

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF COLUMBIA GAS)	
OF KENTUCKY, INC. FOR AN ADJUSTMENT OF)	CASE NO.
RATES; APPROVAL OF DEPRECIATION STUDY;)	2024-00092
APPROVAL OF TARIFF REVISIONS; AND OTHER)	
RELIEF)	

ORDER

A final Order in this matter was issued on December 30, 2024. The Commission granted Columbia Gas of Kentucky, Inc.'s (Columbia Kentucky) motion for an informal conference with the parties and an informal conference (IC) was held on January 15, 2025. A memorandum and attendance for the IC was entered into the record on January 16, 2025.

KRS 278.390 states, in relevant part:

Every order entered by the commission shall continue in force until the expiration of the time, if any, named by the commission in the order, or until revoked or modified by the commission, unless the order is suspended, or vacated in whole or in part, by order or decree of a court of competent jurisdiction.

On December 30, 2024, the Commission issued an Order stating,

On February 12, 2010, the Pipeline and Hazardous Materials Safety Administration (PHMSA) finalized 49 CFR Subtitle B Chapter 1 Subchapter D Part 192, Subpart P, establishing integrity management (IM) requirements for gas distribution pipeline systems. The regulations require operators such as Columbia Kentucky to develop, write and implement an integrity management program. The regulations go on to identify several elements required for a distribution integrity management program [DIMP].

As part of the review of the rate application, the Commission also reviewed several of the policies and procedures of Columbia Kentucky. In doing so, the Commission requested information to confirm that Columbia Kentucky was in compliance with this particular federal regulation. On more than one occasion, Columbia Kentucky was asked to provide its DIMP. Instead, Don Ayers, on behalf of Columbia Kentucky, stated NiSource, Inc., its parent company that actually has no employees, had a plan.

However, § 192.1005 required that a gas distribution operator develop and implement an integrity management program that includes a written integrity management plan as specified in § 192.1007 before August 2, 2011. There are no exceptions for parent and affiliate companies. In addition, operators are required to maintain, for a period of at least 10 years, the following records: (1) A written IM plan in accordance with this section, including superseded IM plans; (2) Documents supporting threat identification; and (3) Documents showing the location and material of all piping and appurtenances that are installed after the effective date of the operator's IM program and, to the extent known, the location and material of all pipe and appurtenances that were existing on the effective date of the operator's program.

The Commission will recommend that the Division of Inspections follow-up on this apparent failure to comply with the federal regulations to determine the extent that Columbia Kentucky is out of compliance with the federal regulations. In addition, the Commission will expect Columbia Kentucky to provide a complete response when a DIMP is requested in future cases.¹ *(footnotes omitted)*

At the IC, Columbia Kentucky discussed where its Distribution Integrity Management Plan (DIMP) had been filed in the record.² Pursuant to KRS 278.390, the Commission, on its own motion, finds that the Order should be modified, and the language quoted above should be deleted from the Order.

¹ Order (Ky. PSC. Dec. 30, 2024) at 65-66.

² Columbia Kentucky's Response to Commission Staff's Third Request (filed Aug. 7, 2024), Item 1, Confidential Attachments a-c.

The Commission finds that all other aspects of the Order remain in full force and effect, as modified by the *nun pro tunc* issued on January 16, 2025.

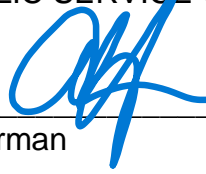
IT IS THEREFORE ORDERED that:

1. The portion quoted in this Order shall be stricken from pages 65-66 of the final Order dated December 30, 2024.

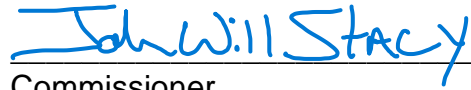
2. All other provisions of the final Order, as modified by the *nun pro tunc*, not in conflict with this Order shall remain in full force and effect.

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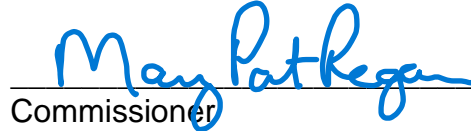
PUBLIC SERVICE COMMISSION



Chairman

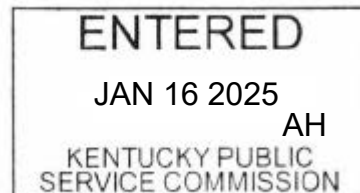


Commissioner



Commissioner

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