
point 6:11 12:4,6 13:17
policy 6:3
possibly 10:4
potentially 15:9
PRESENT 1:12
presentations 6:20
president 5:19 6:1
presiding 1:11
pretty 11:16
principle 9:4 10:7
prior 5:9 6:5,19 9:2
 14:19
problem 4:14
problems 12:22
proceedings 4:18 5:4
process 9:7 10:9
procurement 1:3,10
 6:18 16:1
program 13:6
programs 13:8
progress 14:9
promote 7:3
protecting 7:4
provide 9:10
providing 2:17
PSC 4:6,11
Public 1:13,14,14
put 13:14 14:18

Q

quality 7:2
questions 6:21 15:19
 15:22

R

rate 9:1 10:4 11:8 12:13

13:12,17 15:11
rates 3:6 10:16,19
 13:12,15 14:18
reach 10:10
reached 9:5 10:7,15
 12:7
reaching 15:9
reason 12:7
reasonable 10:8 12:1
reasons 14:11
record 16:15
regulation 14:4
Regulatory 2:13 3:6,18
 3:20
rejection 13:20
relate 4:18
related 6:14
relatively 9:16
renewable 6:8,14 7:2
 7:10
replacement 13:3,4
report 4:16 9:3 15:18
 16:6
Reporter 16:10
represents 13:3
required 14:4
resolution 10:10
resolve 9:13
Resource 6:5
responded 6:20 12:3
 14:22
result 10:16 11:3
returned 2:15
RNG 7:4
Rod 4:5,6
RODNEY 1:14
role 11:16

S

Scott 1:20 3:7 16:4,5,7
second 5:22 6:12 13:10
send 8:6,6
sense 9:10
September 10:12
service 1:13,14,14 5:13
 10:3
session 1:5 16:9,11
set 7:14 8:19
settlement 9:4,7,8,12
 9:14,17 10:7,14,15
 11:4,5,12,14 12:6
 13:2,10,11 14:1,8,19
 15:7,10
settlements 9:16 13:9
settles 11:17
seven 2:16
shortly 5:21 15:4
show 14:11

similar 13:5
Simultaneous 4:20
sorry 4:12 16:8
speak 9:9
speaking 4:20
spend 6:4 14:4
staff 4:9 6:10 7:14
stand 15:15
standards 7:1,3,8
start 2:4 3:1 4:13
starting 5:12
Stewart 4:11
strategy 6:3
summary 13:20
supplier 12:12
support 7:17
suspended 7:12 8:18
system 7:5 12:12

T

taken 11:15
talk 5:1
talked 9:2
talking 6:16 11:22
tariffs 6:22 7:12 8:18
technical 7:14 8:7,10
 8:19
telephonic 6:6 15:18
ten 5:18 9:18
territory 5:13
testimony 10:12
thank 5:2 8:12
Thanks 2:12
Thanksgiving 2:9
things 4:15
thought 2:20
three 4:18 5:4,8
threshold 14:17
throw 15:5
thrown 13:18
THURSDAY 1:7
Thurston-Seignious
 1:20 3:13,14 16:5,7
today 2:17 4:16 15:12
 15:17
Toumanios 1:21 3:21
 3:21
Transco 11:8,9,11,18
 12:1,5,8
try 5:1
trying 11:16
turn 15:18
two 4:17 5:3,7,11 6:18
 13:7 15:7

U

understand 11:19
update 2:4,5,18,20 4:13

16:1
use 12:15 14:12
utilities 4:19,22 9:22
 12:15,19,21 13:16
 14:10
utility 11:20 13:6

V

various 7:15
Videoconference 1:10
view 11:11
viewpoint 11:20
violate 14:12
violated 15:15
Virginia 5:15,15,20 9:22
 12:17

W

Wagner 1:21 2:6,7,12
 3:5,5 4:14,21 8:3,14
waiting 12:4 15:13
Washington 1:1,17,17
 1:18,18,19,19,20,20
 1:21,21 2:16 3:1,2,6,8
 3:10,12,14,16,18,19
 3:22 6:16 10:1,17
 11:3 12:12,17 13:5
wasn't 11:18
way 13:22
week 5:7
went 16:15
WGL 6:19 7:20
willing 11:18
Wilson 1:14 4:6,6
Woltz 1:14 4:8,8
word 14:12
work 6:8 10:2
worked 2:15
working 1:3,10 6:18,21
 9:11,19 10:10 11:12
write 8:5

X

Y

year 9:1
years 2:16 5:16,18
yesterday 14:3
Yohannes 1:16 4:4

Z

Zach 4:7
Zachary 1:14 4:8

0

1

10:00 1:10

10:03 2:2
10:21 16:15
11th 12:2
15 12:18
16 5:16 12:19
17th 10:12
1st 10:20

2

2 16:1
2016 13:1
2020 1:8 12:14
2022 13:13
21 13:15
23rd 12:3 15:1
29th 10:22

3

3 1:8
30th 8:17 9:1
31st 12:13

4

5

6

7

8

874 1:3

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Open Session

Before: Washington Gas

Date: 12-03-20

Place: teleconference

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CERTIFICATE OF SERVICE

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