

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

September 28, 2020

IN RE:)	
)	
PETITION OF PIEDMONT NATURAL GAS)	DOCKET NO.
COMPANY, INC. FOR WAIVER OF PERIODIC)	20-00083
METER TESTING UNDER TPUC RULE 1220-04-05-)	
.26(1)(e))	

ORDER GRANTING RULE WAIVER

This matter came before Chairman Kenneth C. Hill, Commissioner John Hie, and Commissioner David F. Jones of the Tennessee Public Utility Commission (“Commission” or “TPUC”) during the regularly scheduled Commission Conference held on August 10, 2020, to consider the *Petition of Piedmont Natural Gas Company, Inc. for Waiver of Periodic Meter Testing Under TPUC Rule 1220-04-05-.26(1)(e)* (“*Petition*”) filed on June 19, 2020, by Piedmont Natural Gas Company, Inc. (“Piedmont” or “Company”). In summary, the *Petition* was granted.

THE PETITION

On June 19, 2020, the Company filed a *Petition* requesting the Commission to waive its annual meter testing requirement for gas utilities under TPUC Rule 1220-04-05-.26(1)(e). Piedmont requests the meter testing requirements be waived for the remainder of calendar year 2020 due to safety measures it implemented in response to the COVID-19 public health emergency which disrupted its ability to complete the required testing as scheduled.¹ Periodic

¹ *Petition*, p. 2.

meter testing was suspended by the Company to help limit the spread of the coronavirus.² Piedmont states that, due to the ongoing public health emergency, there is continued uncertainty around when it will be safe to resume periodic meter testing.³

After the conclusion of the formally declared public health emergency, Piedmont intends to return to normal operations in a slow and deliberate manner.⁴ In light of the circumstances, Piedmont's *Petition* requested a waiver of its periodic meter testing obligations under TPUC Rule 1220-04-05-.26(1)(e) for the remainder of calendar year 2020.⁵ Piedmont claimed that a waiver of periodic meter testing for the remainder of 2020 will not harm customers or increase the Company's operational risk. The Company asserts it intends to resume periodic meter sampling and testing activities in 2021 assuming COVID-19 is no longer posing a threat in its service territory.⁶

In support of the petition, the Company filed the pre-filed testimony of Pia K. Powers, Managing Director of Gas Rates & Regulatory for Piedmont. Ms. Powers testified that the Company engages in periodic testing of its in-service meters, some of which are selected through statistical sampling to ensure overall accuracy of the testing results.⁷ Meters are tested by Piedmont by removing the active meter from the customer's premises for performing tests in the Company's centralized meter shop. A replacement meter is immediately installed, which requires a Piedmont employee to enter the customer's home or business to relight pilots and perform safety checks.⁸

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.* at 3.

⁷ Pia K. Powers Pre-Filed Direct Testimony, p. 3 (June 19, 2020).

⁸ *Id.* at 2-3.

Ms. Powers states the purpose of the meter testing program is to confirm the accuracy of meters so that customers' bills are accurate and that the program does not serve as a means to ensure safety.⁹ In response to calls to limit the spread of the coronavirus, the Company suspended certain types of non-safety fieldwork in March, including the meter testing program.¹⁰ Out of reasonable precaution for the health concern of its field employees and customers, and because of the protective measures needed when Company employees are inside the customer's home or business, Piedmont does not believe it is prudent to conduct its routine meter testing program at this time.¹¹

Further, according to Ms. Powers, if an inaccurate meter is not tested in 2020 the Company will ultimately rectify and resolve any identified billing inaccuracies subsequently discovered.¹² Thus, Ms. Powers submitted that no customers will be harmed by the Company's request to waive its periodic meter testing obligation for the remainder of 2020.¹³ Ms. Powers indicated that Piedmont intends to resume the meter testing program in 2021, assuming that COVID-19 is no longer posing a public health threat in the Company's service territory.¹⁴ No interested parties sought intervention in the docket.

THE HEARING

The hearing in this matter was noticed by the Commission on July 31, 2020 and held during the regularly scheduled Commission Conference on August 10, 2020. Pursuant to Executive Order No. 16, and subsequent extensions thereof, issued by Governor Bill Lee on March 20, 2020, the Commission met electronically, without a physical quorum. Electronic

⁹ *Id.* at 3.

¹⁰ *Id.*

¹¹ *Id.* at 4-5.

¹² *Id.* at 5.

¹³ *Id.* at 4-5.

¹⁴ *Id.* at 5.

access to the hearing was made available to the parties and the public. Appearances were made by the following:

Piedmont Natural Gas Company, Inc.— James H. Jefferies, IV Esq., McGuire Woods LLP, 201 North Tryon Street, Suite 3000, Charlotte, North Carolina, 28202; Paul S. Davidson, Esq., Waller Lansden Dortch & Davis, 511 Union Street, Suite 2700 Nashville, Tennessee 37219-2498

Ms. Pia K. Powers provided testimony at the hearing and was available to answer questions. Members of the public were given an opportunity to offer comments, but no one sought recognition to do so.

FINDINGS AND CONCLUSIONS

Based upon a review of the Company's presentation and the administrative record in its entirety, the hearing panel found unanimously that the Company's temporary suspension of its meter testing program to help limit the spread of coronavirus during the declared public health emergency constitutes good cause for waiver of the Company's meter testing requirements under TPUC Rule 1220-04-05-.26(1)(e) for the remainder of calendar year 2020. The Company's *Petition* was approved as filed.

IT IS THEREFORE ORDERED THAT:

1. The *Petition of Piedmont Natural Gas Company, Inc. for Waiver of Periodic Meter Testing Under TPUC Rule 1220-04-05-.26(1)(e)* filed on June 19, 2020, by Piedmont Natural Gas Company, Inc. is approved.
2. Any party aggrieved by the Commission's decision in this matter may file a Petition for Reconsideration with the Commission within fifteen (15) days from the date of this Order.
3. Any party aggrieved by the Commission's decision in this matter has the right to judicial review by filing a Petition for Review in the Tennessee Court of Appeals,

Middle Section, within sixty (60) days from the date of this Order.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:

**Chairman Kenneth C. Hill,
Commissioner John Hie, and
Commissioner David F. Jones concurring.**

None dissenting.

ATTEST:

A handwritten signature in cursive script, appearing to read "Earl Taylor", written in dark ink.

Earl R. Taylor, Executive Director