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PUBLIC SERVICE COMMISSION

DISTRICT OF COLUMBIA

No. 1162

VIRTUAL PUBLIC INTEREST HEARING

IN THE MATTER OF THE APPLICATION OF WASHINGTON  
GAS LIGHT COMPANY FOR AUTHORITY TO INCREASE  
EXISTING  
RATES AND CHARGES FOR GAS SERVICE - SETTLEMENT  
DISCUSSION

January 27, 2021

The virtual public interest hearing in the above-mentioned matter began at 11:00 a.m., pursuant to notice. It was held virtually via WebEx.

BEFORE: Willie L. Phillips, Chairman  
Richard A. Beverly, Commissioner

Job No. CS4436051

Reporter by: Jeanne M. Pedrotty, CCR, CSR

1 A P P E A R A N C E S

2 WASHINGTON GAS LIGHT COMPANY:

3 Cathy Thurston-Seignious

4

5 OFFICE OF PEOPLE'S COUNSEL:

6 Timothy R. Oberleiton, Esq.

7

8 APARTMENT AND OFFICE BUILDING ASSOCIATION OF

9 METROPOLITAN WASHINGTON:

10 Excetral Caldwell

11

12 BALTIMORE WASHINGTON CONSTRUCTION & PUBLIC EMPLOYEE

13 LABORERS' DISTRICT COUNCIL:

14 Brian Petruska, Esq.

15

16 DISTRICT OF COLUMBIA GOVERNMENT:

17 Brian R. Caldwell, Esq.

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1           CHAIRMAN PHILLIPS: Good morning. We're  
2 going to call the order the public interest hearing of  
3 the Public Service Commission for formal case number  
4 1162 in the matter of application of Washington Gas  
5 Light Company for authority to increase existing rates  
6 and charges for gas service. I'm Willie O. Phillips,  
7 Chairman of the Public Service Commission also  
8 present. It seems we have technical difficulty. I  
9 just heard from general counsel. He is apparently  
10 having technical difficulties. Can you hear me now,  
11 General Counsel? We can hear you. Apologies,  
12 everyone. This is our new technical world, virtual  
13 world. So let's get this back on track.

14           For the record, today is January 27, 2021.  
15 And we are convening this virtual hearing at 11:13  
16 a.m. This public interest hearing is being held to  
17 discuss the nonunanimous agreement of stipulation and  
18 full settlement filed on December 8, 2020 in formal  
19 cast number 1162. WGL filed the settlement agreement  
20 on behalf of the settlement parties which are WGL,  
21 Office of People's Counsel, Apartment and Office  
22 Building Association of Metropolitan Washington,  
23 District of Columbia Government, US General Services  
24 Administration, and Baltimore Washington Construction  
25 and Public Employees Laborers District Council. The

1 two other parties in this proceeding; Environmental  
2 Defense Fund and Sierra Club did not join the  
3 settlement agreement, but stated that they do not  
4 oppose it. The settling parties represent the  
5 settlement agreement including WGL revenue increase of  
6 19.5 million dollars over and above WGL's current  
7 revenues. The agreed upon increased revenues includes  
8 a transfer of 99.5 million dollars in plant in service  
9 from project pipes to rate base without a distribution  
10 as to the merits of the prudence or reasonableness of  
11 the underlying projects. The project Pipes surcharge  
12 in 2021 will be recalibrated for both the transfer of  
13 this 99.5 million to the base distribution rates as  
14 well as the allowed spending amount noted in the order  
15 number 20671 the Commission's recent order on project  
16 Pipes 2 in formal case number 1154.

17 The settling parties agree that the 19.5  
18 million dollars revenue increase will be collected  
19 through a 15 percent increase in the customer charge  
20 for all residential classes, with the remainder  
21 collected through the distribution charge. For  
22 nonresidential rate class, the revenue increase will  
23 be distributed on equal percentage basis to all  
24 charges. For residential heating and cooling  
25 customers that use monthly average of 59 therms, the

1 distribution charges on monthly bill would increase by  
2 \$7.05. WGL agrees to increase residential essential  
3 service credit from its proposed 9 percent to level of  
4 100 percent of the distribution portion of eligible  
5 customer bills. WGL also agrees to withdraw its  
6 request for the revenue normalization adjustment and  
7 will note -- and will not file another base rate case  
8 proceeding that will have a related customer rate  
9 increase until August 31, 2021. Additionally, WGL  
10 agrees to file an annual report with the Commission  
11 that reports the greenhouse gas emissions associated  
12 with the company's delivery of gas to district  
13 customers in the previous calendar year.

14 Pursuant to section 130.11 of the Commission  
15 rules, the Commission must determine that the  
16 settlement agreement is in the public interest.  
17 Section 130.10 requires all settlement agreements to  
18 be in writing, contain all the terms and conditions  
19 agreed upon by the signatories, be clearly and  
20 accurately labeled as unanimous or nonunanimous, be  
21 clearly and accurately label as partial or full, state  
22 whether non-signatory parties oppose the settlement,  
23 indicate whether the provisions are severable, and  
24 stipulate the admission into evidence the testimony  
25 and exhibits filed in this proceeding.

1           Generally, in reviewing itself, the  
2           commission has used the same approach adopted by  
3           federal courts. Federal courts have recognized that  
4           settlement should be approved if it is fair, adequate,  
5           reasonable, and free of fraud or collusion. Courts  
6           have noted that settlements can conserve judicial  
7           resources by avoiding expense of complicated and  
8           protracted litigation process and are highly favored  
9           by law. In evaluating settlement, courts are mindful  
10          of the fact that compromise is the essence of  
11          settlement and are hesitant to substitute their  
12          judgment for that of the parties.

13           Additionally, approval of the settlement is  
14          appropriate if the commission is satisfied that it was  
15          reached pursuant to an arm's length negotiation  
16          between parties and is otherwise consistent with the  
17          law. We further note that the parties represent that  
18          the settlement agreement addresses and meets the  
19          standards set forth in D.C. code section 34808.02,  
20          which requires the Commission to consider the public  
21          safety, the economy of the District, the conservation  
22          of natural resources and preservation of environmental  
23          quality including effect of global climate change, and  
24          the District's Public Climate Commission.

25           This public interest hearing is being held

1 to answer questions, if any, posted by the  
2 Commissioners regarding the settlement agreement. At  
3 this time, I would like for the parties to identify  
4 themselves beginning with the company, WGL?

5 MS. THURSTON-SEIGNIOUS: Good morning.  
6 This is Cathy Thurston-Seignious representing  
7 Washington Gas Light Company.

8 CHAIRMAN PHILLIPS: Good morning. Next  
9 we'll have Office of People's Counsel.

10 MR. OBERLEITON: Good morning. Tim  
11 Oberleiton, Assistant People's Counsel for Office of  
12 People's Counsel.

13 CHAIRMAN PHILLIPS: AOBA?

14 MR. CALDWELL: Good morning. Excetral  
15 Caldwell on behalf of AOBA.

16 CHAIRMAN PHILLIPS: Good to see you, Mr.  
17 Caldwell. BWLDC?

18 MR. PETRUSKA: Brian Petruska for Baltimore  
19 Washington Construction Public Employees Labor  
20 District Council. Thank you.

21 CHAIRMAN PHILLIPS: DCG?

22 MR. CALDWELL: Good morning, Chairman  
23 Phillips, Brian Caldwell, Assistant Attorney General  
24 on behalf D.C. Government.

25 CHAIRMAN PHILLIPS: EDF?



1 MS. MURPHY: Good morning. This is Erin  
2 Murphy for Environmental Defense Fund.

3 CHAIRMAN PHILLIPS: GSA? If you're  
4 speaking I don't hear you. Do we have a  
5 representative from GSA? Moving on, Sierra Club.

6 MS. MILLER: Good morning. This is Susan  
7 Miller on behalf of Sierra Club.

8 CHAIRMAN PHILLIPS: Good morning. All  
9 right. Do the settling parties have any opening  
10 statements?

11 MS. THURSTON-SEIGNIOUS: Washington Gas  
12 doesn't have an opening statement other than to say  
13 the company believes the settlement agreement filed in  
14 this case represents a fair and reasonable compromise  
15 of the diverse interests represented by the parties in  
16 this case and we're presenting testimony today in  
17 support of the settlement, which will go into further  
18 details as to why the settlement agreement is in the  
19 public interest. Thank you.

20 CHAIRMAN PHILLIPS: Thank you. Office of  
21 People's Counsel, do you have an opening statement?

22 MR. OBERLEITON: Thank you, Chairman  
23 Phillips. We do not have opening statement but we do  
24 have a statement to be read in the record as the  
25 proceeding moves forward. Thank you.

1 CHAIRMAN PHILLIPS: AOBA?

2 MR. CALDWELL: Yes. Just briefly, I'd like  
3 to have -- the party doesn't have an opening statement  
4 but I would like to note for the record that AOBA  
5 considered the settlement agreement in the public  
6 interest. Specifically the settlement agreement  
7 reflects reasonable divergent positions, reflects much  
8 smaller increase than originally requested by  
9 Washington Gas, reflects withdrawal of tariffs as well  
10 as withdrawal of the revenue normalization adjustment.  
11 And the settlement agreement also reaches an agreement  
12 on the Projects Pipes surcharge and also adopts a rate  
13 moratorium. And for these reasons, AOBA concludes the  
14 settlement is in the public interest. Thank you.

15 CHAIRMAN PHILLIPS: Thank you. BWLDC? I'm  
16 sorry. AOBA first. AOBA just went. Everybody, I  
17 have to apologize, I'm a little under the weather  
18 today so bear with me, have some patience, also.  
19 BWLDC?

20 MR. PETRUSKA: BWLDC supports the  
21 settlement and we defer to Washington Gas Company --  
22 gas light company's testimony encompassing our  
23 position.

24 CHAIRMAN PHILLIPS: Thank you. DCG?

25 MR. CALDWELL: Thank you, Your Honor.

1 District Government supports the settlement for the  
2 reasons -- I'm sorry. I'm having some difficulty  
3 here. For the reasons outlined by counsel for AOBA.  
4 In addition, the District would like to highlight one  
5 term of the settlement, which was intended to address  
6 some of the economic hardship that ratepayers are  
7 currently experiencing as a result of the COVID 19  
8 pandemic and that the provision that allows for low  
9 income customers to receive a credit on their  
10 distribution bill during the so-called heating months  
11 from November through April equal to one hundred  
12 percent of distribution charges.

13 CHAIRMAN PHILLIPS: Thank you for that.  
14 GSA? Okay. So do the non-settling parties have any  
15 opening statements? EDF or Sierra Club?

16 MS. MURPHY: Thank you. This is Erin  
17 Murphy for EDF. We do not have an opening statement.  
18 We would like to read a comment into the record  
19 subsequently in the proceeding on the settlement.

20 CHAIRMAN PHILLIPS: Thank you. Anyone  
21 else?

22 MS. MILLER: Mr. Chairman, this is Susan  
23 Miller on behalf of Sierra club, we also do not have  
24 an opening statement.

25 CHAIRMAN PHILLIPS: Excellent. Moving

1 right along and just for the record, the Commission  
2 does not object to not having opening statements. So  
3 with that, we'll now ask the company to please call  
4 its first witness.

5 MS. THURSTON-SEIGNIOUS: Your Honor, we'd  
6 like to present a witness panel. We have one witness  
7 providing oral testimony and two other witnesses that  
8 are available if the Commission has any detailed  
9 questions on the settlement agreement.

10 CHAIRMAN PHILLIPS: That's fine. Please  
11 proceed.

12 MS. THURSTON-SEIGNIOUS: Thank you. Should  
13 we have all of them sworn in at this time?

14 CHAIRMAN PHILLIPS: Yes. Commission  
15 secretary's office, Ms. Westbrook.

16 MS. WESTBROOK: Can the three witnesses  
17 please raise your right hand? Do you each swear and  
18 affirm that the testimony you're about to give in this  
19 proceeding is the truth and nothing but the truth.

20 (All people said "I do").

21 EXAMINATION

22 QUESTIONS BY MS. THURSTON-SEIGNIOUS:

23 Q. Mr. Tuoriniemi, would you please state your  
24 name and title for the record?

25 A. Yes. My name is Robert E. Tuoriniemi. I'm

1 chief regulatory accountant for Washington Gas Light.

2 Q. And are you familiar with the nonunanimous  
3 agreement of stipulation and full settlement that was  
4 filed in this case on December 8th, 2020?

5 A. I am.

6 Q. Were you involved in the development and/or  
7 negotiation of this settlement agreement?

8 A. I was.

9 Q. Thank you. Mr. Lawson, would you please  
10 state your name and title for the record?

11 MR. LAWSON: Sure. It's Andrew Lawson and  
12 I'm regulatory affairs manager at Washington Gas.

13 Q. Are you familiar with the nonunanimous  
14 agreement and stipulation and full settlement that was  
15 filed in this case on December 8, 2020.

16 MR. LAWSON: I am.

17 Q. And were you involved in the development  
18 and/or negotiation of the settlement agreement?

19 MR. LAWSON: I was.

20 Q. Thank you. Mr. Wagner, would you please  
21 state your name and title for the record?

22 MR. WAGNER: James B. Wagner, assistant  
23 vice-president rates and regulatory affairs.

24 Q. And by whom are you employed?

25 MR. WAGNER: Washington Gas Light Company.

1 Q. And are you familiar with the nonunanimous  
2 agreement of stipulation and full settlement filed in  
3 this case on December 8, 2020?

4 MR. WAGNER: Yes, I am.

5 Q. Were you involved in the development and/or  
6 negotiation of this settlement agreement?

7 A. Yes, I was.

8 Q. Will you please provide your testimony in  
9 support of the settlement agreement?

10 MR. WAGNER: Yes. Thank you, Counsel.  
11 Good morning all and good morning, Chairman Phillips  
12 and Commissioner Beverly. I am Jim Wagner, assistant  
13 vice-president rates and regulatory affairs at  
14 Washington Gas Light Company and I'm providing oral  
15 testimony in support of the nonunanimous agreement of  
16 stipulation and full settlement reached by the  
17 company, the Office of People's Counsel for the  
18 District of Columbia, the Apartment and Office  
19 Building Association of Metropolitan Washington,  
20 District of Columbia Government, Baltimore Washington  
21 Construction and Public Employees Laborers District  
22 Council, and US General Services Administration.

23 I am providing information related to the  
24 rates which produce the stipulated revenue increase.  
25 The remaining parties to the case, Sierra Club and

1 Environment Defense Fund do not oppose the settlement  
2 described in the stipulation and in my oral testimony  
3 today. The stipulation is signed by the company, OPC,  
4 AOBA, DCG, BWLDC, and GSA. The stipulation is a  
5 result of discussions among all parties and results in  
6 a fair balance across the various interests and  
7 requirements identified by each of the parties to the  
8 stipulation. Prior to the execution of the  
9 stipulation, the parties conducted extensive discovery  
10 during the proceedings which included approximately  
11 2500 data requests including subparts. The parties  
12 presented their positions in written direct testimony,  
13 supplemental direct testimony and rebuttal testimonies  
14 which also included exhibits. The stipulation is a  
15 comprehensive resolution of all disputed issues. The  
16 signatories of the stipulation represents divergent  
17 parties representing the interest of all customers'  
18 groups and the settlement is in the public interest.

19 In addition to other benefits outlined  
20 below, a settlement at this stage of the proceeding  
21 eliminated the need for extended hearings and  
22 post-hearing briefing and conserves the time and  
23 resources of the Commission and all the other parties.  
24 The stipulated increase is a direct result of  
25 settlement discussions among parties and provides a

1 satisfactory resolution of issues identified by  
2 parties in the case. The stipulation provides the  
3 company with an opportunity to earn a reasonable rate  
4 of return on its investment through a 19.5 million  
5 dollar increase in the combination of customer  
6 charges, distribution charges and peak usage charges  
7 effective for service rendered on and after the date  
8 of the Commission final order in this matter. The  
9 company believes that the 19.5 million increase in  
10 non-gas revenues, which includes a transfer of 8.3  
11 million currently being collected through the Project  
12 Pipes surcharge, thereby resulting in a net change in  
13 revenues of 11.2 million dollars.

14 So Chairman Phillips previously had  
15 mentioned 99.5 million dollars transfer of plan, 8.3  
16 million that I just identified is the revenue  
17 requirement impact of that, that is part of the 19.5  
18 million dollar increase. This is a reasonable  
19 resolution of the extensive revenue requirement  
20 testimony and information submitted in this  
21 proceeding. The agreed upon revenue requirement  
22 represents a negotiated resolution among parties with  
23 opposing interests representing a broad array of  
24 customer groups that are directly affected by the  
25 outcome of the case. While it is true that there is



1 no discernable trail that precisely details the  
2 derivation of the revenue increase, this is not at all  
3 unusual in regulatory settlements. The parties  
4 including Washington Gas, have a wealth of experience  
5 from past commission cases, including the precedent of  
6 a recent commission decision in March of 2017 in  
7 formal case number 1137, to use as a benchmark to  
8 gauge the relevant strengths and weaknesses of the  
9 various presentations. In the company's opinion, this  
10 increase is justified by the record evidence and will  
11 further the safe, adequate, and reliable provision of  
12 natural gas service by Washington Gas to its  
13 customers. The overall revenue increase of 19.5  
14 million is applied to firm and interruptible  
15 customers' rates through an allocation that Washington  
16 Gas believes continues a movement to carry a return  
17 and collection of fixed charges. Through the  
18 allocation process, classes earning below system  
19 average rate of return would receive a larger share of  
20 the increase and classes earning above the system  
21 average rate of return will receive a smaller share of  
22 the increase. The calculated increase to each class  
23 is then collected by increasing the customer charge  
24 for all residential classes by 15 percent and for all  
25 nonresidential customer classes between 14 and 19

1 percent with the remainder collected through the  
2 distribution charges and peak usage charges. However,  
3 it should be noted that these distribution charge  
4 increases will have a minor impact on low income  
5 ratepayers participating in the company's residential  
6 essential service utility discount program as the  
7 settlement would increase the credits these customers  
8 receive during the winter heating season on their  
9 bills to cover one hundred percent of all distribution  
10 charges. The return on investment of 7.05 percent  
11 including a return on equity of 9.25 percent indicated  
12 in the stipulation will be used to calculate a pretax  
13 rate of return to be used in the Project Pipes 2  
14 surcharge as well as in determining carrying cost  
15 applicable to storage gas inventory. It is not  
16 indicative of the acceptance by any party of the  
17 appropriate cost of capital and was not utilized to  
18 determine the level of the revenue increase in rates  
19 agreed upon by the parties in the proceeding. The  
20 stipulation includes a stay out provision that  
21 restricts the company from filing a rate case or multi  
22 year rate plan prior to August 31, 2021.

23 Attachments were included with the  
24 stipulation. Attachment one to the stipulation sets  
25 forth the actual rates to be billed customers per the

1 stipulation as well as verification of the agreed upon  
2 revenue increase. Attachment two to the stipulation  
3 provides a calculation of the Project Pipes clients  
4 being transferred to rate base. And attachment three  
5 to the stipulation shows a calculation of cost of  
6 capital agreed to in the stipulation.

7 For all of the reasons I have discussed in  
8 this testimony, we believe the stipulation is in the  
9 public's interest and should be approved by the  
10 Commission. That concludes my oral testimony today.  
11 Thank you.

12 CHAIRMAN PHILLIPS: Thank you, Mr. Wagner.  
13 Is there anything else from the company.

14 MS. THURSTON-SEIGNIOUS: No, Your Honor.

15 CHAIRMAN PHILLIPS: I just have one  
16 question before I proceed. Commissioner Beverly is on  
17 the line. Do you have any questions for the panel? I  
18 know he is here. I don't think he has any questions.

19 COMMISSIONER BEVERLY: I do not have any  
20 questions.

21 CHAIRMAN PHILLIPS: Thank you sir. So as I  
22 mentioned in my opening remarks, the company and the  
23 parties -- settling parties mention, I believe in  
24 section eight, a climate impact section. And we're  
25 all well aware that pursuant to the Clean Energy D. C.

1 Act of 2018, the Commission is required to consider  
2 the impacts on global climate change and the  
3 District's public commitments in any major decision  
4 that we make. And that would include this decision.  
5 So we're grateful that the parties did address this  
6 issue in the filing. My question for the company is  
7 this, given that we haven't had many opportunities to  
8 make this consideration in the setting of a  
9 settlement, how would you propose that the Commission  
10 review this section as well as the requirement that we  
11 have in this settlement proceeding?

12 MR. WAGNER: I'll address your question.  
13 In section eight, as you reference, the company and  
14 the parties have included as part of the stipulation  
15 that we will file an annual report that reports  
16 greenhouse gas emissions associated with WG's delivery  
17 of gas to D.C. customers. As part of that report and  
18 per the stipulation, parties will get together within  
19 60 days after Commission approval of the settlement to  
20 discuss how that will occur. I have had internal  
21 discussions with our climate folks and we have begun  
22 looking at both, one, the timing structure and agenda  
23 of that meeting; and also we will begin discussing the  
24 initial proposal that will be worked on with other  
25 parties in working towards meeting D.C.'s climate

1 goals.

2 CHAIRMAN PHILLIPS: Thank you for that  
3 explanation. I don't think I have to reiterate,  
4 although I will, to everyone listening how seriously  
5 the Public Service Commission takes this authority.  
6 We take the mandate that the council has given us. I  
7 think it is a unique thing to amend the statutory  
8 authority for a body like the Public Service  
9 Commission. And we will do everything we can to  
10 ensure that we carry out this very important  
11 requirement. So that is the only question that I had  
12 today. Before we wrap up, are there any other  
13 comments or any other matters that the Commission  
14 should take under advisement. Hearing none,  
15 (inaudible) by sending them to Brenda Westbrook,  
16 Secretary of Public Service Commission. Our address  
17 is 1325 G Street NW, Suite 800, Washington D.C.,  
18 20005. Or you can e-mail at  
19 PSC-commissionsecretary@DC.gov. I also encourage  
20 parties -- several parties mentioned that they had  
21 statements they wanted to include in the record.  
22 Please also submit those before the close of the  
23 record. There being nothing further. I want to that  
24 you all the parties for their efforts to reach a  
25 settlement in this important matter. I believe that

1 it is a very good thing.

2 MR. LIPSCOMBE: This is Chris Lipscombe, I  
3 think some of the parties want to make a statement. I  
4 see some people raising their hand.

5 CHAIRMAN PHILLIPS: I did not see that. I  
6 asked the parties to include there statement in  
7 written form, but if they would like to make a  
8 statement at this time, I will allow it.

9 MR. OBERLEITON: Thank you, Chairman  
10 Phillips. We would like -- OPC would like to read a  
11 statement into the record before you close. Thank  
12 you, Chairman Phillips and Commissioner Beverly. I'm  
13 Tim Oberleiton, Assistant People's Counsel, speaking  
14 on behalf of Sandra Mattavous-Frye in support of the  
15 joint settlement agreement reached in this case in the  
16 matter of the application of Washington Gas Light  
17 Company for authority to increase existing rates and  
18 charges for gas service. This case involves  
19 Washington Gas's request for increase of 35.2 million  
20 additional revenues and addresses important policies  
21 and issues that impact district ratepayers. After  
22 nearly a year of active and contentious litigation,  
23 the settling parties have reached an accord and submit  
24 the instant agreement for Commission's approval. OPC  
25 would like to note that it advocates to ensure

1 district ratepayers receive safe and reliable natural  
2 gas as well as quantifiable and tangible benefits from  
3 the utilities in a manner that further the District's  
4 ambitious climate goals. Importantly, the settlement  
5 includes and we want to highlight a zero increase in  
6 Washington Gas's return on equity above its previous  
7 return on equity, results in nearly 45 percent  
8 reduction in Washington Gas's proposed rate increase,  
9 and provides a much needed increase to the residential  
10 essential service credit distribution rate credit from  
11 55 percent to one hundred percent as previously noted  
12 by Chairman Phillips and counsel for DCG. This will  
13 result in a lower bills for the most financially  
14 vulnerable customers during these tough times. The  
15 settlement also advances the district's climate goals  
16 as was noted previously, it will require Washington  
17 Gas to file a comprehensive annual report with the  
18 Commission regarding the company's greenhouse gas  
19 emission associated with its delivery of gas to the  
20 district customers. This report will allow the  
21 Commission and other stakeholders to track GHG  
22 emission over time and inform future policy decisions.  
23 OPC looks forward to discussing specific parameters of  
24 this report with the other parties as we move forward  
25 and is outlined by WGL witness, Jim Wagner. The

1 settlement will also insulate ratepayers from rate  
2 increases by requiring Washington Gas to wait until  
3 August 31, 2021 to file any application for new rates  
4 as was noted earlier. This would there by extend the  
5 time frame by which the next rate increase could go  
6 into effect to sometime in 2022 providing further  
7 relief for ratepayers. As has been noted in various  
8 forms during this hearing, settlement always involved  
9 give and take by all parties. OPC does not enter into  
10 settlement agreements unless the end result provides  
11 benefits that could not be achieved through further  
12 litigation. OPC submits this settlement provides  
13 equitable resolution of issues, represents a  
14 reasonable compromise among the parties, and benefits  
15 consumers and is it in the public interest. OPC will  
16 continue as it always does to zealously fight for  
17 district consumers. Thank you.

18 CHAIRMAN PHILLIPS: We thank the Office of  
19 People's Counsel. Would anyone else like to make a  
20 brief statement before we close?

21 MS. MURPHY: Yes, Chairman. This is Erin  
22 Murphy for EDF. I'd like to share a brief statement  
23 on the settlement. Good morning -- it is still the  
24 morning. As I said my name is Erin Murphy. I  
25 represent the Environmental Defense Fund. Thank you



1 to the Commission and Commission staff for the  
2 opportunity to comment today on the settlement  
3 agreement reached by several parties in formal case  
4 1162 Washington Gas's rate case. EDF is an  
5 environmental... (inaudible) ...as a proceeding to  
6 develop a plan for D.C's gas and utilities that  
7 furthers the purpose of the Clean Energy D.C. Act and  
8 aligns with District Government's climate goals and  
9 plan. EDF anticipates that in formal case 1167 the  
10 Commission will develop a process to oversee prudent  
11 management of the decarbonization and contraction of  
12 natural gas distribution system while ensuring  
13 continued safe and reliable service.

14 Second, as stated in our filed testimony,  
15 EDF believes Washington Gas should use advance leak  
16 detection or ALD to identify and remediate leaks on  
17 its system to reduce harmful methane emissions. EDF  
18 acknowledges and appreciates that Washington Gas  
19 proposed and this Commission approved an ALD pilot  
20 program in Project Pipes 2 to improve prioritization  
21 of leak-prone pipe replacement, but beyond pipe  
22 replacement, the repair programs offer faster and  
23 quantifiable pathway to reduce methane emissions in  
24 the District. By using ALD, Washington Gas could  
25 report on leak flow rate of identified leaks and thus

1 report on the reduced methane emissions received  
2 through leak repair.

3 EDF appreciates that the Commission has  
4 ordered that the company's ALD pilot cost be recovered  
5 through base rates and we hope that the Commission  
6 continues to condition the benefits of requiring a  
7 super-emitter leak repair program using ALD.

8 Specifically, the Commission could order WGL's ALD  
9 pilot program include a super-emitter program to  
10 reduce methane emissions by finding and repairing  
11 large leaks. EDF looks forward to continue to engage  
12 with the company, the Commission, and stakeholders to  
13 develop a pathway to align the gas business with the  
14 District's climate goals. Thank you again for the  
15 opportunity to comment today.

16 CHAIRMAN PHILLIPS: Thank you, Counsel.  
17 Any other statements, comments? Last opportunity.  
18 Okay. Wonderful. Before we conclude, I would like to  
19 just give my colleague, Commissioner Beverly, to have  
20 the final word. Would you like to make a comment, Mr.  
21 Beverly?

22 COMMISSIONER BEVERLY: Good morning. I  
23 want to thank everyone for the hard work in reaching  
24 the settlement which avoids future unnecessary  
25 litigation. I take these issues seriously and I don't

1 want to undermine them by trying to second guess  
2 anyone. I'm just trying to give you assurance. I  
3 think you should have free hand in doing the things  
4 that you think are appropriate. So with that, again,  
5 I thank everyone for their hard work and have a nice  
6 day.

7 CHAIRMAN PHILLIPS: All right. I agree.  
8 There being nothing further for the Commission, this  
9 hearing is concluded. Thank you.

10 (Hearing was concluded at 11:47 EST.)

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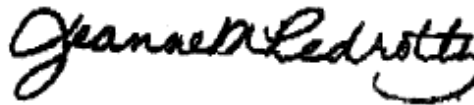
CERTIFICATE OF REPORTER

STATE OF MISSOURI )

) Ss.

CITY OF ST. LOUIS )

I, Jeanne M. Pedrotty, a Certified Court Reporter (MO) and Certified Shorthand Reporter (IL), do hereby certify that the meeting aforementioned was held on the time and in the place previously described, taken down in shorthand by me, and afterwards transcribed to the best of my ability.



Jeanne M, Pedrotty

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