

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 24-G-0447 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules, and Regulations of Corning Natural Gas Corporation for Gas Service.

RULING REVISING PROCEDURAL SCHEDULE AND ADDRESSING OTHER MATTERS

(Issued October 15, 2024)

MAUREEN F. LEARY and DAKIN D. LECAKES,
Administrative Law Judges:

On October 3, 2024, we issued a Ruling on Party Status, Procedural Schedule, and Other Matters (Procedural Ruling), which required Corning Natural Gas Corporation (Corning) to file corrections and/or updates to its July 31, 2024 tariff filing by October 11, 2024 and for Department of Public Service (DPS Staff) and other intervening parties to file testimony by December 6, 2024.

In an October 11, 2024 email to the Administrative Law Judges (ALJs) and all parties, Corning requested a modification to the Procedural Ruling after conferring with DPS Staff. Corning proposed to file its testimony by Monday, October 14, 2024, a State holiday, instead of on Friday, October 11, 2024. In an email of the same date, DPS Staff indicated its agreement to Corning's requested extension conditioned on a similar extension for filing DPS Staff's testimony from Friday, December 6, 2024 to Monday, December 9, 2024 instead.

The ALJs issued an informal ruling by email to the parties on October 11, 2024 and approved the requested extensions agreed by the parties, but modified the date by which Corning was required to file its corrections/updates. In

subsequent clarifying emails from Corning and DPS Staff, we find that their agreement, as originally requested, is acceptable.

Accordingly, Corning has until Monday, October 14, 2024 to file its corrections and updates. We also find reasonable DPS Staff's proposal to extend the deadline for filing its testimony and therefore extend the deadline for DPS Staff and all intervening parties to file testimony by Monday, December 9, 2024. This extension is granted to DPS Staff and all intervening parties. We therefore amend our October 3, 2024 Procedural Ruling as follows but only with respect to the revised deadlines proposed by Corning and DPS Staff noted above:

Milestone	Date
Corning Corrections & Updates	October 14, 2024
Staff/Intervenor Testimony and Exhibits	December 9, 2024, COB
Rebuttal Testimony	December 23, 2024, COB
Commencement of Evidentiary Hearing¹	January 20, 2025

All other dates required in the October 3, 2024 Procedural Ruling shall remain the same. We also amend our Procedural Ruling to eliminate the requirement that Corning provide customer bill inserts pursuant to the provisions of 16 NYCRR § § 720-9.1(a) and (b). Corning has indicated that the requirement is inapplicable because of the number of customers in its service territory. We therefore correct this aspect of the Procedural Ruling and find that Corning is relieved of this requirement.

¹ The evidentiary hearing will be separately noticed by the Secretary. The ALJs may conduct additional pre-hearing conferences and/or issue additional rulings with respect to required pre-hearing submissions.

We remind Corning to confirm with the ALJs, on notice to all parties, of proposed dates for public statement hearings in this proceeding. Corning shall notify the ALJs of two proposed dates **by no later than October 28, 2024**. The Secretary will issue a notice of the public statement hearings once the dates are confirmed. In accordance with the Commission's regulations, Corning is directed to publish the contents of the Secretary's notice in newspapers of general circulation in the Company's service territory **at least two weeks prior to the date of the public statement hearings**.

APPLICABILITY OF RULE 3.9 SETTLEMENT PROCEDURES

To the extent that Corning or any other party seeks to initiate settlement discussions to resolve any aspect of this proceeding, a notice of impending settlement negotiations shall be filed with the Secretary and served on all parties and the ALJ in compliance with 16 NYCRR § 3.9(a). All parties shall be included in such noticed settlement negotiations and shall be provided reasonable notice of the dates, times, and locations of any virtual or in-person settlement meetings. Consistent with 16 NYCRR § 3.9(d), the content of discussions during settlement negotiations shall be kept confidential by all parties.

Future Requests for Relief from Procedural Schedule.

Nothing in this ruling is intended to preclude any party from requesting an adjournment to the commencement of the evidentiary hearing date but only if all required testimony is filed and a Rule 3.9 Settlement Notice is filed. Requests for adjournment of the commencement of the evidentiary hearing shall be made by letter motion, on notice to all parties, and shall set forth the justification to delay commencement of the evidentiary hearing; identify the parties agreeing to or opposing the adjournment; establish a proposed deadline for filing a final Joint Proposal settling all issues among the

parties to the proceeding; and indicate a new proposed date for the commencement of an evidentiary hearing regardless of whether a Joint Proposal is filed by the deadline noted.

Status Conference

The ALJs will conduct a status conference with the parties on **Tuesday, January 7, 2025 at 2:00 P.M.** for the purpose of planning for the January 20, 2025 evidentiary hearing and to otherwise address pending matters in the proceeding.

(SIGNED)

MAUREEN F. LEARY

(SIGNED)

DAKIN D. LECAKES