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psc.ga.gov

Docket No. 44940

AGL - Operations and Engineering
Ten Peachtree Place, NE Suite 1000
Location 1365
Atlanta, GA 30309

ATTN: Mr. Pedro Cherry

On September 6, 2023 a representative of the Georgia Public Service Commission Pipeline/Facilities Safety Office conducted an informal conference as requested by the gas operator. The enclosed inspection report numbered JB23-014 is provided for your information and file.

Please submit a written response outlining the proposed mitigation measures to this inspection as specified in the attached report by U.S. Mail or e-mailing me at michellet@psc.state.ga.us. Please refer to Docket No. 44940 in your response.

Thank you for your continuing contribution toward increased pipeline safety.

Sincerely,

Michelle Thebert
Michelle Thebert
Director, Office of Pipeline/Facilities Safety

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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JB23-014

OPERATOR: AGL - Marietta

INVESTIGATOR: Jeff Baggett

INSPECTION DATE: September 6, 2023 REPORT MAILED DATE: October 10, 2023

Any questions concerning this report may be directed to the above address or by telephoning (404) 463-6526.

1. PURPOSE OF INSPECTION

To attend an informal conference with the Operator as requested in their response to Inspection Number JJ23-001.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.616	Public education.	AT19-009	2/11/2019
192.613(a)	Continuing Surveillance - Each operator shall have a procedure for continuing surveillance of...	AT19-009	2/11/2019
192.467(d)	Inspection and electrical tests must be made to assure that electrical isolation is adequate.	AT19-009	2/11/2019
192.473(a)	Each operator whose pipeline system is subjected to stray currents shall have in effect a...	AT19-009	2/11/2019
192.479(a)	Each operator must clean and coat each pipeline or portion of pipeline that is exposed to the...	AT19-009	2/11/2019
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	JH20-023	5/26/2020
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	JJ20-027	5/27/2020
192.465(d)	Each operator shall take prompt remedial action to correct any deficiencies indicated by the...	JJ20-027	5/27/2020
192.605(b)(1)	Operating, maintaining, and repairing the pipeline in accordance with each of the requirements of...	JJ20-027	5/27/2020
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	JH20-028	7/28/2020
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	AT20-035	10/22/2020
192.605(b)(3)	Maintenance and normal operations. The manual required by paragraph (a) of this section must...	AT20-035	10/22/2020
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	JJ23-001	1/3/2023

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

On September 6, 2023 Commission Staff conducted an informal conference with Atlanta Gas Light Company (AGLC) as requested in their response to Inspection Number JB22-004.

During this informal conference the Operator was represented by:
Managing Director, Compliance Assurance and Pipeline Risk Mgmt.
Rick Slagle, Director, Compliance & Quality Assurance.

Commission Staff was represented by:
Michelle Thebert - Director, Facilities Protection Unit
Jeff Baggett - Supervisor, Facilities Protection Unit
Joe Jones - Lead Inspector
Alan Towe - Pipeline Safety Inspector
Will Culbreath - GUFPA Case Manager

During this informal conference Staff and the Operator discussed the probable violation and proposed civil penalty from Inspection Number JJ23-001.

Staff requests that the Operator respond to this letter within 14 days and advise if they are prepared to settle this issue or have it scheduled for a hearing before the Commission.

OPERATOR RESPONSE FORM

Operator Name: ATLANTA GAS LIGHT COMPANY

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 44940

Responses required within **30 days of electronic mail.** Provide the following information for this report:

Response to Inspection Number:_____

Type of Enforcement Action(s) cited in report:			Informal Conference Requested	
☐ Notice of Probable Violation (NOPV)	☐ New	☐Continuing	☐ Yes	☐ No
☐ Notice of Amendment (NOA)	☐ New	☐Continuing	☐ Yes	☐ No
☐ Warning Letter	☐ New	☐Continuing	☐ Yes	☐ No
☐ Letter of Concern	☐ New	☐Continuing	☐ Yes	☐ No
☐ Observed Issue	☐ New	☐Continuing	☐ Yes	☐ No
☐ Proposed Civil Penalty	$ _____ PCP $ Amount (Total for report)			

Indicate below (A-E) based on the type of Enforcement Actions in this report: (Check all that apply)
Complete a separate copy of Page 2, Operator Response to Enforcement Action, for each cited item.

A. Response for **Notice of Probable Violation** (with and without proposed civil penalty):
   1. ☐ Written statement indicating that corrective measures have achieved Compliance or
   2. ☐ Written plan of action outlining the corrective measures that will be taken to achieve compliance and when compliance is anticipated.

B. Response for **NOA**:
   1. ☐ Contested: Attach written explanation, information, or other material in answer to the allegations in the Notice of Amendment stating your reasons for objecting to the NOA, in whole or in part; or
   2. ☐ Not Contested: Explanation, information, or other material believed to warrant modification of the NOA in whole or in part; or
   3. ☐ Written request for clarification. (Attached)

C. Response for **Continuing** and/or **Existing** violations:
   Current status, updates, expected completion dates, proposed modifications, etc., of the continuing and/or existing violations, even if this information was previously provided. Referencing a previously filed response letter, as status, updates, etc. alone is not sufficient for this response. Failure to provide this information may result in formal interrogatories from the Director through data requests.

D. Response for ☐ **Letter of Concern** / ☐ **Warning Letter**
   I acknowledge receipt of the Letter of Concern/Warning Letter:_____
   SIGNATURE / TITLE

   Additional Comments: (Optional)_____

E. Response for **Observed Issue** and **No Violation**: (Optional Response)
   Staff requests that the Operator acknowledge receipt of the Observed Issue/No Violation in writing, or by submitting an email to the FPU Director

Operator Response to Enforcement Action

Enforcement Action for:_____ ☐ New Violation ☐ Continuing Violation
Enter Code / Commission Rule (Complete a separate attachment for each enforcement action)

Enforcement Action(s) cited in report:	Conference Requested:	
☐ Notice of Probable Violation (NOPV)	☐ Yes ☐ No	$_____ Proposed Penalty for this violation
☐ Notice of Amendment (NOA)	☐ Yes ☐ No	
☐ Warning Letter	☐ Yes ☐ No	
☐ Letter of Concern	☐ Yes ☐ No	
☐ Observed Issue	☐ Yes ☐ No	
☐ Proposed Civil Penalty	☐ Yes ☐ No	

OPERATORS RESPONSE: _____

_____

_____

_____

_____

_____

_____

_____

Response Provided by: _____ Date:_____
Name / Title

Internal use only:

Lead Inspector: _____ Date Response Reviewed:_____

Actions Acceptable: ☐ Yes ☐No Re-inspection Needed:☐ Yes ☐ No Clear Violation:☐ Yes ☐ No

_____

Supervisor Review by:_____ Date Reviewed:_____

Additional Enforcement Recommended: ☐ Yes ☐ No

_____

Director Review

Approved: ☐ Yes ☐No Schedule Special Follow-up Inspection: ☐ Yes ☐ No

Cleared Violation: ☐ Yes ☐ No

Comments:_____

_____

Filings:
For all written responses or any other official correspondence, the Operator shall file the response at the following address:

Ms. Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, Georgia 30334

The Operator must file **five (5)** copies of any response and/or official correspondence, as well as a CD with an electronic version of the response in Microsoft Word and/or a PDF, if applicable.

Informal Conference:
Any Operator who chooses to request an informal conference shall request such a conference through emailing the Director (michellet@psc.state.ga.us), calling the Director (404-463-2765), or selecting the "Request Conference" choice.

Civil Penalty Payments:
Certified check for the full amount of the recommended civil penalty or consent agreement amount made payable to the Georgia Public Service Commission. The Operator's name, applicable Docket No., and Inspection Report No. must be included on the certified check. Mail payment to:

Ms. Michelle Thebert, Director, Facilities Protection Unit
Georgia Public Service Commission
244 Washington Street
Atlanta, Georgia 30334

Hearing Requests:
The Operator has the right to request a hearing before the full Commission to contest the alleged probable violations, recommended civil penalties, and all other proposed actions of enforcement. A request for a hearing must be submitted in writing and in accordance with Commission Rule 515-2-1-.04. The Operator must include a statement of the issues that you intend to raise at the hearing. The issues may relate to the allegations, new information, proposed compliance order, proposed civil penalty, or any other recommendation for enforcement action. Please refer to Commission Rule 515-9-3-.11 and O.C.G.A. § 46-2-91 for assessment considerations upon which civil penalties are based. An operator's failure to specify an issue may result in a waiver of the right to raise that issue at hearing. The request must also indicate whether or not the Operator will be represented by counsel at the hearing.

Open Records and Trade Secret Filings:
The Operator is advised that any material provided to the Commission, and all materials prepared by the Commission, including the Notice of Probable Violations and any Orders issued in this case, may be considered public information and subject to disclosure under the Georgia Open Records Act (O.C.G.A. § 50-18-70 et seq.). If you believe that any portion of your response material is security sensitive, privileged, confidential or may cause your company competitive disadvantages and would qualify for protection under the Commission's "Trade Secret Rule" (Commission Rule 515-3-1-.11), you must, along with the complete original document clearly marked "TRADE SECRET" on each page, provide a second copy of the document with the portions you believe qualify for trade secret treatment redacted, and an explanation of why you believe the redacted information qualifies for such trade secret treatment. Should the Commission receive a request for disclosure of any "TRADE SECRET" material, you will be notified, if after review, the materials and your provided justification are deemed not to meet any exemptions provided in the Georgia Open Records Act. You may appeal the Commission's decision to release material at that time. Your appeal will stay the release of those materials until a final decision is made.

BEFORE THE GEORGIA PUBLIC SERVICE COMMISSION
STATE OF GEORGIA

IN THE MATTER OF:	)	
	)	
Informal Conference	)	**DOCKET NO. 44940**
Atlanta Gas Light Company	)	
Inspection JB23-014 on September 6, 2023	)	
	)	

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have caused to be served a copy of the foregoing, and a copy of same was served upon all parties and persons listed below via electronic mail as indicated by an asterisk I further certify that the *Atlanta Gas Light Company* was served a hard copy of the above-stated document by U.S. Mail, certified/return receipt requested.

*Sallie Tanner, Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

* Pedro Cherry, President and CEO
Southern Company Gas
Ten Peachtree Place, NE,
Atlanta, GA 30309
ppcherry@southernco.com

*Michelle Thebert, Facilities Protection Unit Director
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334

Respectfully Submitted this 12th day of October 2023:

Cathy Nesbitt, Administrative Assistant
Georgia Public Service Commission
Facilities Protection Unit
244 Washington Street, SW
Atlanta, GA 30334