

**IN THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

IN RE:)
)
PIEDMONT NATURAL GAS COMPANY,) **Docket No. 22-00085**
INC., ACTUAL COST ADJUSTMENT (ACA))
FILING FOR THE PERIOD JULY 1, 2021)
THROUGH JUNE 30, 2022.)

PETITION TO INTERVENE

The Consumer Advocate Division of the Office of the Tennessee Attorney General (“Consumer Advocate”), by and through counsel, in accordance with TENN. CODE ANN. § 65-4-118, respectfully petitions the Tennessee Public Utility Commission (“TPUC” or the “Commission”) to grant the Consumer Advocate’s intervention into this proceeding because consumers’ interests, rights, duties, or privileges may be determined or affected by the *Piedmont Natural Gas Company, Inc., Actual Cost Adjustment (ACA) Filing For The Period July 1, 2021, Through June 30, 2022* (“ACA Filing”), filed by Piedmont Natural Gas Company, Inc. (“Piedmont” or the “Company”) in this Docket. For cause, the Consumer Advocate would show as follows:

1. The Consumer Advocate is authorized by TENN. CODE ANN. § 65-4-118 to represent the interests of Tennessee consumers of public utility services by initiating and intervening as a party in any matter or proceeding before TPUC in accordance with the Uniform Administrative Procedures Act, TENN. CODE ANN. §§ 4-5-101, *et seq.*, and TPUC rules.

2. Piedmont, a subsidiary of Duke Energy Corporation, is a public utility regulated by TPUC and is in the business of transporting, distributing, and selling natural gas to approximately 191,000 residential, commercial, and industrial customers in the State of Tennessee. Piedmont’s

headquarters are located at 4720 Piedmont Row Drive, Charlotte, North Carolina, with local distribution headquarters at 83 Century Boulevard, Nashville, Tennessee.¹

3. This Docket involves the Purchased Gas Adjustment Rule (“PGA Rule”), which permits a TPUC-regulated gas company “to recover, in timely fashion, the total cost of gas purchased for delivery to its customers and to assure that the Company does not over-collect or under-collect Gas Costs from its customers.”² The Commission Staff will conduct an audit of Piedmont’s compliance with the Actual Cost Adjustment (“ACA”) and Refund Adjustment (“RA”) of the PGA Rule. As explained by the Commission Staff,

The ACA is the difference between the revenues billed customers by means of the [Gas Cost Adjustment or] GCA and the cost of gas invoiced the Company by suppliers plus margin loss (if allowed by order of the TPUC in another docket) as reflected in the Deferred Gas Cost account. The ACA then “true-up” the difference between the actual gas costs and the gas costs recovered from customers through a surcharge or a refund. The RA refunds the “true-up” along with other supplier refunds.³

The goal of the audit is to “verify that the Company’s calculations of gas costs incurred and recovered were materially correct, and that the Company is following all Commission orders and directives with respect to its calculation of the ACA Account balance.”⁴

4. Piedmont filed its current ACA Filing for the Commission’s approval on August 31, 2022. In this filing, Piedmont requested “that a contested case be convened in this matter solely for the purpose of the entry of a protective order which would protect the proprietary business information of Piedmont contained in this filing from public disclosure”⁵ and further

¹ Notice of Filing by the Utilities Division of the Tennessee Public Utility Commission, Exhibit A, p. 1, TPUC Docket No. 20-00107 (Mar. 19, 2021).

² TENN. COMP. R. & REGS. 1220-04-07-.02(1).

³ Notice of Filing by the Utilities Division of the Tennessee Public Utility Commission, Exhibit A, p. 3, TPUC Docket No. 20-00107 (Mar. 19, 2021).

⁴ Id.

⁵ Piedmont Natural Gas Company, Inc., Actual Cost Adjustment (ACA) Filing for The Period July 1, 2021, Through June 30, 2022, p. 1, TPUC Docket No. 22-00085 (Aug. 31, 2022).

designated “the materials provided to the Commission as the confidential and proprietary trade secrets of Piedmont.”⁶

5. The Commission previously allowed the Consumer Advocate to intervene in Piedmont’s ACA proceeding for the period of July 1, 2020, through June 30, 2021 (TPUC Docket No. 21-00101) and corresponding Annual Performance Incentive Plan (“IPA”) proceeding (TPUC Docket No. 21-00102). In those Dockets, the Consumer Advocate was particularly concerned about the effects of the February 2021 natural gas price spikes on Piedmont and its customers.

6. The Consumer Advocate likewise seeks to intervene in the present ACA Docket and the related IPA Docket⁷ (by separate petition) in order to represent the interests of Piedmont’s Tennessee consumers in these matters and to determine whether any concerns exist with regard to the current filing period.

7. The interests of consumers may be affected by determinations and orders made by TPUC with respect to: (a) the interpretation, application, and implementation of TENN. COMP. R. & REGS. 1220-04-07 and other relevant statutory and regulatory provisions; and (b) the review and analysis of Piedmont’s documentation, financial spreadsheets, and other materials. As the interest of Tennessee consumers may be determined in this proceeding, the Consumer Advocate qualifies by provision of law, TENN. CODE ANN. § 65-4-118(b)(1), as an intervenor in this matter to represent these interests.

8. Only by participating as a party to this proceeding can the Consumer Advocate adequately carry out its statutory duty to represent the interests of Tennessee consumers.

⁶ *Id.*


⁷ See TPUC Docket No. 22-00086.

Wherefore, the Consumer Advocate requests the Commission grant this Petition to Intervene and to grant the Consumer Advocate and the consumers of Tennessee such other relief as may be deemed appropriate under the circumstances.

RESPECTFULLY SUBMITTED,



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Intervene was served via U.S. Mail, with courtesy copies by electronic mail, upon:

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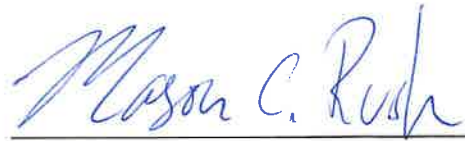
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This the 5th day of October 2022.



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