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Georgia Public Service Commission

(404) 463-6526
(800) 282-5813

244 Washington Street, SW
Atlanta, GA 30334-5701

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

Docket No. 37053

City of Fort Gaines Gas System
103 West Commerce St
Fort Gaines, GA 39851

REF: Follow Up Inspection # JJ25-036

DOCKET# 37053
DOCUMENT# 229307

☐ Certified Mail ☐ Regular Mail ☑ Email

Attention: Mr. Kenneth Sumpter

On June 2, 2025, 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 JJ25-036 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. 37053 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 by mpw

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

COMMISSIONERS

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REECE McALISTER
EXECUTIVE DIRECTOR

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REPORT OF NATURAL GAS SAFETY

INSPECTION NO: JJ25-036

OPERATOR: City of Fort Gaines Gas System

INVESTIGATOR: Joe Jones

INSPECTION DATE: June 2, 2025 REPORT MAILED DATE: October 23, 2026

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
192.616	Public education.	AT19-046	11/18/2019
515-9-3-.08	Written Formal Notice of Violation	JS20-044	12/8/2020
40.321	What is the general confidentiality rule for drug and alcohol test information?	JS20-044	12/8/2020
192.603(c)	General - The Associate Administrator or the State Agency that has submitted a current...	JB22-024	9/6/2022

3. CLEARED VIOLATIONS

Cleared on 6/2/2025

Violation	Description	Inspection#	Date
192.721	Distribution systems: Patrolling.	JJ19-054	10/28/2019
192.723(b)(2)	A leakage survey with leak detector equipment must be conducted outside business districts as...	JJ19-054	10/28/2019
192.605(a)	Each operator shall prepare and follow for each pipeline, a manual of written procedures for...	JJ19-054	10/28/2019
192.465(d)	Each operator shall take prompt remedial action to correct any deficiencies indicated by the...	JJ19-054	10/28/2019
192.1011	What records must an operator keep?	JJ19-054	10/28/2019
192.467(d)	Inspection and electrical tests must be made to assure that electrical isolation is adequate.	JJ19-054	10/28/2019
192.723(b)(1)	A leakage survey with leak detector equipment must be conducted in business districts, including...	JJ19-054	10/28/2019
192.181(b)	Each regulator station controlling the flow or pressure of gas in a distribution system must have...	JJ19-054	10/28/2019
192.481(a)	Each operator must inspect each pipeline or portion of pipeline that is exposed to the atmosphere...	JJ19-054	10/28/2019

4. NEW VIOLATIONS

Violation	Description	Inspection#	Date
Consent Agreement Pending	Operator is negotiating Consent Agreement with the FPU Director	JJ25-036	6/2/2025

5. OTHER RECOMMENDATIONS/COMMENTS

SEE ATTACHED INSPECTION REPORT

CITY OF FORT GAINES GAS SYSTEM / FOLLOW-UP INSPECTION
INSPECTION NUMBER JJ25-036 / DOCKET NUMBER 37053

From June 2 - 4, 2025, Pipeline Safety Staff conducted a follow-up inspection of the City of Fort Gaines Gas System. This inspection focused on previously identified probable violations cited under Inspection Numbers JJ19-054, JJ20-044, and JB22-024. An exit meeting was held with the Operator on June 5, 2025.

During this inspection, the Operator was represented by:
Byron Sands – Gas Superintendent
Bobby Boyd – City Services, Inc. (Consultant)

Commission Staff were represented by:
Joe Jones - Lead Inspector
Chuck Whitaker – Pipeline Safety Inspector

At the time of this inspection the City of Fort Gaines Gas System was under 14 previously existing probable violations, and eight (8) of these violation have outstanding proposed civil penalties totaling $20,000.00, as identified below:

NOPV's Cleared in this report:

Item # / Insp #	Code / Rule	Description	Proposed Penalty
2 (JJ19-054)	§192.465(d)	External Corrosion Control: Monitoring	$2,500.00
3 (JJ19-054)	§192.467(d)	External Corrosion Control: Electrical Isolation	$2,500.00
4 (JJ19-054)	§192.481(a)	Atmospheric Corrosion Control: Monitoring	$2,500.00
5 (JJ19-054)	§192.605(a)	192.327(b) - Cover	$2,500.00
9 (JJ19-054)	§192.723(b)(2)	Leak Surveys	$2,500.00

NOPV's Continuing in this report:

Item # / Insp #	Code / Rule	Description	Proposed Penalty
1 (AT19-046)	§192.616	Public education	$2500.00
2 (JS20-044)	§40.321	General Confidentiality / Drug Test Records	$2,500.00
3 (JS20-044)	CR 515-9-3-.08	Written Formal Notice of Violation	$2,500.00

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

PROBABLE VIOLATIONS CLEARED

1) In regard to the Probable Violation of 49CFR §192.181(b) which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

> "STAFFS COMMENTS: During this inspection, Staff performed a field inspection of the Operators facilities. Staff noted that the Operator's valve at their take station was located inside the fenced in area, and was not located where it could be safely operated during an emergency.
>
> PROBABLE VIOLATION: The Operator's valve at their take station is not located at a sufficient distance to permit operation during an emergency as required by 192.181(b)."

FIRST FOLLOW-UP INSPECTION: On November 18, 2019, Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

"At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

"During this follow-up inspection (#JS20-044) the Operator informed Staff that they were still working with a contractor on ways to resolve this inlet valve issue at their take station.

During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed for by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required, and has not yet addressed the associated civil penalties.

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

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"The City is still currently diligently working on a solution to satisfy the requirement of this code section. This expense could be vast and the City is weighing the best options and request more time. The City intends to have an answer to this issue by the end of the calendar year 2021. If, however, the City in unable to find a solution by this time, the City will notify the GPSC and request an extension."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (JJ25-036) Staff reviewed operators' response to Inspection number (JJ19-054) and (JS20-044) filed April 1, 2021, Staff visited the station and reviewed the documentation provided by the Operator. The City of Fort Gaines has identified a valve that is approximately 1,000 geet upstream of the regulating station that can be used to shut it down in the event of an emergency.

Staff determined that this probable violation could be cleared at this time.

2) In regard to the Probable Violation of 49CFR §192.465(d) which was cited under Inspection Number JJ19-054; in that inspection Staff stated that

> "COMMENTS: During this inspection Staff reviewed records provided by the Operator for the annual CP surveys performed by their contractor. Staff noted that:
> - In 2015 the report indicated that 100% of their cathodically protected gas mains and gas services met the Operators established criteria.
> - In 2016 the report indicated that 100% of their cathodically protected mains, and 95% of their cathodically protected services met the Operators established criteria.
> - In 2017 the report indicated that 100% of their cathodically protected mains, and 100% of their cathodically protected services met the Operators established criteria.
> - In 2018 their report indicated that 89% of their cathodically protected mains and 60% of their cathodically protected services met the Operators established criteria.
> - In 2019 their report indicated that 100% of their cathodically protected mains, and 93% of the cathodically protected services met the Operators established criteria.
>
> The Operator was not able to produce any documentation which indicated that any remedial actions were taken to address the deficiencies noted during the annual surveys.
>
> PROBABLE VIOLATION: The Operator failed to demonstrate that took prompt remedial action to correct the deficiencies indicated by their monitoring."

Staff proposed a civil penalty of $2,500.00 for this violation

FIRST FOLLOW-UP INSPECTION: On November 18, 2019, Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

> "At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

"During this follow-up inspection (#JS20-044) Staff spot checked seven of the locations that were found during the 2019 comprehensive inspection to have cathodic protection readings below the Operator's criteria. Staff found CP readings above the -0.850 criteria during the spot checks. The work orders associated with correcting the CP deficiencies were reviewed which included troubleshooting and rectifier repair.

During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed for by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required, and has not yet addressed the associated civil penalties.

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

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"During the follow-up inspection (#JS20-044) GPSC staff spot checked seven low CP readings found during the 2019 comprehensive inspection. The readings were all above the -.850 criteria. Work orders and rectifier repair invoices were reviewed. The City was originally levied a $2,500 civil penalty for this violation. The City has since produced records to staff showing the money already allocated to this issue. The City hopes that the GPSC will consider these extensive costs in lieu of civil penalty originally proposed. The City will ensure it provides a written response to GPSC in the specified time frame going forward."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (JJ19-054) and (JS20-044) filed April 1, 2021, Staff also spot checked five low CP readings found during the 2019 comprehensive inspection. The readings were all above the -.850 criteria. CP records were reviewed from 2020 through 2024 and all recorded reads were within required limits.

Staff determined that this probable violation may be cleared at this time; however, the Operator must still address the outstanding civil penalty of $2,500.00 that was previously proposed in connection with this violation with the Director.

3) In regard to the Probable Violation of 49CFR §192.467(d) which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

> "STAFFS COMMENTS: In the Operators procedure manual it states: "If the carrier pipe–to–soil value has shifted to a positive voltage value, the casing is shorted to the carrier pipe and excavation and repair must be scheduled."
>
> While performing field evaluations of the Operators facilities Staff found that the Operator had a pipeline on the South Washington Street bridge that they were not aware of. Staff found that the casing was shorted to the pipe.
>
> PROBABLE VIOLATION: The Operator failed to perform inspection and electrical tests to ensure that each of their buried pipelines is electrically isolated from other underground metallic structures, as required by §192.467 and their OPM procedures."

Staff proposed a civil penalty of $2,500.00 for this violation.

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

> "At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

> "During this follow-up inspection (#JS20-044) the Operator informed Staff that this issue had been addressed. Staff found that the work order for the Washington St bridge casing mentions repair of the coating on the carrier pipe and casing, and the installation of 17-gauge hi-output magnesium anode to mitigate contact short on bridge casing. Staff determined that the documentation provided by the Operator failed to indicate what actions the Operator had taken to eliminate the short between the casing and carrier pipe which had been previously identified.
>
> During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return

receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties.

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

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"During the follow-up inspection (#JS20-044) Staff reviewed the work order for the repair of the Washington St. bridge short between the carrier pipe and the casing. As stated in the work order, (included with this response) both the carrier pipe and casing had coating repairs to eliminate any contact shorts. For extra assurance, the carrier piper had an anode installed on the carrier pipe to offset any future shorts that may occur. Pictures will also be included with this response. The City was originally issued a $2,500 civil penalty for this violation. The City has since allocated funds for contractors and designated employees to work on this as the records indicate. The City was like to ask in lieu of this $2,500, consideration be given to the funds already spent and The City will allocate $1,000 more dollars for CP rehabilitation in the year 2021. The city will also ensure it provides a written response to GPSC in the specified time frame going forward."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed operators' response to Inspection number (JJ19-054) and (JS20-044) filed April 1, 2021, during this follow-up inspection Staff reviewed the work order for the repair of the Washington St. bridge short between the carrier pipe and the casing. Staff visited the site to ensure electrical isolation by taking volt reads on the casing (-1.887) and main (-2.742). Staff were provided with CP readings from 2020 through 2024.

Staff determined that this probable violation may be cleared at this time; however, the Operator must still address the outstanding civil penalty of $2,500.00 that was previously proposed in connection with this violation with the Director.

4) In regard to the Probable Violation of 49CFR §192.481(a) which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

> "STAFFS COMMENTS: In the Operators procedure manual it states: "All meter sets, regulator stations or exposed metallic portions of the Fort Gaines gas system must be cleaned and painted as required to prevent atmospheric corrosion.
>
> During this inspection Staff found atmospheric corrosion on the meter set at 101 Weatherby St. The Operator could not produce any documentation that this meter had ever been inspected.
>
> PROBABLE VIOLATION: The Operator failed to demonstrate that they have inspected each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric, as required by §192.481(a) and their OPM procedures."

Staff proposed a civil penalty of $2,500.00 for this violation.

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated: "At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

> "During follow-up inspection #JS20-044 the Operator informed Staff they have increased their efforts to ensuring all portions of aboveground piping are monitored for atmospheric corrosion. The meter set at 101 Wetherby that was mentioned in the 2019 comp. was cleaned and recoated to mitigate atmospheric corrosion issues. Since the Operator performs atmospheric corrosion monitoring in conjunction with leak survey, Staff reviewed these leak survey from 2015 through 2020 but found 101 Wetherby Lane only mentioned in the 2015 survey.
>
> During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties."

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

> "During the follow-up inspection (#JS20-044) GPSC staff observed that the Operators efforts increased monitoring all above ground piping. The address 101 Weatherby not only has been cleaned and painted but listed on the proper survey as shown on the document included with this response. In lieu of the $2,500 civil penalty, the City asks that consideration be given to allocated funds to rehabbing every meter in their gas system. That is brushing, cleaning, & painting every meter set. Extensive personnel hours and materials to accomplish this. The City will continue to monitor and rehab their above ground pipeline in accordance with their O&M procedures. The City will ensure it provides a written response to GPSC in the specified time frame going forward."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Ref, Inspection Number JJ25-036) Staff reviewed the Operator's response to Inspection Numbers JJ19-054 and JS20-044, originally filed on April 1, 2021. The Operator provided documentation confirming that the meter set located at 101 Weatherby Street had been cleaned and painted. Additionally, survey records were submitted indicating that this location was surveyed on October 19, 2021, and again on May 1, 2024.

Staff determined that this probable violation may be cleared at this time; however, the Operator must still address the outstanding civil penalty of $2,500.00 that was previously proposed in connection with this violation with the Director.

5) In regard to the probable violation of 49CFR §192.605(a) / §192.327(b) which was cited under Inspection Number JJ19-054; in that inspection Staff stated

> STAFFS COMMENTS: Under §192.327(b) it states: Except as provided in paragraphs (c) and (d) of this section, each buried main must be installed with at least 24 inches (610 millimeters) of cover.
>
> In the Operators procedure manual it states: "A Underground service lines should be installed with at least twenty-four (24) inches of cover, if possible. Where another underground structure prevents the installation of the service with the minimum cover, the service may be installed with less cover if it is provided with additional protection to withstand anticipated external loads.

> During this inspection Staff observed a service line in alley behind Buy Rite Drugs that was running on the top of the ground without any cover. Staff also noted that the coating on the service line was damaged
>
> PROBABLE VIOLATION: The Operator failed to install a service line in the alley behind Buy Rite Drugs with according to the requirements of §192.707 and their OPM procedures.

Staff proposed a civil penalty of $2,500.00 for the violation of §192.605(a)/§192.327(b).

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

> "At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

> "During this follow-up inspection (#JS20-044) Staff observed a number of pipeline markers installed throughout the Fort Gaines Gas System since the 2019 comprehensive inspection took place. While performing various field checks, Staff went to the area behind the Buy Rite Drug store to ensure the Operator took care of the service line that was previously exposed. Staff observed this line had been buried.
>
> During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties.
>
> Staff determined that this probable violation could not be cleared at this time."

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"During the follow-up inspection (JS20-044) GPSC staff a number of pipeline markers installed throughout the system. These installations all take place after the comprehensive inspection in 2019. Also, when Staff observed the service line that was previously exposed had been buried. This violation remains due to the absence of a written response from that inspection that also addresses the $2,500 civil penalty. In lieu of the civil penalty, the city asks that the purchase of pipeline markers, materials, and personnel hours it took to accomplish to be considered. Also, this City will allocate an additional $1,000 to more line markers and new CP multimeter and half cells. The city will also ensure it provides a written response to GPSC with the appropriate information in the specified time frame going forward."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (JJ19-054) and (JS20-044) filed April 1, 2021. Staff also reviewed the work performed on the service line that was previously exposed and verified through field observation the issue has been corrected.

Staff determined that this probable violation may be cleared at this time; however, the Operator must still address the outstanding civil penalty of $2,500.00 that was previously proposed in connection with this violation with the Director.

6) In regard to the Probable Violation of 49CFR §192.605(a) / §192.707(a) which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

"STAFFS COMMENTS: Under §192.707(a), it states: except as provided in paragraph (b) of this section, a line marker must be placed and maintained as close as practical over each buried main and transmission line: (1) At each crossing of a public road and railroad; and (2) Wherever necessary to identify the location of the transmission line or main to reduce the possibility of damage or interference.

Under §192.707(c), it states: Pipelines above ground. Line markers must be placed and maintained along each section of a main and transmission line that is located above ground in an area accessible to the public.

In the Operators procedure manual it states: "A line marker must be placed as close as practical over each buried main and transmission line including each crossing of a public road and railroad and wherever necessary to identify the location of the pipeline to reduce the possibility of damage or interference"

While performing field evaluations of the Operators right-of-way, Staff found that the Operator only had pipeline markers installed at one (1) of the five (5) locations which were inspected. Staff also noted that they only found four (4) markers within the Operators system which had the correct information as required by §192.707(d).

PROBABLE VIOLATION: The Operator failed install and maintan pipeline markers as required by §192.707(a) and their OPM procedures.

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

"At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

"During this follow-up inspection (#JS20-044) Staff observed a number of pipeline markers installed throughout the Fort Gaines Gas System since the 2019 comprehensive inspection took place. While performing various field checks, Staff went to the area behind the Buy Rite Drug store to ensure the Operator took care of the service line that was previously exposed. Staff observed this line had been buried.

During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties.

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

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"During the follow-up inspection (JS20-044) GPSC staff a number of pipeline markers installed throughout the system. These installations all take place after the comprehensive inspection in 2019. Also, when Staff observed the service line that was previously exposed had been buried. This violation remains due to the absence of a written response from that inspection that also addresses the $2,500 civil penalty. In lieu of the civil penalty, the city asks that the purchase of pipeline markers, materials, and personnel hours it took to accomplish to be considered. Also, this City will allocate an additional $1,000 to more line markers and new CP multimeter and half cells. The city will also ensure it provides a written response to GPSC with the appropriate information in the specified time frame going forward."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed operators' response to Inspection number (JJ19-054) and (JS20-044) filed April 1, 2021. Staff viewed documentation that over the last five years the operator has installed 120 pipeline markers over 7.99 miles of main. This number indicates the operator has 15 makers per mile. These installations all take place after the comprehensive inspection in 2019. Staff also conducted a field observation of the work that was completed. The service line that was previously exposed was buried; it was verified through field observation.

Staff determined that this probable violation could be cleared at this time.

7) In regard to the Probable Violation of 49CFR §192.721 which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

"COMMENTS: During this inspection Staff found that the casing on the main at the bridge South Washington Street was damaged, and appeared to have been damaged for some time. Patrolling records provided by the Operator indicated that they performed pipeline patrols on February 19, 2019 and August 13; however, there were no items noted during the patrols.

PROBABLE VIOLATION: The Operator failed to identify a condition which could lead to failure, or leakage on their main at the South Washington Street bridge."

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

"At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

"During this follow-up inspection (#JS20-044) Staff reviewed the work order of cleaning, painting of the main that runs along the S. Washington Street bridge. The Operator also produced patrolling records for 2020, which Staff reviewed and found they the bridge was included during the patrol.

During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties.

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

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"It was reviewed by GPSC staff during the follow-up inspection (JS20-044) the documentation for cleaning and panting of the main that runs along Washington St. bridge. Staff also stated that the Operator produced patrolling records for 2020 that included Washington St. bridge. However, this failure to provide a written response resulted in this violation not being cleared. The city will ensure it provides a written response to GPSC in the specified time frame going forward."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the documentation for cleaning and panting of the main and casing that runs along Washington St. bridge. The Operator produced patrolling records for 2020 going forward that included Washington St. bridge. Staff visited the site and verified the work was performed.

Staff determined that this probable violation could be cleared at this time.

8) In regard to the Notice of Amendment for 49CFR §192.723(b)(1) which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

> "STAFFS COMMENTS: During this inspection, Staff examined five years of the Operator's Distribution System Annual Reports (PHMSA Form 7100.1-1), and the Operator's leak survey records. These records indicated that for their business district in CY2019 they surveyed 54 services and two (2) miles of main; in CY2018 they surveyed 54 services and one (1) mile of main; in CY2017 they surveyed 76 services and two (2) miles of main; in CY2016 the surveyed 74 services and two (2) miles of mail; and in CY2015 they surveyed 54 services and .05 miles of main.
>
> The Operator could not explain the discrepancy between the number of miles and services which were included in the annual business district leak surveys.
>
> PROBABLE VIOLATION: The Operator must amend their procedures for compliance with §192.723(b)(1) to define their process for identifying their business district(s) requiring annual leakage surveys."

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

> "At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

> "During this follow-up inspection (#JS20-044) Staff reviewed Fort Gaines Gas System's O&M and found they did amend their procedure for performing leakage survey in order to better comply with §192.723(b)(1).

> During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties.
>
> Staff determined that this probable violation could not be cleared at this time."

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

> "During the follow-up inspection (#JS20-044) GPSC staff observed that the City's O&M was amended to correctly comply with 192.723(b)(1). However, violation still exists due to lack of written response from the operator. This City asks the GPSC this as a written response to this issue and hopes to clear it up with the director's approval. The city will ensure it provides a written response to GPSC in the specified time frame going forward."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff observed that the City's O&M was amended to correctly comply with 192.723(b)(1) The amendment is located on pages 103 – 104 "Distribution Leakage Surveys" of the Operators O&M Manuel to insure that all inaccessible locations are surveyed before the annual leak surveys are completed.

Staff determined that this probable violation could be cleared at this time.

9) In regard to the probable violation of 49CFR §192.723(b)(2) which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

> STAFFS COMMENTS: During this inspection, Staff performed field inspections of a valve at Hambersham Street and a private easement. Staff identified a distribution main running from this valve to a peanut factory. Staff observed that this main runs through a very dense wood line, The Operator could not demonstrate that they had leak surveyed this line.

PROBABLE VIOLATION: The Operator could not demonstrate they performed a leak survey on the distribution main from the valve at Hambersham Street to the peanut factory."

Staff proposed a civil penalty of $2,500.00 for this violation.

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

"At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

"During this follow-up inspection (#JS20-044) the Operator and the consultant that performs annual leak surveys for them informed Staff that the distribution main from the valve located on Habersham Street going to the Chattahoochee Peanut Company has been added to their annual list. This gas line was included in the leak survey that has been performed on September 30 & October 1, 2020.

During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties.

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

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"The GPSC staff reviewed in follow-up inspection (#JS20-044) records of leak surveys that had been performed on September 30 — October 1 that included the distribution main on Habersham St. going to the Chattahoochee Peanut Company and added to their annual leak survey. The City was issued a proposed civil penalty and having not provided a written

response addressing this civil penalty, the violation remains. The city will ensure it provides a written response to GPSC with the correct information and in the specified time frame going forward. The City also hopes that the cost incurred for an additional leak survey, pipelines markers, and the personnel hours to rehab this area suitable for regular survey will be sufficient in lieu of the original $2,500 civil penalty."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff verified that the Section of distribution main on Habersham St. going to the Chattahoochee Peanut Company has been added to their annual leak survey and checked annually since 2020.

Staff determined that this probable violation may be cleared at this time; however, the Operator must still address the outstanding civil penalty of $2,500.00 that was previously proposed in connection with this violation with the Director.

10) In regard to the Probable Violation of 49CFR §192.1011(a) which was cited under Inspection Number JJ19-054; in that inspection Staff stated:

"STAFF'S COMMENTS: During this inspection, Staff examined five years of the Operator's Distribution System: Annual Report (PHMSA 7100.1-1). Staff found that the annual reports indicated that:
For CY2018 – Five (5) leaks were reported as "Natural Force Damage".
For CY2017 – Seven (7) were reported as being caused by "Other cause".
For CY2015 – Seven (7) leaks were reported as being caused by "Other cause".

Staff requested the documentation for these leaks, however, the Operator could not provide any records.

PROBABLE VIOLATION: The Operator failed to maintain records as required by §192.1011."

FIRST FOLLOW-UP INSPECTION: On November 18, 2019 Staff reported to the City of Fort Gaines to conduct a public awareness inspection of the Operators plan, and records for compliance with the minimum federal safety standards in 49CFR Part 192.616. (Ref. Inspection Number AT19-046) In that Inspection Staff stated:

"At the time of this inspection the City of Fort Gaines was under nine (9) previously existing probable violations. Two (2) of these previously existing violations were addressed under Follow-up Inspection number JS19-036 on July 29, 2019. The other seven (7) existing

violations were found during Inspection number JS19-037, which the Operator had not yet received. Staff also notes that there were another nine (9) violations which were cited in Inspection Number JJ19-054, which had not been finalized at the time of this inspection."

SECOND FOLLOW-UP INSPECTION: On December 7 and 8, 2020 Pipeline Safety Staff reported to the City of Fort Gaines to perform an inspection on the Gas System's Distribution Integrity Management Plan (Ref. Inspection Number JS2-045) and while there, performed a follow-up on the Operator's previously existing probable violations. (Ref. Inspection Number JS20-044. In that inspection Staff stated:

"During this follow-up inspection #JS20-044 the Operator informed Staff that the Gas Superintendent is actively keeping track of leaks and how they should be categorized so they can submit the most accurate information they could into their annual 7100 reports. Staff reviewed documentation (work orders) the Operator is utilizing to capture this information.

During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed by Kim Jackson on March 9, 2020. Staff found that the Operator has taken some actions to address the probable violations cited in Inspection Number JJ19-054, however, the Operator has failed to provide a written response as required and has not yet addressed the associated civil penalties.

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

FIRST OPERATOR RESPONSE: During Follow-up Inspection Number JS20-044 the City of Fort Gaines Gas System Informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054. The City of Fort Gaines finally filed a response on April 1, 2021 in conjunction with their response to Inspection Number AT19-046, and JS20-044. In that response letter Fort Gaines stated:

"During the follow-up inspection (#JS20-044) GPSC staff reviewed documentation of how the new Gas Superintendent is now tracking of leaks and how to correctly categorize them for appropriate information to be displayed on the City's 7100 form. The city will continue to correctly track, categorize, and report leaks as demonstrated on the most recent 7100 form for Fort Gaines. The city will ensure it provides a written response to GPSC in the specified time frame going forward to ensure that violations like these that are taken care of, be cleared."

THIRD FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

FOURTH FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (JJ19-054) and (JS20-044) filed April 1, 2021/ Staff verified the new Gas Superintendent is now tracking leaks and how to correctly categorize them on the City's annual 7100 reports.

Staff determined that this probable violation could be cleared at this time.

11) In regard to the Notice of Amendment of §192.603(c) which was cited in Inspection Number JB22-024; while this violation existed at the time of this follow-up inspection (Ref. Inspection Number JJ25-036) it is being cleared under Inspection Number JB25-038 based on revised guidance from PHMSA. Therefore, this violation is not being addressed in this inspection.

PROBABLE VIOLATION CONTINUING

1) In regard to the Probable Violation of 49CFR §192.616(a) which was cited under Inspection Number AT19-046; in that inspection Staff stated: "Based on the deficiencies identified under Questions 8, 9, 10, 11, 18, 19, and 22 of the PHMSA Public Awareness Program Effectiveness Inspection Checklist, the City of Fort Gaines has failed to conduct a Public Awareness Program as required by 49CFR §192.616."

Staff proposed a civil penalty of $2,500.00 for this violation.

The noted deficiencies and Operator responses are below:

PROGRAM DEFICIENCIES

(a) Question #8 - Educational Provisions; Did delivered messages specifically include provisions to educate the public, emergency officials, local public officials, and excavators on: (1) Use of a one-call notification system prior to excavation and other damage prevention activities; (2) Possible hazards associated with unintended releases from a gas pipeline facility; (3) Physical indications of a possible release; (4) Steps to be taken for public safety in the event of a gas pipeline release; and (5) Procedures to report such an event?

COMMENTS: Operator failed to include use of one call notification and possible hazards associated with unintended releases of gas from a gas pipeline facility in one of their 2 required messages to their customers in their Affected Public.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number AT19-046, filed April 1, 2021, the City of Fort Gaines stated: "The City has since revised their message to include ALL the educational provisions set forth in this section. Included with this response is a copy of the message sent out to the affected public that includes this information."

SECOND FOLLOW-UP INSEPCTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (AT19-046). Staff determined the Operator is scheduled for a PHMSA Public Awareness Program Effectiveness Inspection in 2025. These violations will be addressed at that time.

Staff determined that this deficiency has not yet been addressed.

(b) Question #9 - Messages on Pipeline Facility Locations; Were messages developed and delivered to advise affected municipalities, school districts, businesses, and residents of pipeline facility locations?

COMMENTS: During this inspection the Operator was unable to provide records demonstrating this requirement had been performed.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number AT19-046, filed April 1, 2021, the City of Fort Gaines stated: "The Operator has sent correct baseline messages to all affected facilities on the City's pipeline locations. That includes all schools, hospitals, businesses, and the affected public. This information is stated in the City's PAP on pages 3-4."

FIRST FOLLOW-UP INSEPCTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (AT19-046). Staff determined the Operator is scheduled for a PHMSA Public Awareness Program Effectiveness Inspection in 2025. These violations will be addressed at that time.

Staff determined that this deficiency has not yet been addressed.

(c) Question 10 - Baseline Message Delivery Frequency; Did the delivery of materials and messages meet or exceed the baseline delivery frequencies specified in API RP 1162, Table 2-1 through Table 2.3?

COMMENTS: Staffs review of the Operators records indicated they failed to provide messaging in 2016 to their Affected Public and failed to record the frequency of delivery as required for their Excavators.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number AT19-046, filed April 1, 2021, the City of Fort Gaines stated: "The City follows the RP1162 guidance for frequency of messaging to its' stakeholder audiences. Records indicate that 2016 messages to affected public were not located, but since messages have been going out at the proper frequency. Also, the city now keeps a list of contractors who receive this baseline message for proper tracking.

FIRST FOLLOW-UP INSEPCTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (AT19-046). Staff determined the Operator is scheduled for a PHMSA Public Awareness Program Effectiveness Inspection in 2025. These violations will be addressed at that time.

Staff determined that this deficiency has not yet been addressed.

(d) Question #11 - Liaison with Public Officials; Do records indicate liaisons established and maintained with appropriate fire, police and other public officials and utility owners in accordance with procedures?

COMMENTS: Operator did not provide liaison documentation for compliance with 192.615(c).

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number AT19-046, filed April 1, 2021, the City of Fort Gaines stated: "The City's Public Liaison sign-in sheets from meetings

held in previous years are located in City Hall in the operators PAP. Also, in this plan is a record of how many copies a representative of certain departments received for those who weren't able to attend."

FIRST FOLLOW-UP INSEPCTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (AT19-046). Staff determined the Operator is scheduled for a PHMSA Public Awareness Program Effectiveness Inspection in 2025. These violations will be addressed at that time.

Staff determined that this deficiency has not yet been addressed.

(e) Question #18 - Evaluating Program Effectiveness; Have effectiveness evaluation(s) of the program been performed for all stakeholder groups in all notification areas along all systems covered by the program?

COMMENTS: During this inspection Staff found that the Operator failed to achieve their formulated sample size surveys needed for performing a valid evaluation in 2018 on their Affected Public, Emergency Officials, and Excavators.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number AT19-046, filed April 1, 2021, the City of Fort Gaines stated: "During the Operator's evaluation in 2018, it failed to receive the number of surveys needed to satisfy the amount needed to perform a valid evaluation on their affected public, emergency officials, and excavators. Going forward the city has revised their approach for obtaining more surveys to properly satisfy the sample size needed for the next evaluation in 2022. The changes made are reflected in the City's PAP."

FIRST FOLLOW-UP INSEPCTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (AT19-046). Staff determined the Operator is scheduled for a PHMSA Public Awareness Program Effectiveness Inspection in 2025. These violations will be addressed at that time.

Staff determined that this deficiency has not yet been addressed.

(f) Question 19 - Measure Program Outreach; In evaluating effectiveness, was actual program outreach for each stakeholder audience tracked?

COMMENTS: Operator was unable to provide documentation indicating that they had tracked the number of individuals reached in their Affected Public, and Excavators.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number AT19-046, filed April 1, 2021, the City of Fort Gaines stated: "The City's PAP now outlines a process for measuring the outreach of its program for its Excavators and Affected public. The Operator now has a list of contractors that receive their baseline messages at their specified time frequencies. The city tracks their affected public outreach by sending out their baseline messages to the affected public in conjunction with its billing to ensure both customers and non-customers receive their messages at the correct time frequency."

FIRST FOLLOW-UP INSEPCTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (AT19-046). Staff determined the Operator

is scheduled for a PHMSA Public Awareness Program Effectiveness Inspection in 2025. These violations will be addressed at that time.

Staff determined that this deficiency has not yet been addressed.

(g) Question #22 - Measure Bottom-Line Results; Were bottom-line results of the program measured by tracking third-party incidents and consequences including: (1) near misses, (2) excavation damages resulting in pipeline failures, (3) excavation damages that do not result in pipeline failures?

COMMENTS: During this inspection the Operator was unable to provide documentation in their last evaluation performed in 2018 that they had measured for bottom-line results as required under this part.

OPERATORS FIRST RESPONSE: In their response letter to Inspection Number AT19-046, filed April 1, 2021, the City of Fort Gaines stated: "The City has revised its PAP to outline how the Operator tracks third-party damages. It now states the data sources (PHMSA 7100 & leak surveys) for tracking near misses, excavation damage that do and do not result in pipeline damage. This will be how the city measures its bottom-line results in 2022 for the next evaluation.

FIRST FOLLOW-UP INSEPCTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (AT19-046). Staff determined the Operator is scheduled for a PHMSA Public Awareness Program Effectiveness Inspection in 2025. These violations will be addressed at that time.

Staff determined that this deficiency has not yet been addressed.

Staff determined that this probable violation could not cleared at this time. Also, the Operator must still address the outstanding civil penalty of $2,500.00 that was previously proposed in connection with this violation with the Director.

2) In regard to the probable violation of §40.321 which was cited under Inspection Number JS20-044; in that inspection Staff stated:

"STAFFS COMMENTS: During this inspection (JS20-044) Staff found that the Operators natural gas consultant was in possession of the completed chain-of-custody forms for personnel who were tested under the City of Fort Gaines anti-drug testing program. Staff retrieved these records and returned them to the Operator's Designated Employee Representative.

PROBABLE VIOLATION: The City of Fort Gaines allowed a third-party to access records related to individual test results in violation of the general confidentiality requirements under §40.321."

Staff proposed a civil penalty of $2,500.00 for this probable violation

FIRST OPERATOR RESPONSE: In their response letter to Inspection Number JS20-044, filed on April 1, 2021, the Operator stated: "In regard to this probable violation, the City's staff was NOT in possession of the chain of custody forms, but merely handing the folder containing these records from the DER to the Inspector. However, the city will give these records directly to GPSC staff going forward.

THIRD FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the Operators' response to Inspection number (JJ19-054) and (JS20-044) filed April 1, 2021. Staff also verified the location of all DOT 199 chain-of-custody forms related to individuals test results were located in a locked safe, and the only access was controlled by Fort Gaines DER.

Based on the Operators response to the original violation Staff determined that this probable violation could not cleared until reviewed by the Drector. Also, the Operator must still address the outstanding civil penalty of $2,500.00 that was previously proposed in connection with this violation with the Director.

3) In regard to the Probable Violation of Commission Rule 515-9-3-.08, which was cited in Inspection Number JS20-044; in that inspection Staff stated:

> "STAFFS COMMENTS: During this inspection (JS20-044) the City of Fort Gaines informed Pipeline Safety Staff that they did not receive a copy of the comprehensive inspection report, so they were not able to submit a response letter to Inspection Number JJ19-054.
>
> During the Supervisor Review for this inspection Staff found that Inspection Report Number JJ19-054 was sent to the City of Fort Gaines by certified mail on March 3, 2020. A return receipt for the certified letter was received by the Commission which indicated that the report was signed for by Kim Jackson on March 9, 2020. Staff found that the Operator failed to provide a written response as required by the Commission's rules.
>
> PROBABLE VIOLATION: The City of Fort Gaines failed to provide a written response to Inspection Numbers AT19-022 and JS19-034 as required by Commission Rule 515-9-3-.08."

OPERATOR RESPONSE: In their response to Inspection Number JS20-044, filed April 1, 2021, the City of Fort Gaines stated:

> "The City of Fort Gaines has obtained new copies of Inspection letters from Inspection #AT19-046 & #JJ19-054. Therefore, the City will include how it has responded to those violations and address any civil penalties that may have been incurred. The City will ensure the return their responses inside the thirty days as required and include the necessary information going forward. In lieu of the $2,500 civil penalty for this violation the City would like to allocate those funds towards repairs and materials in their gas system. To include new pipelines markers, abandonments, inserts, painting meters, wrapping and coating pipelines, multimeters, half cells, and miscellaneous pipeline repairs. Pictures and records of some of these actions already taking/have taken are attached with this response."

FIRST FOLLOW-UP INSPECTION: On September 6, 2022, Staff reported to the City of Fort Gaines Gas System to perform an inspection of the Operator's methane emission reduction plan 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 JB22-024) In that inspection Staff stated: "At the time of this inspection the City of Fort Gaines Gas System had 12 previously existing probable violations. Because this inspection was specifically to address the operator's methane emission reduction plan Staff did not review these items."

SECOND OPERATOR RESPONSE: The City of Fort Gained failed to file a response to Inspection Number JB22-024.

SECOND FOLLOW-UP INSPECTION: During this inspection (Inspection Number JJ25-036) Staff reviewed the operators' response to Inspection Number JS20-044. The City of Fort Gaines produced documentation indicating the city did respond to Inspection Number (JB22-024); however, Staff determined that while the response letter was mailed certified mail on December 12, 2022, it did not identify the referenced inspection number; therefore, the response letter could not be found.

Due to the outstanding $2,500.00 proposed civil penalty which has not yet been addressed with the Director 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

Operator Name: City of Fort Gaines

Informal Conference Requested: Yes ☐ No ☐

Docket Number: 37053

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	$ _____
☐ Notice of Amendment (NOA)	☐ Yes ☐ No	Proposed Penalty for this violation
☐ 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 Fort Gaines Gas System	)	**DOCKET NO. 37053**
	)	
	)	
	)	

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

*The Honorable Kenneth Sumpter, Mayor
City of Fort Gaines Gas System
103 West Commerce Street
Fort Gaines, GA 39851
k.sumpter@fortgainesga.org

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

Respectfully Submitted this _____ day of November 2026:

Morgan Mitchell

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