

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

ORDER

July 30, 2018

VIO2018-01-G THROUGH VIO2018-38-G: NOTICES OF PROBABLE VIOLATIONS NOPV17-15-D; NOPV17-40-D; NOPV17-41-D; AND NOPV17-42-D, Order No. 19420

I. INTRODUCTION

1. By this Order, the Public Service Commission of the District of Columbia (“Commission”) grants Washington Gas Light Company’s (“WGL” or “Company”) Motion requesting an extension of the date by which WGL is required to request a hearing and object to the Determination Letter issued by the Commission’s Office of Compliance and Enforcement (“OCE”) on June 21, 2018.¹ The date by which WGL is required to request a hearing under 15 D.C.M.R. § 2312.4 is extended until August 20, 2018.

II. BACKGROUND

2. On April 9, 2018, OCE issued Notices of Probable Violations (“April 9, 2018 Notice”) for thirty-eight (38) violations of the Commission’s regulations governing safety of pipeline facilities and transportation of gas.² On May 9, 2018, WGL responded, disputing six (6) of the thirty-eight (38) Notices of Probable Violations (“NOPV”), as follows: NOPV17-15-D, 17-40-D, 17-41-D, 17-42-D, 17-21-F and 17-23-F.³ WGL did not dispute the remaining NOPVs included in the April 9, 2018 Notice.⁴ On June 21, 2018, OCE issued and the Company received a Determination Letter, withdrawing NOPV17-23-F and maintaining OCE’s determination for the remaining five (5) disputed NOPVs.⁵

¹ *Notice of Probable Violations, VIO2018-01-G through VIO2018-38-G (“NOPV VIO2018-01-G through VIO2018-38-G”)*, Washington Gas Light Company’s Motion to Extend the Date to Request a Hearing and Object to the Determination Letter for Contested Notice of Probable Violations 17-15-D, 17-40-D, 17-41-D, 17-42-D, 17-21-F, 17-23-F (“Motion”), filed July 20, 2018.

² *NOPV VIO2018-01-G through VIO2018-38-G*, Office of Compliance and Enforcement Notice of Probable Violations (“April 9, 2018 Notice”), dated April 9, 2018.

³ *NOPV VIO2018-01-G through VIO2018-38-G*, Washington Gas Light Company’s Response to the Notices of Probable Violations Issued on April 9, 2018 (“Response”), filed May 9, 2018, at 1.

⁴ *NOPV VIO2018-01-G through VIO2018-38-G*, Response at 1.

⁵ *NOPV VIO2018-01-G through VIO2018-38-G*, Office of Compliance and Enforcement Determination Letter (“Determination Letter”), dated June 21, 2018.

3. On July 20, 2018, WGL filed its Motion requesting an extension of the date by which the Company is required to request a hearing and object to OCE's Determination Letter. WGL explains that pursuant to 15 DCMR § 2312.4, the Company has thirty (30) days from receipt of the Determination Letter to object to OCE's final decision and request a hearing.⁶ While WGL indicates that it objects to the Determination Letter, the Company explains that in lieu of filing an objection the Company and OCE are in the process of entering a Consent Order to resolve the disputed NOPVs and need additional time to formalize the terms of the Consent Order. Therefore, WGL is requesting that the Commission extend the thirty-day objection period established by 15 DCMR § 2312.4.

III. DECISION

4. Generally, the Commission will grant a request of this nature if good cause is shown.⁷ WGL explains that the Company and OCE need additional time to formalize the terms of the Consent Order related to NOPV17-15-D, 17-40-D, 17-41-D, and 17-42-D.⁸ WGL's request is primarily to preserve its right to request a hearing under Section 2312.4 of the Commission Rules should OCE and WGL fail to formalize the terms of a Consent Order resolving the outstanding NOPVs. Therefore, the Commission finds that good cause exists to grant WGL's request to extend the objection period provided under 15 DCMR § 2312.4 by an additional thirty (30) days, until August 20, 2018.

THEREFORE, IT IS ORDERED THAT:

5. Washington Gas Light Company's Motion is **GRANTED**; and

6. The thirty-day (30) objection period by which Washington Gas Light Company is required to request a hearing under 15 DCMR § 2312.4 is extended until August 20, 2018.

⁶ 15 DCMR § 2312.4 (2013).

⁷ See, e.g., *Formal Case No. 962, In the Matter of the Implementation of the District of Columbia Telecommunications Competition Act of 1996 and Implementation of the Telecommunications Act of 1996*, Order No. 12428, ¶ 13, rel. July 2, 2002. See, e.g., *Formal Case No. 1041, In the Matter of the Investigation into Washington Gas Light's Compliance with its Tariffs*, Order No. 14571, ¶ 4, n.7, rel. September 12, 2007; *Formal Case No. 712, In the Matter of the Investigation into the Public Service Commission's Rules of Practice and Procedure*, Order No. 15353, ¶ 2, rel. August 10, 2009. See, e.g., *TAC 19, Petition of Verizon Washington, DC Inc. for Arbitration Pursuant to Section 252(b) of the Telecommunications Act of 1996*, Order No. 13873, rel. February 7, 2006. See also *Gas Tariff 01-1, In the Matter of the Application of Washington Gas Light Company, District of Columbia Division, For Authority to Amend its General Service Provisions*, Order No. 15293, rel. June 4, 2009.

⁸ The Office of Compliance and Enforcement withdrew NOPV17-23-F. See Determination Letter at 2. Further, WGL paid the civil penalty associated with NOPV17-21-F on July 27, 2018. Therefore, the Commission's Order applies to NOPV17-15-D, 17-40-D, 17-41-D, and 17-42-D.

A TRUE COPY:

BY DIRECTION OF THE COMMISSION:

A handwritten signature in black ink, reading "Brinda Westbrook-Sedgwick". The signature is written in a cursive, flowing style.

CHIEF CLERK:

**BRINDA WESTBROOK-SEDGWICK
COMMISSION SECRETARY**