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September 30, 2021

09:26 AM OCT 01 2021 EXEC SEC DIV

Ms. Connie Graley, Executive Secretary
Public Service Commission of West Virginia
201 Brooks Street
Charleston, WV 25301

Re: Case No. 20-0329-G-P
Case No. 20-0454-G-G1
Case No. 20-0660-G-X

Enclosed please find "Equitrans, L.P.'s Response to Reply of Peoples Gas WV LLC to the Comments of A.V. Gas Company, Inc." in the above-referenced matters. Because I am filing this electronically, I am not enclosing the required twelve additional copies as I understand that will be done by your office. Of course, if I am incorrect in that regard, please advise immediately and I will provide the additional copies.

Please circulate this filing to the appropriate parties at the Commission. Copies have this day been served upon all parties of record as evidenced by the Certificate of Service.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

HENDRICKSON & LONG, PLLC

Stephen E. Hastings

SEH:nsh

Enclosures

cc (w/enc.): Service list

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 20-0329-G-P

**PEOPLES GAS WV LLC, EQUITRANS, L.P., AND
ESSENTIAL UTILITIES, INC. (PREVIOUSLY AQUA AMERICA, INC.)**

**Petition for review of a report assessing the continuation of
natural gas service to field-tap customers from Equitrans, L.P.'s
gathering facilities**

and

CASE NO. 20-0454-G-GI

EQUITRANS, L.P.

**General Investigation into the continuation of
natural gas service to customers and areas supplied by
and dependent on the production, transmission and
gathering lines and facilities owned and operated by Equitrans, L.P.**

and

CASE NO. 20-0660-G-X

HOPE GAS, INC. DBA DOMINION ENERGY WEST VIRGINIA

**Petition for Commission prior consent and approval to
abandon gas service to customers served from the gathering
system owned and operated by Equitrans, L.P.**

**EQUITRANS, L.P.'S RESPONSE TO REPLY OF PEOPLES GAS WV LLC
TO THE COMENTS OF A.V. GAS COMPANY, INC.**

Comes now, Equitrans, L.P., ("Equitrans"), by counsel, and in response to the Reply of Peoples Gas WV LLC ["PGWV"] to the Comments of A.V. Gas Company ("PGWV's Reply") dated September 20, 2021, hereby submits this response for the sole purpose of correcting blatantly false statements made by PGWV with regard to their customers affected by longwall mining activities.

PGWV does not dispute that it was required to take action with regard to its customers. But in an attempt to deflect attention from its lack of planning and action, PGWV portrays a version of the history of its communications with Equitrans regarding the longwall mining activities that is simply untrue. PGWV's Reply contains at least two blatant misrepresentations regarding the sharing of information by Equitrans and the time PGWV had to prepare for the mining activities:

1. "However, *the difficulties* related to the discontinuances . . . *resulted from the failure of Equitrans to provide timely accurate information to PGWV.* " See PGWV's Reply at p. 3. (Emphasis added.)
2. "*Because of the short time available to PGWV to prepare for such discontinuance,* PGWV provided notice to those customers it understood would be affected and started the conversion process." See PGWV's Reply at p. 4. (Emphasis added.)

Equitrans must correct the record. Equitrans first became aware of Murray Energy's proposed mining activities on September 5, 2019. Equitrans and PGWV exchanged initial information and on October 15, 2019, Equitrans provided formal written notice to PGWV regarding the pipeline and service impacts due to Murray's longwall mining activities. Equitrans and PGWV continued to exchange maps and other information in order to determine the impact on PGWV's customers. In November 2019, Murray confirmed to Equitrans that it negotiated a confidentiality agreement with PGWV that would allow PGWV to have access to confidential information related to Murray's mining activities.

On November 19, 2019, Equitrans and PGWV met in person in Pittsburgh, Pennsylvania, and discussed, among other things, the mining activity at issue. PGWV still took no action. PGWV also received notice in April 2020 when Equitrans submitted an application to the Federal Energy Regulatory Commission to abandon its Gathering System, including the facilities affected by Murray's longwall mining activities. PGWV still took no action. On or about March 23, 2021, John Quinn (Equitrans) spoke with PGWV senior management regarding the proposed mining

activities which were expected to start in July 2021. Mr. Quinn was advised that PGWV did not intend to abandon the customers and would consult with PGWV engineering to assess its options. On or about April 29, 2021, Mr. Quinn met again with PGWV senior management and discussed the proposed mining activities, PGWV's plans for service to their customers, and inquired if PGWV planned to communicate the pending service disruption to their customers. Based on these discussions on May 13, 2021, Equitrans emailed PGWV an example Quitclaim Assignment and Bill of Sale Agreement that could be adapted to transfer the assets to PGWV. On May 13, 2021, PGWV responded that "we think there is good potential to acquire these segments and connecting them to existing D-lines to retain the customers long term." Yet PGWV did not do so, and instead converted some customers to propane.

To suggest that PGWV had only a short time available to prepare for the discontinuance ignores the fact that PGWV had at least nineteen (19) months to prepare for the impact of the mining activities. Whatever complaints A.V. Gas Company may have with the timing (or lack thereof) and the manner of PGWV's handling of finally addressing the mining activities, the fault does not lie with Equitrans. Rather, it is PGWV who did not act timely and now is attempting to deflect blame. Thus, Equitrans felt compelled to correct the record.

EQUITRANS, L.P.,
By Counsel,



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CERTIFICATE OF SERVICE

I, Stephen E. Hastings, counsel for Equitrans, L.P., does hereby certify on this 30th day of September, 2021, that copies of the foregoing **“EQUITRANS, L.P.’S RESPONSE TO REPLY OF PEOPLES GAS WV LLC TO THE COMENTS OF A.V. GAS COMPANY, INC.”** has been served this day upon the following by United States Mail, First-Class, postage pre-paid, to the following individuals and counsel of record:

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