

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

**IN RE:** )  
 )  
 **PETITION OF PIEDMONT NATURAL** )  
 **GAS COMPANY, INC. FOR APPROVAL** ) **DOCKET NO. 22-00130**  
 **OF SERVICE SCHEDULE NO. 319 TO** )  
 **ITS TENNESSEE SERVICE** )  
 **REGULATIONS** )

**CONSUMER ADVOCATE’S FIRST SET OF INFORMAL DISCOVERY REQUESTS  
TO PIEDMONT NATURAL GAS COMPANY, INC.**

This First Set of Discovery Requests is hereby served upon Piedmont Natural Gas Company, Inc. (“Piedmont” or the “Company”), by agreement of the parties and pursuant to Rules 26, 33, 34, and 36 of the Tennessee Rules of Civil Procedure and Tenn. Comp. R. & Reg. 1220-1-2-.11. The Consumer Advocate Division of the Office of the Attorney General (“Consumer Advocate”) requests that full and complete responses be provided pursuant to the Tennessee Rules of Civil Procedure. The responses are to be produced at the Office of the Tennessee Attorney General and Reporter, Consumer Advocate Division, John Sevier Building, 500 Dr. Martin L. King Jr. Blvd., Nashville, Tennessee 37243, c/o Victoria B. Glover on or before Tuesday, May 20, 2023, at 2:00 p.m. CST.

## PRELIMINARY MATTERS AND DEFINITIONS

1. **Continuing Request.** These discovery requests are to be considered continuing in nature and are to be supplemented from time to time as information is received by the Company and any of its affiliates which would make a prior response inaccurate, incomplete, or incorrect.

2. **Clear References.** To the extent that the data or information requested is incorporated or contained in a document, identify the document including page/line number if applicable.

3. **Format of Responses.** Provide all responses in the format in which they were created or maintained, for example, Microsoft Word or Microsoft Excel format with all cells and formulas intact and in working order. If a document (including without limitation a financial or other spreadsheet or work paper) is not created or maintained in Microsoft Excel format, convert the document to Microsoft Excel format or provide the document in a format that enables or permits functionality like or similar to Microsoft Excel (including without limitation the functionality of working cells and formulas), or provide the software program(s) that will enable the Consumer Advocate to audit and analyze the data and information in the same manner as would be enabled or permitted if the document were provided in Microsoft Excel format.

4. **Objections.** If any objections to this discovery are raised on the basis of privilege or immunity, include in your response a complete explanation concerning the privilege or immunity asserted. If you claim a document is privileged, identify the document, and state the basis for the privilege or immunity asserted. If you contend that you are entitled to refuse to fully answer any of this discovery, state the exact legal basis for each such refusal.

5. **Singular/Plural.** The singular shall include the plural, and vice-versa, where appropriate.

6. **Definitions.** As used in this Request:

(a) “You,” “Your,” “Company,” or “Piedmont” shall mean Piedmont Natural Gas Company, Inc. and all employees, agents, attorneys, representatives, or any other person acting or purporting to act on its behalf.

(b) “Affiliate” shall mean any entity who, directly or indirectly, is in control of, is controlled by, or is under common control with the Company. For greater clarification, “control” is the ownership of 20% or more of the shares of stock entitled to vote for the election of directors in the case of a corporation, or 20% or more of the equity interest in the case of any other type of entity, or status as a director or officer of a corporation or limited liability company, or status as a partner of a partnership, or status as an owner of a sole proprietorship, or any other arrangement whereby a person has the power to choose, direct, or manage the board of directors or equivalent governing body, officers, managers, employees, proxies, or agents of another person. In addition, the term “Affiliate” shall mean any entity that directly or indirectly provides management or operational services to the Company or any affiliate (as defined in the preceding sentence) of the Company, or to which the Company provides management or operational services. Further, the payment of money to the Company or receipt by the Company of money from an entity with which the Company has any relationship, other than such payment or receipt, shall include the payor or recipient of such money as an “Affiliate”.

(c) “Communication” shall mean any transmission of information by oral, graphic, written, pictorial or otherwise perceptible means, including but not limited to personal conversations, telephone conversations, letters, memoranda, telegrams, electronic mail, newsletters, recorded or handwritten messages, meetings, and personal conversations, or otherwise.

(d) “Document” shall have the broadest possible meaning under applicable law. “Document” shall mean any medium upon which intelligence or information can be recorded or retrieved, such as any written, printed, typed, drawn, filmed, taped, or recorded medium in any manner, however produced or reproduced, including but not limited to any writing, drawing, graph, chart, form, letter, note, report, electronic mail, memorandum (including memoranda, electronic mail, report, or note of a meeting or communication), work paper, spreadsheet, photograph, videotape, audio tape, computer disk or record, or any other data compilation in any form without limitation, which is in your possession, custody or control. If any such document was, but no longer is, in your possession, custody or control, state what disposition was made of the document and when it was made?

(e) “Person” shall mean any natural person, corporation, firm, company, proprietorship, partnership, business, unincorporated association, or other business or legal entity of any sort whatsoever.

(f) “Identify” with respect to:

- i. Any natural person, means to state the full name, telephone number, email address and the current or last known business address of the person (if no business address or email address is available provide any address known to you) and that person's relationship, whether business, commercial, professional, or personal with you;
  - ii. Any legal person, business entity or association, means to state the full name, the name of your contact person with the entity, all trade name(s), doing business as name(s), telephone number(s), email address(es), and current or last known business address of such person or entity (if no business address is available provide any address known to you);
  - iii. Any document, means to state the type of document (e.g., letter), the title, identify the author, the subject matter, the date the document bears and the date it was written; and
  - iv. Any oral communication, means to state the date when and the place where it was made, identify the person who made it, identify the person or persons who were present or who heard it, and the substance of it.
- (g) "And" and "or" shall be construed conjunctively or disjunctively as necessary to make the discovery request inclusive rather than exclusive.
- (h) "Including" shall be construed to mean including but not limited to.

### **FIRST SET OF INFORMAL DISCOVERY REQUESTS**

**1-1.** Explanation. Refer to the testimony of Keith Goley, p. 3, lines 8 – 14.<sup>1</sup> Has the Company expanded the capability of its billing system to display information to customers within the past calendar year? If so, provide a discussion of that enhanced capability of the system to provide additional information to consumers.

**RESPONSE:**

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<sup>1</sup> *Pre-filed Direct Testimony of Keith Goley on Behalf of Piedmont Natural Gas Company, Inc.*, 3, lines 8-14, TPUC Docket No. 22-00130 (December 29, 2022).

1-2. Explanation and Identification. Refer to the testimony of Keith Goley, p. 4, lines 15-18.<sup>2</sup>

How will participating customers “claim or otherwise utilize” the carbon emission reductions generated by the Environmental Attributes (“EAs”) purchased under the program? Identify any tangible benefits that will accrue to participating customers from this program.

**RESPONSE:**

1-3. Explanation and Identification. Will the Company earn any tax credits or other tangible benefits from the acquisition of the EAs? If so, identify these benefits.

**RESPONSE:**

1-4. Source and Support. Provide evidence supporting the claim that 12.5 therms per block of EA’s may be acquired at the cost of \$3/month. This response should be divided between the two types of EAs identified in the testimony, renewable natural gas and forestation projects.<sup>3</sup>

**RESPONSE:**

1-5. Reference and Support. Refer to the testimony of Keith Goley, p. 4, lines 6-11.<sup>4</sup> Provide a copy of any contracts Piedmont in North Carolina entered to acquire EAs.

**RESPONSE:**

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<sup>2</sup> *Id.* at 4, lines 15-18.

<sup>3</sup> *Id.* at 6, lines 8-11.

<sup>4</sup> *Id.* at 4, lines 6-11.

**1-6.** Reference and Explanation. Refer to the Company's *Petition*, p. 3, ¶ 6 and the proposed Service Schedule 319, p. 1.<sup>5</sup> What is meant by the references in the statements that the Company will "retire" EAs and to EAs "retired" by the Company?

**RESPONSE:**

**1-7.** Identification and Support. Provide the number of North Carolina customers who entered the program compared to the total number of eligible customers. Further, identify the date the North Carolina Utilities Commission approved the corresponding North Carolina program.

**RESPONSE:**

**1-8.** Explanation. Moving forward, is it the Company's intent to modify the price of the block to equate to the EA equivalent of 12.5 therms per block? Or is it the Company's intent to hold the \$3.00 charge constant with the understanding that the EA equivalent would be different from year to year?

**RESPONSE:**

**1-9.** Explanation. Provide a comprehensive explanation of how the Company will inform customers of the new Green Edge program.

**RESPONSE:**

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<sup>5</sup> *Petition of Piedmont Natural Gas Company, Inc. to Offer the Voluntary GreenEdge Program and for the Commission to Issue an Accounting Order Authorizing the Company to Maintain a Deferred Account for Recording Associated Costs and Revenues*, 3, 8, TPUC Docket No. 22-00130 (November 29, 2022).

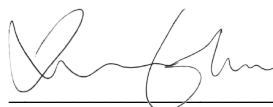
**1-10. Explanation.** Provide a comprehensive explanation of the types of costs that will be deferred with respect to the Green Edge program. Will the Company have a fully dedicated employee to manage the Green Edge program across its three divisions?

**RESPONSE:**

**1-11. Explanation and Support.** Provide an estimate of expenses incurred in the first year of operation of the Green Edge program. How will such costs be amortized in the future?

**RESPONSE:**

RESPECTFULLY SUBMITTED,



VICTORIA B. GLOVER (BPR No. 037954)

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### **CERTIFICATE OF SERVICE**


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

Paul S. Davison, Esq.  
Waller Landsden Dortch & Davis, LLP  
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This the 6<sup>th</sup> day of February, 2023.



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**VICTORIA B. GLOVER**  
Assistant Attorney General