



Waller Lansden Dortch & Davis, LLP
511 Union Street, Suite 2700 615.244.6380 main
P.O. Box 198966 615.244.6804 fax
Nashville, TN 37219-8966 wallerlaw.com

Paul S. Davidson
615.850.8942 direct
paul.davidson@wallerlaw.com

March 27, 2020

Via Email and U.S. Mail

Executive Director Earl Taylor
c/o Ectory Lawless
Tennessee Public Utility Commission
502 Deaderick Street, Fourth Floor
Nashville, Tennessee 37243

Re: *In Re Emergency Petition to Suspend Service Disconnections Filed by the Consumer Advocate Unit of the Financial Division of the Office of the Tennessee Attorney General*

Dear Mr. Taylor:

Enclosed please find an original and five (5) copies Piedmont Natural Gas Company, Inc.'s ("Piedmont") Initial Response to the Notice of Special Commission Conference for consideration by the Commission at its Special Conference today in response to the *Emergency Petition to Suspend Service Disconnections* filed on March 24, 2020, by the Consumer Advocate Unit in the Financial Division of the Office of the Attorney General.

This material is also being filed today by way of email to the Tennessee Public Utility Commission docket manager, Ectory Lawless. Please file the original and four copies and stamp the additional copies as "filed." Then please return the stamped copy to us via the enclosed self-addressed stamped envelope.

Very truly yours,
/s/ Paul Davidson
Paul S. Davidson

PSD:srs
Enclosures

cc: Pia Powers (Piedmont)
Bruce Barkley (Piedmont)
David Foster (TPUC)
Daniel Whitaker (TN CPAD)

**BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION
AT NASHVILLE, TENNESSEE**

March 27, 2020

IN RE:)
)
EMERGENCY PETITION TO SUSPEND)
SERVICE DISCONNECTIONS FILED BY) **DOCKET NO. 20-00047**
THE CONSUMER ADVOCATE UNIT OF)
THE FINANCIAL DIVISION OF)
THE OFFICE OF THE TENNESSEE)
ATTORNEY GENERAL)
)

**PIEDMONT NATURAL GAS COMPANY, INC.’S
INITIAL COMMENTS ON EMERGENCY PETITION AND
NOTICE OF SPECIAL COMMISSION CONFERENCE**

Piedmont Natural Gas Company, Inc. (“Piedmont” or “Company”), in response to the Notice of Special Commission Conference issued by the Tennessee Public Utility Commission (“Commission”) in this docket on March 25, 2020, and the *Emergency Petition to Suspend Service Disconnections* filed on March 24, 2020 (“Emergency Petition”), by the Consumer Advocate Unit, Financial Division of the Office of the Attorney General (“Consumer Advocate”), hereby provides its initial written comments in this proceeding.

1. Piedmont would first state that it shares the concerns of Governor Lee and Attorney General Slatery regarding the need to assist and protect utility customers during the current, and ongoing, national health emergency.

2. In this regard, by filing made on March 20, 2020, Piedmont has sought Commission approval of and has already implemented a number of steps to

assist its customers during this unprecedented pandemic event. These steps are reflected and described in both Piedmont's March 20 filing, a copy of which is attached hereto as Exhibit A, and in Piedmont's March 24, 2020 Report to the Commission, a copy of which is attached hereto as Exhibit B.

3. The steps voluntarily taken by Piedmont and described in Exhibits A and B hereto include, but are not limited to, the suspension of disconnections of service for non-payment during the period of emergency declared by Governor Lee, the requested waiver of gross billing (late payment)¹ and returned check charges during the same period, and the offering of flexible payment plan options to customers having difficulty paying their bills in a timely fashion.

4. Piedmont's March 24, 2020 Report was made in response to this Commission's directive issued by Chairman Morrison on March 19, 2020 entitled "Ongoing Request for Information Related to Measures Taken During the Coronavirus COVID-19 Public Health Initiative." In that request, the Commission directed utilities to report weekly "their emergency operational and response plans and all measures that have been instituted to ensure the continuity of safe and reliable service and to assist their customers during this time."

5. In its March 24 Report, Piedmont also provided information to the Commission regarding other steps – beyond those described above – it is taking to ensure the continuing provision of safe and reliable service to its customers while simultaneously preserving the health and safety of its employees and its customers.

¹ Piedmont would note that it suspended disconnections and sought similar waiver authority from the Commission concerning gross billing to impacted customers in the aftermath of the recent tornado event in Nashville and was granted that authority by the Commission by Letter Order issued March 9, 2020.

6. In light of its prior voluntary actions, as requested of and reported to the Commission on March 20 and March 24, 2020, Piedmont has no objection to the relief sought in the Emergency Petition filed by the Consumer Advocate during the continuation or extension of the state of emergency declared by Governor Lee in this case.

7. Piedmont recognizes and appreciates the Governor's, the Attorney General's, and the Commission's leadership during this emergency and looks forward to the Commission's further guidance and the opportunity to work with the Commission to address matters necessary to help ensure the health, safety, and welfare of our customers and employees, and our ability to continue the provision of safe and reliable natural gas service to our customers.

This the 27th day of March, 2020

PIEDMONT NATURAL GAS COMPANY, INC.

/s/ Paul Davidson

Paul S. Davidson
Waller Landsden Dortch & Davis, LLP
511 Union Street, Suite 2700
Nashville, TN 37219
Telephone: 615-244-6380

/s/ James Jeffries

James H. Jeffries IV
McGuireWoods LLP
201 North Tryon Street, Suite 3000
Charlotte, NC 28202
Telephone: 704-343-2348

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been provided electronically via e-mail on this the 27th day of March, 2020 to:

Daniel P. Whitaker, III, Esq.
Karen Stachowski, Esq.
Office of the Attorney General
Financial Division, Consumer Advocate Unit
P.O. Box 20207
Nashville, TN 37202-0207
Daniel.Whitaker@ag.tn.gov
Karen.Stachowski@ag.tn.gov

Henry Walker, Esq.
Bradley Arant Boult Cummings LLP
1600 Division Street, Suite 700
Nashville, TN 37203
hwalker@bradley.com

Melvin J. Malone, Esq.
Butler Snow LLP
The Pinnacle at Symphony Place
150 3rd Avenue South, Suite 1600
Nashville, TN 37201
melvin.malone@butlersnow.com

Jeff Risdén, Esq.
Tennessee Wastewater Systems, Inc.
851 Aviation Parkway
Smyrna, TN 37167
Jeff.Risdén@adenus.com

A. Scott Ross, Esq.
Blind Akrawi, Esq.
Neal & Harwell, PLC
1201 Demonbreun Street, Suite 1000
Nashville, TN 37203
sross@nealharwell.com
bakrawi@nealharwell.com

Ryan A. Freeman, Esq.
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
633 Chestnut Street, Suite 1900
Chattanooga, TN 37450
rfreeman@bakerdonelson.com

H. LaDon Baltimore, Esq.
Charles B. Welch, Jr., Esq.
Brittany L. Davis, Esq.
Farris Bobango PLC
414 Union Street, Suite 1105
Nashville, TN 37219
baltimore@farris-law.com
cwelch@farris-law.com
bdavis@farris-law.com

William C. Bovender, Esq.
Joseph B. Harvey, Esq.
Hunter, Smith & Davis, LLP
1212 N. Eastman Road
P.O. Box 3740
Kingsport, TN 37664
bovender@hdsdlaw.com
jharvey@hdsdlaw.com

J. W. Luna, Esq.
Butler Snow LLP
150 3rd Avenue South, Suite 1600
Nashville, TN 37201
JW.Luna@butlersnow.com

Floyd R. Self, Esq.
Berger Singerman LLP
313 North Monroe Street, Suite 301
Tallahassee, Florida 32301
fself@bergersingerman.com

/s/ Paul Davidson

EXHIBIT A



March 20, 2020

David Foster
Utilities Division Director
Tennessee Public Utility Commission
502 Deaderick Street, 4th Floor
Nashville, Tennessee 37243

RE: Tariff Waivers for the pandemic outbreak of novel coronavirus COVID-19

Dear Mr. Foster,

Enclosed is a new tariff sheet for Piedmont Natural Gas Company, Inc. (“Piedmont” or “Company”). This tariff sheet reflects certain requirements of which the Company is seeking limited, temporary waiver.

Piedmont requests expedited approval of these waivers intended to benefit our customers for the duration of the public health emergency declared as a result of the pandemic outbreak of novel coronavirus COVID-19. On March 12, 2020, Governor Bill Lee issued Executive Order No. 14 instituting emergency measures aimed to prevent and contain the spread of COVID-19. A national public health emergency has also been declared by Donald J. Trump, President of the United States.

Piedmont remains committed to serving its customers with safe and reliable natural gas utility service, and the health and well-being of our customers, employees, and the communities we serve are paramount. Piedmont keeps robust business continuity plans, referred to as Continuity of Operations plans, to ensure critical functions continue operating under a broad range of circumstances. These include all-hazard emergencies, national security emergencies and natural, man-made and technological threats. Piedmont recently completed a Continuity of Operations review of the critical functions needed to serve the energy needs of our customers. The review focused on human resource contingencies, information technology, supply chain, operational readiness, safety, environmental compliance, customer communications and public information. We are not seeing significant impacts to our supply chain at this time, and it remains stable. We are prepared to rotate suppliers if needed. Similar to most large companies and organizations, we continue to monitor and order critical cleaning supplies, recognizing hospitals and medical systems are the national priority. Interstate and local natural gas delivery systems are operating effectively. We are aware that email phishing attempts and other scams related to the coronavirus are on the rise, and we are reminding workers to be vigilant and avoid clicking on any suspicious links or opening emails from unknown senders.

Notification of Piedmont’s Decision to Cease Disconnections for Non-Payment

To ensure that our customers will not have the additional worry about having their natural gas service disconnected for non-payment during this time of financial uncertainty, please be aware that Piedmont has not disconnected any customer’s service for non-payment during this pandemic and will not disconnect any customer’s service for non-payment through the duration of the public health emergency. Piedmont will continue to read meters and send bills, but this action will give customers experiencing financial hardship extra time to make payments. Because of the financial challenges that our customers, such as families and small businesses, may experience because of the pandemic, this temporary policy applies to both residential and non-residential customers alike.

Request for Expedited Approval to Waive Gross Billing Charges, Returned Check Charges and Reconnection Charges Incurred by Customers

Gross Billing Charges and Returned Check Charges

Consistent with the terms of its tariff, Piedmont is authorized to render gross billing charges to customers who do not pay their bills by the due date. Because of the pandemic, however, Piedmont is aware that our customers may not be able to always pay their bills on time. To prevent the added burden of gross billing charges on these customers, Piedmont requests authority to begin waiving gross billing charges to all customers for the duration of this public health emergency. Therefore, Piedmont respectfully request that the Commission issue an expedited order authorizing this waiver effective March 21, 2020.

Piedmont also seeks to further mitigate the financial impacts of this pandemic on their residential and non-residential customers by requesting authority to waive the application of charges for checks returned for insufficient funds, effective March 21, 2020 through the duration of this public health emergency.

Reconnection Charges

For those Piedmont customers whose service was recently disconnected for nonpayment, the Company requests authority to waive the reconnection charge when any such residential or non-residential customer seeks to have service restored. Piedmont requests this waiver effective March 21, 2020 through the duration of this public health emergency. Piedmont will work with customers regarding the other requirements to restore service, including re-establishment of credit and payment arrangements on arrears amounts.

Conclusion

Based on the foregoing, Piedmont respectfully requests that the Commission issue an order on the requested waivers with an effective date of March 21, 2020

If additional information or clarification is needed, please do not hesitate to contact me.

Sincerely,

/s/ Pia Powers

Pia Powers

Managing Director - Gas Rates & Regulatory

Enclosure

Cc: Michelle Mairs
Bruce Barkley
Eddie Davidson
Jim Jeffries

ENCLOSURE:
PROPOSED TARIFF WAIVERS
EFFECTIVE MARCH 21, 2020

TARIFF WAIVERS

Section 2

The tariff waivers herein were requested in the Company's March 20, 2020 filing with the TPUC.

RATE SCHEDULE NO. 301

Residential Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 302

Small General Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 303

Large General Sales Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 304
Interruptible General Sales Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 309
Special Availability Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 310
Resale Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 313
Firm Transportation Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 314
Interruptible Transportation Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 343
Motor Vehicle Fuel Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be

for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

RATE SCHEDULE NO. 352
Medium General Service

PAYMENT TERMS

All bills for service are due upon presentation and the net rates are applicable if payment is made on or before the last date of payment stated on the bill. Payments made after that date shall be for the gross amount which is greater by five percent (5%) than the net billing.

RETURNED CHECK CHARGE

In the event a Customer's check for payment is returned to the Company marked NSF (Non Sufficient Funds) the Customer will be assessed a charge of \$20.00.

Waiver from billing of gross amount and returned check charge is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

SERVICE REGULATIONS

Section 6 - Rules and Regulations Governing Supply & Consumption of Gas

11. The Company will charge \$55.00 during the months of February through August and \$85 for the months of September through January for turning on a meter for an existing consumer or member of the same family or household at same address. This charge applies only to those consumers who have previously elected to have the meter turned off without discontinuing service or whose account has been closed because of non-payment of a bill.

12. In the event gas is shut off because of consumer's failure to pay, a charge will be made for each restoration. The Company will charge \$55.00 during the months of February through August and \$85 for the months of September through January plus payment of past due gas bills for turning on meters shut off for non-payment of bill. The Company will not be liable for damages for shutting off gas or for delay in restoring service. An additional deposit may also be required.

Waiver from billing of the reconnection fee for customers previously disconnected for non-payment is effective beginning March 21, 2020 through the duration of the public health emergency referenced in Executive Order No. 14.

EXHIBIT B



March 24, 2020

Chair Robin L. Morrison
Tennessee Public Utilities Commission
502 Deaderick Street, 4th Floor
Nashville, TN 37243-0001

Dear Chair Morrison:

Piedmont Natural Company, Inc. hereby files its response to the Tennessee Public Utilities Commission's Ongoing Request For Information Related to Measures Taken During The Coronavirus Covid-19 Public Health Emergency. Our response is being filed electronically at TPUC.DocketRoom@tn.gov as directed.

Please contact me at any time if the Commission or Commission Staff have any questions or comments.

Sincerely,

/s/ Bruce P. Barkley

Bruce P. Barkley
VP – Rates and Natural Gas Supply
Piedmont Natural Gas
704.731.4699
bruce.barkley@duke-energy.com



PIEDMONT NATURAL GAS COMPANY, INC.
RESPONSE TO INFORMATION REQUESTED BY THE TENNESSEE PUBLIC UTILITIES COMMISSION
MARCH 24, 2020

Piedmont Natural Gas Company, Inc. (“Piedmont” or “the Company”) hereby provides an update concerning its emergency operational and response plans and measures taken in order to ensure the continued delivery of safe and reliable natural gas service to its customers in Tennessee during the ongoing pandemic.

Customer-Focused Initiatives

Piedmont has taken several proactive steps to help mitigate impacts to customers that may result from the current health crisis, including the following:

- Suspended customer disconnections for non-payment, which gives customers who may experience financial hardships extra time to make payments while the Company continues to read meters and send bills;
- Encouraged customers who are able to pay to do so in order to avoid building up large balances;
- Requested Tennessee Public Utilities Commission (“TPUC”) approval of waiver of gross billing charges associated with late payments and waiver of returned check charges, effective March 21 and continuing throughout the State’s health emergency;
- Requested TPUC approval to waive reconnection fees for customers who were disconnected for nonpayment in the days leading up to the State’s health emergency;
- Offered flexible payment arrangements to customers during this period of uncertainty;
- Taken steps to protect the health and safety of our customers to help reduce the spread of the COVID-19 virus. For example, the Company is limiting employee direct interactions with customers by suspending discretionary work that could have required an in-home visit.

Reliability and Operations

Piedmont remains committed to serving its customers with safe and reliable natural gas utility service, and the health and well-being of our customers, employees, and the communities we serve are paramount. Piedmont maintains robust business continuity plans, referred to as Continuity of Operations plans, to ensure critical functions continue operating under a broad range of circumstances. These include all-hazard emergencies, national security emergencies and natural, man-made and technological threats. Piedmont recently completed a Continuity of Operations review of the critical functions needed to serve the energy needs of our customers. The review focused on human resource contingencies, information technology, supply chain, operational readiness, safety, environmental compliance, customer communications and public information. We are not seeing significant impacts to our supply



chain currently, and it remains stable. We are prepared to rotate suppliers if needed. Like most large companies and organizations, we continue to monitor and order critical cleaning supplies, recognizing hospitals and medical systems are the national priority. We are aware that email phishing attempts and other scams related to the coronavirus are on the rise, and we are reminding workers to be vigilant and avoid clicking on any suspicious links or opening emails from unknown senders.

As stated previously, certain tasks are being deferred. These include almost all work on the customers' side of the meter except for leaking water heaters and other non-essential work such as routine meter changeouts and relocations. Procedures for use of personal protective equipment and social distancing have been established for interactions with customers.

Piedmont is actively participating in Duke Energy's Incident Command System to coordinate the response to COVID-19 across the enterprise. Further, we are maintaining close contact with our interstate pipeline suppliers. At this time, both the interstate pipeline system and Piedmont's natural gas distribution system in Tennessee are operating effectively.

Employee Matters

The Company is taking a variety of measures to protect employee health, including dividing essential work teams to different locations where possible, conducting thermal monitoring and screening at priority sites, practicing social distancing with coworkers, and implementing remote working for those who can. Non-essential travel and in person meetings have been suspended. We have also experienced numerous employee impacts from schools and daycares closing. Our employees are critical to providing continued service so we are looking at ways we can help them through these times with flexible scheduling, additional paid time off to deal with dependent care, and a stipend for employees below a certain pay threshold.

Charitable Contributions

In addition to the \$200,000 in charitable pledges made as a result of the recent tornadoes that struck the greater Nashville area, Piedmont has committed \$10,000 to relief organizations in its Tennessee service territory as a result of hardships related to the ongoing pandemic.