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Georgia Public Service Commission

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Atlanta, GA 30334-5701

FAX: (404) 463-6532
psc.ga.gov

Docket No. 37092

DOCKET# 37092
DOCUMENT# 221630

City of Toccoa Natural Gas Department
(Distribution)
92 N. Alexander St
PO Box 579
Toccoa, GA 30577

REF: Follow Up Inspection # RS24-031

☐ Certified Mail ☐ Regular Mail ☒ Email

Attention: Ms. Fredda Wheeler

On August 22, 2024, a representative of the Georgia Public Service Commission Pipeline Safety/Facilities Protection Office conducted an on-site inspection of your gas system and found that previously identified probable violation(s) of the Pipeline Safety Regulations have either been cleared or are continuing, as identified below.

- ☐ Previously existing probable violation(s) has/have been cleared.
- ☒ Previously existing probable violation(s) still exist.
- ☐ Additional Enforcement
  - ☐ Notice of Proposed Violation
  - ☐ Notice of Proposed Violation with Proposed Civil Penalty
  - ☐ Warning Letter
  - ☐ Letter of Concern
  - ☐ Observed Issue
- ☐ Consent Agreement Pending

The enclosed inspection report numbered RS24-031 is provided for your information and file.

Please review and respond to this report in accordance with the attached Instructions for Responding to Enforcement Actions, Enforcement Letters, and Notifications Issued by the Georgia Public Service Commission. Please refer to Docket No. 37092 in your response.

Please let me know if there are any questions concerning this report at (404) 985-4271 or mthebert@psc.ga.gov. Thank you for your continuing contribution toward increased pipeline safety.

Sincerely,

Michelle Thebert

Michelle L. Thebert
Director, Office of Pipeline Safety/Facilities Protection

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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: RS24-031

OPERATOR: City of Toccoa Natural Gas Department (Distribution)

INVESTIGATOR: Brant Sweat

INSPECTION DATE: August 22, 2024 REPORT MAILED DATE: February 18, 2025

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

1. PURPOSE OF INSPECTION

To conduct a follow-up inspection of the Operators previously existing probable violations.

2. CONTINUING VIOLATIONS

Violation	Description	Inspection#	Date
192.619(a)	No person may operate a segment of steel or plastic pipeline at a pressure that exceeds a maximum...	AT18-022	6/11/2018
192.181(b)	Each regulator station controlling the flow or pressure of gas in a distribution system must have...	AT18-022	6/11/2018
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JJ19-032	6/17/2019
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	DJ20-039	12/7/2020
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	DJ21-038	10/4/2021
192.465(d)	Each operator shall take prompt remedial action to correct any deficiencies indicated by the...	DJ21-038	10/4/2021
192.467(a)	Each buried or submerged pipeline must be electrically isolated from other underground metallic...	DJ21-038	10/4/2021

3. CLEARED VIOLATIONS

4. NEW VIOLATIONS

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF TOCCOA / FOLLOW UP INSPECTION
INSPECTION NUMBER RS24-031 / DOCKET NUMBER 37092

On August 22nd, 2024, Commission Staff reported to the City of Toccoa to conduct a follow-up inspection of the Operators previously existing probable violations.

During the inspection, the Operator was represented by:
Rocky Bowen - Gas Superintendent
Brandon Wheeler – Assistant Superintendent
Rance Fleming – Compliance Manager
Bruce Bagnasco – S.R.C.S (Consultant)

Commission Staff was represented by:
Brant Sweat – Lead Inspector
Chuck Whitaker – Pipeline Inspector

At the time of this inspection the City of Toccoa had five (5) previously existing probable violations. Toccoa also had a total of ten (10) outstanding proposed civil penalties which are being addressed between the Toccoa City Manager and the GPSC Director of Facilities Protection. Eight (8) of these violations with proposed penalties have been cleared, and two (2) remain open.

Penalties with existing violations.

Insp #	Code	Ref	Proposed Penalty
AT18-022	§192.181(b)	Regulator station inlet valve	$7,500.00
AT18-022	§192.619(a)	Maximum Allowable Operating Pressure	$7,500.00
TOTAL PROPOSED PENALTIES			$15,000.00

Penalties with cleared violations.

Insp #	Code	Ref.	Proposed Penalty
AT18-022	§192.199(h)	Pressure relief / unauthorized operation	$7,500.00
AT18-022	§192.751(c)	Accidental Ignition	$7.500.00
AT18-022	§192.739	Pressure Limiting Stations (X2)	$15,000.00
AT18-022	§192.13(c)	Procedures (§192.739(a))	$7,500.00
AT18-022	§192.199(g)	Pressure relief and limiting / single incident	$7,500.00
AT16-029	§192.479	Atmospheric Corrosion (X2)	$15,000.00
AT18-022	§192.13(c)	Procedures (§192.479(a))	$7,500.00
AT18-022	§192.743	Capacity of relief devices	$7.500.00
TOTAL PROPOSED PENALTIES			$75,000.00

Staff reviewed these probable violations with the Operator and determined that:

PROBABLE VIOLATIONS CONTINUING

1. In regard to the probable violation of 49 CFR §192.181(b) which was cited in Inspection Number AT18-022; in that inspection Staff stated that: "Staff found the Operator failed to install a valve at each regulator station on the inlet piping at a distance from the regulator station sufficient to permit the operation of the valve during an emergency that might preclude access to the station."

   Staff proposed a Civil Penalty of $7,500.00 for this violation.

FIRST OPERATOR RESPONSE: In their response to Inspection Number AT18-022, dated November 15, 2018, the City of Toccoa requested an Informal Conference with the Director to discuss the proposed civil penalty, and stated that: "By December 31, 2018, Toccoa will inspect all of its regulator stations, identify any that are subject to the requirements of 192.181(b) and that do not have the required inlet valves, and develop a plan for installing any required valves."

FIRST FOLLOWUP INSPECTION: On June 17, 2019, Staff performed a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number JJ19-032). In that inspection Staff stated: "The Operator advised Staff that they have identified 31 regulator stations that require inlet valves to be in compliance with §192.181(b). Operator also advised Staff that they do not have a target date for completion to bring these stations into compliance with the minimum federal safety standards. Staff requests that the Operator provide a timeline for completion of the installation of these valves in their response to this inspection."

SECOND OPERATOR RESPONSE: In their response to Inspection Number JJ19-032, dated March 2, 2020, the City of Toccoa stated that: "Toccoa has determined that the date for development of an inlet valve installation plan provided in the previous response applied only to regulator stations adjacent to Toccoa's Transmission Line and that there are many more regulator stations that must be reviewed before a comprehensive plan can be developed. By March 31, 2020, Toccoa will advise GPSC Staff of the date by which an inlet valve installation plan will be developed."

SECOND FOLLOWUP INSPECTION: On October 8, 2019, Staff performed a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number AT19-037) This inspection was not completed before Follow-up Inspection DJ20-012 was processed and mailed to the Operator. Since the operator has already received a subsequent follow-up inspection this inspection (AT19-037) was not sent to the Operator.

THIRD FOLLOWUP INSPECTION: From March 24, 2020 to March 26, 2020 Staff communicated with the City of Toccoa via telephone conference due to COVID-19 to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. (Ref. Inspection Number DJ20-012) In that inspection Staff stated: "During this inspection (DJ20-012) Staff reviewed the Operators progress on this item and the Operator stated that Toccoa Natural Gas (T.N.G) started with twenty- seven (27) Stations needing valves. The Operator has six (6) completed and one station that was removed. T.N.G staff removed two services from one of the stations which removed it from the list. The Pressure Reducing Station is now only feeding one service. Gas department personnel are in the process of installing the remaining valves while dealing with weather conditions and now the COVID- 19 Virus. Toccoa will advise GPSC Staff of the date by which an inlet valve installation plan will be developed."

THIRD OPERATOR RESPONSE: In their response to Inspection Number DJ20-012, dated July 27, 2020, the City of Toccoa stated that: "Toccoa will address installation or designation of inlet valves for regulator stations in a phased plan that has been submitted to the Facilities Protection Director for proposed inclusion in a consent agreement. Inlet valves on regulator stations directly connected to its Transmission Line by March 31, 2021, and inlet valves on regulator stations within its Distribution System by June 30, 2022.

FOURTH FOLLOWUP INSPECTION: From December 7, 2020 to December 8, 2020 Staff reported to the City of Toccoa to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. (Ref. Inspection Number DJ20-039). In that inspection Staff stated: "During this inspection (DJ20-039) Staff reviewed the Operators progress on this item. GPSC Director and Staff received a copy of Toccoa Natural Gas proposed compliance

plan dated July 9, 2020. The Operator states in their proposed compliance plan that during phase three Toccoa Natural Gas will install inlet valves at all 74 Distribution stations by June 30, 2022."

FOURTH OPERATOR RESPONSE: In their response to Inspection Number DJ20-039, dated March 10, 2021, the City of Toccoa stated that: "Toccoa is addressing this issue in a phased plan that was submitted to and has been reviewed by GPSC Staff. According to this plan, inlet valves would be installed by March 31, 2021 at 30 regulator stations that are fed from transmission pipelines. To date, there are fifteen regulator stations fed from transmission pipelines that still do not have inlet valves. The plan also states that inlet valves are needed at 74 regulator stations that are fed from distribution mains. The plan states that the requirement for inlet valves at all regulator stations will be addressed by June 30, 2022. To date, there are still 74 needed."

FIFTH FOLLOWUP INSPECTION: From September 27-28, 2021, Staff conducted an online inspection with the City of Toccoa to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. On October 4-5, 2021, Staff reported to the City of Toccoa to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. (Ref. Inspection DJ21-037) In that inspection Staff stated:

> "During this inspection (DJ21-037), Staff received an email on 9/28/2021 from Rance Fleming stating, "City of Toccoa have documented 30 inlet valves that need to be installed on our Transmission system.
> 30 valves total:
> 4 located in North Carolina
> 2 were found to exist that was not known about
> 3 were taken off the list due to services that were killed during Toccoa's meter maintenance.
> Leaving a remaining of 21 Transmission inlet valves to be installed. These 21 have been installed and are documented.
>
> Toccoa has documented 80 remaining Distribution inlet valves that need to be installed. Due to manufacturing supplies and Covid-19 we have not installed any of these valves". The Operator states in their proposed compliance plan that during phase three Toccoa Natural Gas will install inlet valves at all 74 Distribution stations by June 30, 2022".

FIFTH OPERATOR RESPONSE: In their response to Inspection Number DJ21-037, dated February 1st, 2022, the City of Toccoa stated that: "As noted in this Inspection Report, Toccoa's progress in installing required valves has been hindered by the COVID-19 pandemic that has reduced availability of employees and contractors, limited access to customer homes for relights, and extended delivery times for materials. Based on these delays, Toccoa now projects that installation of the remaining valves will be completed by December 31, 2022.

SIXTH FOLLOW-UP INSPECTION: On June 22, 2022, Staff reported to the City of Toccoa Gas Department to perform an inspection of the Operator's methane emission reduction plan (GD) for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref Inspection Number DJ22-028). In that inspection Staff stated: "At the time of this inspection the City of Toccoa was under five (5) previously existing probable violations. Staff did not review any existing violations during this inspection."

SIXTH OPERATOR RESPONSE: In their response to Inspection Number DJ22-028, dated February 21st, 2023, the City of Toccoa stated that: "As noted in Toccoa's response to Inspections DJ21-037 and DJ21-038 Reports, Toccoa's progress in installing required valves has been hindered by the COVID-

19 pandemic that has reduced availability of employees and contractors, limited access to customer homes for relights, and extended delivery times for materials. On September 28, 2021, Toccoa completed all of the inlet valves that were required at regulator stations fed from the Transmission Pipelines. As of February 21, 2023, Toccoa still needs to complete 37 of the 80 required valves at distribution regulator stations. Toccoa now projects that installation of the remaining valves will be completed by December 31, 2023.

SEVENTH FOLLOW UP INSPECTION: During this inspection (RS24-031) the Operator discussed that they are addressing this issue in a phased plan that was submitted to and has been reviewed by GPSC Staff. Staff determined that in consideration of the number of outstanding violations to be addressed, the on-going history of some of these violations, the number of inspections being conducted at this time, and the personnel available to follow-up on each of these violations, that a separate follow-up would need to be scheduled to address these items.

Staff determined that this probable violation could not be cleared at this time.

2. In regard to the probable violation 49 CFR §192.619(a) which was cited in Inspection Number AT18-022; in that inspection Staff stated that: "Operator failed to determine the Maximum Allowable Operating Pressures for the stations which were reviewed during this inspection."

   Staff proposed a Civil Penalty of $7,500.00 for this violation.

   FIRST OPERATOR RESPONSE: In their response to Inspection Number AT18-022, dated November 15, 2018, the City of Toccoa requested an Informal Conference with the Director to discuss the proposed civil penalty, and stated that: "Toccoa has confirmed the appropriate MAOPs for pipeline facilities downstream from its regulator stations and has added this information to the regulator station report forms."

   FIRST FOLLOW-UP INSPECTION: On June 17, 2019, Staff performed a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number JJ19-032). In that inspection Staff stated: "Staff reviewed records provided by the Operator and found that these records failed to demonstrate how the Operator established the maximum allowable operating pressure under the requirements of 49CFR §192.619(a)."

   SECOND OPERATOR RESPONSE:: In their response to Inspection Number JJ19-032, dated March 2, 2020, the City of Toccoa stated that: "By April 30, 2020, Toccoa will advise GPSC Staff of the date by which a plan will be developed for demonstrating how the maximum allowable operating pressure was established for the referenced facilities."

   SECOND FOLLOW-UP INSPECTION: On October 8, 2019, Staff performed a follow-up inspection of the Operators previously existing probable violations. (Ref. Inspection Number AT19-037) This inspection was not completed before Follow-up Inspection DJ20-012 was processed and mailed to the Operator. Since the operator has already received a subsequent follow-up inspection this inspection (AT19-037) was not sent to the Operator.

   THIRD FOLLOWUP INSPECTION: From March 24, 2020 to March 26, 2020 Staff communicated with the City of Toccoa via telephone conference due to COVID-19 to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. (Ref. Inspection Number DJ20-012) In that inspection Staff stated: "During this inspection (DJ20-012) Staff reviewed the Operators progress on this item and found that Toccoa has stated MAOP's for their

regulator stations on the regulator inspection documentation. Due to the COVID19 situation the Operator provided Staff with documentation by e-mail to review for this item. Toccoa provided Staff with documentation for MAOP verification for four (4) segments of their system; 1) 100# - 6-inch steel; 2) 250# - 4-inch steel; 3) 250# - 6-inch steel; and 4) 400# - 4-inch steel). Staff reviewed these records and found that this documentation by itself was not sufficient for them to determine that the MAOP's for these systems has been adequately identified. Staff notes that the documents rely on historical operating pressure for the time period of CY2014 through 2019; however, the record does not identify how this pressure was identified, and no other supporting records were provided."

THIRD OPERATOR RESPONSE: In their response to Inspection Number DJ20-012, dated July 27, 2020, the City of Toccoa stated that: "Toccoa has also documented and verified the MAOP of its facilities. Records are available for Staffs review."

FOURTH FOLLOWUP INSPECTION: From December 7, 2020 to December 8, 2020 Staff reported to the City of Toccoa to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. (Ref. Inspection Number DJ20-039). In that inspection Staff stated: "GPSC Director and Staff received a copy of Toccoa Natural Gas proposed compliance plan dated July 9, 2020. Staff did not receive nor could verify any documentation of the Operator's MAOP of its Distribution facilities. Records were not available for Staff's review during this inspection. Operator will contact Staff will this item is complete".

FOURTH OPERATOR RESPONSE: In their response to Inspection Number DJ20-039, dated March 10, 2021, the City of Toccoa stated that: "Toccoa has compiled all of its Distribution Facilities MAOP documentation, which demonstrates how the MAOP of each pressure system was established. These records are in a binder and available for Staffs review."

FIFTH FOLLOWUP INSPECTION: From September 27-28, 2021, Staff conducted an online inspection with the City of Toccoa to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. On October 4-5, 2021, Staff reported to the City of Toccoa to perform a follow up inspection of the Operator's continuing violations for compliance with Part 192 of the Pipeline Safety Regulations. (Ref. Inspection DJ21-037) In that inspection Staff stated:During this inspection (DJ21-037) Staff determined that the Operator has not demonstrated completely how the MAOP of each pressure system was established."

FIFTH OPERATOR RESPONSE: In their response to Inspection Number DJ21-037, dated February 1st, 2022, the City of Toccoa stated that: "Toccoa is aware that additional documentation is necessary and will have this documentation in place and available for staff's review by March 15, 2022."

SIXTH FOLLOW-UP INSPECTION: On June 22, 2022, Staff reported to the City of Toccoa Gas Department to perform an inspection of the Operator's methane emission reduction plan (GD) for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref Inspection Number DJ22-028). In that inspection Staff stated: "At the time of this inspection the City of Toccoa was under five (5) previously existing probable violations. Staff did not review any existing violations during this inspection."

SIXTH OPERATOR RESPONSE: In their response to Inspection Number DJ22-028, dated February 21st, 2023, the City of Toccoa stated that: "The City of Toccoa has MAOP documentation in place and available for Staff's review."

SEVENTH FOLLOWUP INSPECTION: During this inspection (RS24-031) Staff determined that in consideration of the number of outstanding violations to be addressed, the on-going history of some of

these violations, the number of inspections being conducted at this time, and the personnel available to follow-up on each of these violations, that a separate follow-up would need to be scheduled to address these items.

Staff determined that this probable violation could not be cleared at this time.

3. In regard to the Notice of Amendment for the Probable Violation of 49CFR §192.605(a) which was cited in Inspection Number DJ21-038; in that inspection Staff stated: "The Operator failed to comply with the requirements of 49CFR, §192.181. Because the Operator could not demonstrate an actual process of how they determine where to install specific valves, Staff cannot determine if the Operator has complied with the requirements of §192.181 or their O&M procedure."

   FIRST FOLLOW UP INSPECTION: On June 22, 2022, Staff reported to the City of Toccoa Gas Department to perform an inspection of the Operator's methane emission reduction plan (GD) for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref Inspection Number DJ22-028). In that inspection Staff stated: "At the time of this inspection the City of Toccoa was under five (5) previously existing probable violations. Staff did not review any existing violations during this inspection."

   FIRST OPERATORS RESPONSE: In their response to Inspection Number DJ22-028, dated 02/21/23, the City of Toccoa stated that: "The City of Toccoa has prepared a DRAFT version of a Construction Manual that is under review by our professional consultants. It includes provisions for the placement of valves in newly constructed distribution lines. Toccoa projects to have the construction manual completed by April 30, 2023."

   SECOND FOLLOW UP INSPECTION: During this inspection (RS24-031) Staff determined that in consideration of the number of outstanding violations to be addressed, the on-going history of some of these violations, the number of inspections being conducted at this time, and the personnel available to follow-up on each of these violations, that a separate follow-up would need to be scheduled to address these items.

   Staff determined that this probable violation could not be cleared at this time.

4. In regard to the probable violation of 49CFR §192.465(d) which was cited in Inspection Number DJ21-038; in that inspection Staff stated: "Operator failed to take prompt remedial action on discrepancies found during monitoring of their cathodic protection system.

   FIRST OPERATOR RESPONSE: In their response letter to Inspection Number DJ21-038, dated February 2, 2022, the City of Toccoa failed to address the violation of §192.465(d).

   FIRST FOLLOW UP INSPECTION: On June 22, 2022, Staff reported to the City of Toccoa Gas Department to perform an inspection of the Operator's methane emission reduction plan (GD) for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref Inspection Number DJ22-028). In that inspection Staff stated: "At the time of this inspection the City of Toccoa was under five (5) previously existing probable violations. Staff did not review any existing violations during this inspection."

   SECOND OPERATOR RESPONSE: In their response to Inspection Number DJ22-028, dated 02/21/23, the City of Toccoa stated that: "The locations and cathodic protection readings cited in this

Probable Violation are directly related to and caused by the shorted casings that are the subject of the Probable Violation of 192.467 cited in this Report. Repair, replacement, or abandonment of the casings is necessary for improvement of the readings. The casing and gas main at the Avalon Car Wash were taken out of service on 11/29/22. The schedule for addressing the remaining five casings is as follows: 1. Amvets – replace by 12/31/23, 2. Walnut St – replace by 12/31/23, 3. Mitchell St – replace by 12/31/23. 4. Meeks St – repair or replace by 8/30/23, and 5. Pine St – abandon by 6/30/23."

SECOND FOLLOW UP INSPECTION: During this inspection (RS24-031) Staff determined that in consideration of the number of outstanding violations to be addressed, the on-going history of some of these violations, the number of inspections being conducted at this time, and the personnel available to follow-up on each of these violations, that a separate follow-up would need to be scheduled to address these items.

Staff determined that this probable violation could not be cleared at this time.

5. In regard to the probable violation of 49CFR §192.467(a) which was cited in Inspection Number DJ21-038; in that inspection Staff stated: "The City of Toccoa failed to ensure that each buried or submerged pipeline was electrically isolated from other underground metallic structures."

   FIRST OPERATOR RESPONSE: In their response letter to Inspection Number DJ21-038, dated February 2, 2022, the City of Toccoa failed to address the violation of §192.467(a).

   FIRST FOLLOW UP INSPECTION: On June 22, 2022, Staff reported to the City of Toccoa Gas Department to perform an inspection of the Operator's methane emission reduction plan (GD) for compliance with the Congressional mandate of Section 114 of the Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020. (Ref Inspection Number DJ22-028). In that inspection Staff stated: "At the time of this inspection the City of Toccoa was under five (5) previously existing probable violations. Staff did not review any existing violations during this inspection."

   SECOND OPERATOR RESPONSE: In their response to Inspection Number DJ22-028, dated 02/21/23, the City of Toccoa stated that: "The locations and cathodic protection readings cited in this Probable Violation are directly related to and caused by the shorted casings that are the subject of the Probable Violation of 192.467 cited in this Report. Repair, replacement, or abandonment of the casings is necessary for improvement of the readings. The casing and gas main at the Avalon Car Wash were taken out of service on 11/29/22. The schedule for addressing the remaining five casings is as follows: 1. Amvets – replace by 12/31/23, 2. Walnut St – replace by 12/31/23, 3. Mitchell St – replace by 12/31/23. 4. Meeks St – repair or replace by 8/30/23, and 5. Pine St – abandon by 6/30/23."

   SECOND FOLLOW UP INSPECTION: During this inspection (RS24-031) Staff determined that in consideration of the number of outstanding violations to be addressed, the on-going history of some of these violations, the number of inspections being conducted at this time, and the personnel available to follow-up on each of these violations, that a separate follow-up would need to be scheduled to address these items.

   Staff determined that this probable violation could not be cleared at this time.

Please review and respond to this report in accordance with the attached Instructions for Responding to Enforcement Letters Issued by the Georgia Public Service Commission.

OPERATOR RESPONSE FORM

Informal Conference Requested: Yes ☐ No ☐

Operator Name: City of Toccoa

Docket Number: 37092

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:	)	
	)	
City of Toccoa Natural Gas Department (Distribution)	)	**DOCKET NO. 37092**
	)	
	)	
	)	

CERTIFICATE OF SERVICE

I, hereby certify that I have this day served a copy of the within and foregoing document on the following persons via email and/or United States Mail as follows:

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

*Ms. Fredda Wheeler, City Manager
City of Toccoa Natural Gas
92 N. Alexander Street
P.O. Box 579
Toccoa, GA 30577
fwheeler@cityoftoccoa.com

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

Respectfully Submitted this 4th day of March 2025:

Cathy Nesbitt

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