



GAS UTILITIES INFORMATION BULLETIN

No. 1147

Christi Craddick, Chairman

Wayne Christian, Commissioner

Jim Wright, Commissioner

JANUARY 15, 2021
OVERSIGHT AND SAFETY DIVISION
Kari French, Director

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SECTION 1: NEW APPEALS AND APPLICATIONS FILED

DOCKET NO: 11030
CAPTION Inquiry into the Failure of Tryall, Inc. to Comply with Safety Standards.
DATE FILED -- 01/04/2021
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO: 11031
CAPTION Inquiry into the Failure of Genesis Producing Company, L.P. to Comply with Safety Standards.
DATE FILED -- 01/04/2021
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO: 11032
CAPTION Inquiry into the Failure of Layton Energy Inc. to Comply with Safety Standards.
DATE FILED -- 01/04/2021
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO: 11033
CAPTION Inquiry into the Failure of Teloula CO. to Comply with Safety Standards.
DATE FILED -- 01/04/2021
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO: 11034
CAPTION Inquiry into the Failure of Westwind MPH to Comply with Safety Standards.
DATE FILED -- 01/04/2021
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO: 11035
CAPTION Inquiry into the Failure of EM Biogas, LLC to Comply with Safety Standards.
DATE FILED -- 01/04/2021
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

**SECTION 2: APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING
CONFERENCE**

[Office of General Counsel Weekly Hearing Schedules for 2021](#)

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**STATEMENT OF INTENT Filed by Universal §
Natural Gas, Inc., to Increase and §
Consolidate Rates In the Unincorporated §
Areas Served by Universal Natural Gas, §
LLC, d/b/a Universal Natural Gas, Inc., § OS-20-00004865
Consumers Gas Company, LLC d/b/a §
Consumers Gas Company Inc., EnerTex §
NB, LLC, and Gas Energy, LLC §**

NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On October 12, 2020, four applicants—Universal Natural Gas, LLC d/b/a Universal Natural Gas, Inc., Consumers Gas Company, LLC d/b/a Consumers Gas Company, Inc., EnerTex NB, LLC, and Gas Energy, LLC (collectively, “Applicants”)—jointly filed a Statement of Intent to increase and consolidate their rates in the unincorporated areas in Texas that they serve (the “SOI”). Applicants are affiliate gas distribution companies. In the SOI filing, Applicants requested that the Commission: **(1)** approve rates and tariffs that are consistent with those proposed in its SOI; **(2)** approve new depreciation rates; **(3)** make a prudence determination of all capital investments made by Applicants through June 30, 2020; **(4)** find the proposed consolidation of all of the Applicants into Consolidated UniGas (the “LDC Consolidation”), as described in Applicants’ SOI, is consistent with the public interest under Texas Utilities Code § 102.051; and **(5)** approve recovery of all reasonable rate cases expenses associated with this docket.

Subsequently, Staff of the Railroad Commission (“Staff”) formally intervened as a party “to assert its interest in assuring that the rules and regulations of the Railroad Commission of Texas, together with the appropriate statutes, have been followed.”

The Commission received timely-submitted comment letters from the public opposing Applicants’ proposed rate increase. These individuals were provided a “Complaint and Statement of Intent to Participate Form” in accordance with Commission Rule § 7.240 (Statement of Intent to Participate). Six completed forms were returned. The following individuals were admitted as a formal party as a protestant: Mr. Steve Alton, Mr. Oscar Hudnall, Mr. Joseph S. Kowalczyk, Mr. and Mrs. Donald and Amber Golsby, and Mr. and Mrs. Gary and Rosemary White.

On January 8, 2021, Applicants notified the Hearings Division that the parties reached a settlement in principle resolving all issues in this proceeding.

NOTICE IS HEREBY GIVEN THAT a public hearing will be held, at the time and place set out below, to consider all issues of fact and law raised in—or relevant to—Applicants’ requested relief. The scope of the hearing may be limited to the parties’ settlement agreement, which may include associated rate case expenses.

Legal Authority and Jurisdiction. The Commission has, or may have, jurisdiction over Applicants and the matters at issue in this proceeding pursuant to Texas Utilities Code Sections 102.001 (Railroad Commission Jurisdiction), 103.003 (Surrender of Municipal Jurisdiction to Railroad Commission; Reinstatement of Jurisdiction), 103.051 (Appeal by Party), 103.052 (Appeal by Residents), 103.053 (Appeal by Ratepayers Outside Municipality), 104.001 (Authorization to Establish and Regulate Rates), 121.051 (Gas Utility: Public Interest and Jurisdiction of Railroad Commission), 121.052 (Pipelines: Monopolies Subject to Railroad Commission), and 121.151 (Railroad Commission Regulation of Gas Pipelines).

The presiding ALJ shall conduct the hearing pursuant to the requirements of Chapter 2001 (Administrative Procedure) of the Texas Government Code and pursuant to Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, and other applicable authority.

Particular Statutes and Rules Involved. The statutes and rules applicable to this proceeding may include, but are not limited to, the following:

1. All sections in Texas Utilities Code Chapters 101 (General Provisions and Office of Public Utility Counsel), 102 (Jurisdiction and Powers of Railroad Commission and Other Regulatory Authorities), 103 (Jurisdiction and Powers of Municipality), 104 (Rates and Services), and 121 (Gas Pipelines); and
2. Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, including Chapters 1 (Practice and Procedure) and 7 (Gas Services Division).

Time, Place, and Nature of Hearing. **IT IS DIRECTED** the hearing on the merits shall commence at **9:00 a.m. on Thursday, February 18, 2021, via the Zoom online platform.** The Zoom link will be circulated to the service list via e-mail prior to the start of the hearing. Members of the public may request the link by e-mailing: Sharon.Koren@rrc.texas.gov. If not concluded on the day it commences, the hearing will be continued from day to day, as announced, until concluded.

Written Transcript of the Hearing. The record of the hearing will be made by recording device or by stenographic transcription by the court reporter. Any party that desires a copy of the written transcript of the hearing should contact the court reporter at (512) 282-0313. The Commission may assess the cost of the transcript or expedited transcript to one or more parties pursuant to Section 2001.059 (Transcript) of the Texas Government Code.

Auxiliary Aids or Services for Persons with a Disability. Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Human Resources Department of the Commission by mail at P.O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6981 or TDD No. (800) 735-2989.

Contact for Additional Information. *Ex parte communications with the Commissioners, Administrative Law Judges, and Technical Examiners are prohibited. Persons or entities desiring additional information may contact the Commission by writing to the Director, Hearings Division, Railroad Commission of Texas, 1701 North Congress Avenue, P. O. Box 12967, Austin, Texas 78711-2967. Clerical questions, such as questions regarding the number of copies of filings, the service list, or reviewing the record, may be directed to Docket Services at (512) 463-6848.*

Signed on January 13, 2021.

DEE MARLO CHICO
ADMINISTRATIVE LAW JUDGE

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**STATEMENT OF INTENT Filed by Hooks §
Gas Pipeline, LLC to Increase and §
Consolidate Rates for Hooks Gas Pipeline, §
LLC, Texas Gas Pipeline Company, LLC, §
and 1486 Gas Pipeline, LLC §**

OS-20-00004866

NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On October 9, 2020, three applicants—Hooks Gas Pipeline, LLC, 1486 Gas Pipeline, LLC, and Texas Gas Pipeline Company, LLC (collectively, “Applicants”)—jointly filed a Statement of Intent to increase and consolidate their rates (the “SOI”). Applicants are affiliate gas transmission pipeline companies. In the SOI filing, Applicants requested that the Commission: **(1)** approve rates and tariffs that are consistent with those proposed in its SOI; **(2)** approve new depreciation rates; **(3)** make a prudence determination of all capital investments made by Applicants through June 30, 2020; **(4)** find the proposed consolidation of all of the Applicants into Consolidated Hooks (the “TransCo Consolidation”), as described in Applicants’ SOI, is consistent with the public interest under Texas Utilities Code § 102.051; and **(5)** approve recovery of all reasonable rate cases expenses associated with this docket.

Subsequently, Staff of the Railroad Commission (“Staff”) formally intervened as a party “to assert its interest in assuring that the rules and regulations of the Railroad Commission of Texas, together with the appropriate statutes, have been followed.”

On January 8, 2021, Applicants notified the Hearings Division that the parties reached a settlement in principle resolving all issues in this proceeding.

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3. All sections in Texas Utilities Code Chapters 101 (General Provisions and Office of Public Utility Counsel), 102 (Jurisdiction and Powers of Railroad Commission and Other Regulatory Authorities), 103 (Jurisdiction and Powers of Municipality), 104 (Rates and Services), and 121 (Gas Pipelines);
-and-
4. Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, including Chapters 1 (Practice and Procedure) and 7 (Gas Services Division).

Time, Place, and Nature of Hearing. **IT IS DIRECTED** the hearing on the merits shall commence at **9:00 a.m. on Tuesday, February 16, 2021, via the Zoom online platform.** The Zoom link will be circulated to the service list via e-mail prior to the start of the hearing. Members of the public may request the link by e-mailing: Sharon.Koren@rrc.texas.gov. If not concluded on the day it commences, the hearing will be continued from day to day, as announced, until concluded.

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Signed on January 13, 2021.

DEE MARLO CHICO
ADMINISTRATIVE LAW JUDGE

SECTION 3: STATUS OF PENDING CASES

None currently.

SECTION 4: NOTICES OF DISMISSAL

None currently.

SECTION 5: ORDERS OF THE COMMISSION

None currently.

SECTION 6: MISCELLANEOUS

A. Gas Services Department Publications and Statistics

1. Gas Utilities Information Bulletins available at <https://rrc.texas.gov/gas-services/publications-statistics/>.
2. Rate Review Handbook available at <https://rrc.texas.gov/gas-services/publications-statistics/>.
3. Gas Utilities Annual Statistics available at <https://rrc.texas.gov/gas-services/publications-statistics/>.
4. Gas Storage Statistics available at <https://rrc.texas.gov/gas-services/publications-statistics/>.
5. Six MCF Residential Gas Bill Analysis for Texas Cities available at <https://rrc.texas.gov/gas-services/publications-statistics/>.

B. Interest Rate on Customer Deposits

1. We have been advised by the Public Utility Commission of Texas that the interest rate to be applied to customer deposits in calendar year 2021 is 0.61%. All gas utilities should use 2.21% for the calendar year 2020 and 1.92% for calendar year 2019. This information can be found at: <https://www.puc.texas.gov/industry/electric/reports/HRates/HistRates.pdf>

C. Contact Information

1. Audit Section's Headquarter and District Offices:

Headquarter Location:
William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701
Mailing Address:
P. O. Box 12967
Austin, Texas 78711
Telephone 512-463-7167
Fax 512-475-3180

Austin District:

Stephen Cooper, Director, Utility Audit Section
Janeen Metcalf, Compliance Analyst II
Michael Martinez, Auditor
Telephone: 512-463-7022

Fort Worth District:

City Hall 13th Street Annex
401 West 13th Street, Suite B

Josh Settle, Senior Auditor
Yolandra Davis, Senior Auditor
Telephone: 817-882-8966

Houston District:

1706 Seamist Drive, Suite 50
Houston, Texas 77008

Margie Stoney, Project Auditor
Larry Alcorn, Auditor
Dale Francis, Senior Auditor
Konata Uzoma, Senior Auditor
Vonetta Jackson, Auditor
Telephone: 713-869-8425

2. **Market Oversight Section**

William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701
Mailing Address:
P. O. Box 12967
Austin, Texas 78711

Mark Evarts, Director
Christina Poole, Financial Analyst
Claudia Godoy, Financial Analyst
Frank Tomicek, Financial Analyst
Sarah Montoya-Foglesong, Financial Analyst
Tariq Usman, Financial Analyst
Andrea Maxwell, Research Specialist II Team Lead
David Bauman, Customer Service Representative IV
Erik Gardner, Customer Service Representative IV
Janet Sims, Customer Service Representative IV
Telephone: 512-463-7167

D. Audit Forms

1. Gas Utility Tax and Annual Forms available at <http://www.rrc.state.tx.us/gas-services/forms/>.
2. Gas Utility Annual Reports available on Neibus at: https://rrcsearch3.neibus.com/esd3-rrc/index.php?_module=_esd&_action=_keysearch&profile=13.
3. Information relating to any of the above, are available for review at the William B. Travis Building, Gas Services Department, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of ten business days for completion of requests.
4. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022 or fax your request to 512-475-3180.

E. Market Oversight Section Forms

1. Annual Earnings and Monitoring Report available at <https://www.rrc.texas.gov/gas-services/forms/>.
2. Interim Rate Adjustment Application (GRIP) and Customer Notice available at <https://www.rrc.texas.gov/gas-services/forms/>.

F. Gas Utility Docket Information

1. Orders and Proposals for Decision published on the Commission's web site at <https://www.rrc.texas.gov/hearings/dockets/gas-utility-dockets/> or RRC CASES at <https://www.rrc.texas.gov/hearings/rrc-cases/>.
2. Gas Utility Dockets available on Neabus at https://rrcsearch3.neabus.com/esd3-rrc/index.php?_module=_esd&_action=_keysearch&profile=14.

G. Natural Gas Tariff Filings

1. Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Andrea Maxwell, Janet Sims, Erik Gardner or David Bauman at (512) 463-7167.
2. Natural Gas Tariffs and Rate Schedules available at <http://www.rrc.texas.gov/gas-services/natural-gas-tariffs-and-rate-schedules/>.

H. Common Carrier Pipeline Tariff Filings

1. Questions pertaining to the filing of common carrier pipeline tariffs should be directed to Janet Sims at 512-463-6779.
2. Common Carrier Pipeline Tariffs available at <http://www.rrc.texas.gov/gas-services/common-carrier-pipeline-tariffs/>.

I. Propane Distribution Systems

1. Propane distribution price cap information is available at: <http://www.rrc.texas.gov/gas-services/propane-distribution-systems/>.

J. Curtailment Plan (Gas Utility Docket 489)

1. Curtailment questions should be referred to 512-463-7167 or by email at naturalgascurtailment@rrc.texas.gov.
2. Curtailment reports made during normal business hours, Monday through Friday 8:00 a.m. to 5:00 p.m., should be made to 512-463-7167.
3. Curtailment reports made after hours or during holidays, should be made to 512-463-6788.

K. Compliance Filings

1. Questions regarding gas utilities docket compliance filing requirements should be referred to Christina Poole at 512-463-7155 or by email at GUD_Compliance@rrc.texas.gov.

L. Complaints and Inquiries

1. Residential and Commercial Propane and Natural Gas Complaints should be made at GasComplaints@rrc.texas.gov or by phone at 512-463-7164.
2. Informal Gas Purchasing, Selling, Transportation or Gathering Practice Complaints should be submitted online at <http://www.rrc.texas.gov/gas-services/complaint-filing/informal-gas-transportation-purchase-complaint-preliminary-information-online-form/> or at 512-463-7167.
3. Informal Complaint Preliminary Information form available at <http://www.rrc.texas.gov/media/5671/informal-complaint-preliminary-information.pdf>.

M. Non-Submetered Master Meter Disconnections

1. Municipalities wishing to opt in receiving notice from utilities when non-submetered master metered multifamily property is subject to disconnection of service due to non-payment can do so at <http://www.rrc.texas.gov/gas-services/non-submetered-master-meter-disconnections/>.

N. Texas Utilities Codes

1. Available through the State of Texas website at <http://www.statutes.legis.state.tx.us>.

O. Texas Administrative Codes

1. Available at the State of Texas website at:
[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7).

P. Pending RRC Rules and Regulations

1. Pending rules and regulations available at <http://www.rrc.state.tx.us/general-counsel/rules/>.

Q. Proposed Form Amendments (PFD):

1. PFDs available at <http://www.rrc.state.tx.us/about-us/resource-center/forms/proposed-form-changes/>.

R. Hearings and Legal Analysis

1. Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the General Counsel Division at 512-463-7149.

S. Status of Pending Cases

1. The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the General Counsel Division at 512-463-7149.