

## **Information for Natural Gas Operators Regarding Enforcement Actions, Enforcement Letters, & Notifications Issued by the GPSC's Pipeline Safety Director**

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certified check for the full amount of the recommended civil penalty and made payable to the Georgia Public Service Commission. You must ensure that the Operator's name and the applicable Docket No. and Inspection Report No. are included in the "memo" line of the certified check. The certified check shall be mailed to:

Ms. Michelle Thebert, Director  
Facilities Protection Unit  
Georgia Public Service Commission  
244 Washington Street  
Atlanta, Georgia 30334

2. If you are not contesting the violation alleged, but are contesting the proposed civil penalty, and wish to submit written explanations, information, or other materials you believe warrant mitigation of the civil penalty, you may submit such materials. The Director will review the materials and provide the operator with a draft Consent Agreement that will represent the Staff's initial settlement offer. You must either sign the draft Consent Agreement or submit a counter-offer back to the Staff within thirty (30) days. Please refer to Commission Rule 515-9-3-.011, for the factors that the Commission considers regarding the assessment of civil penalties.

If an agreement cannot be reached, the alleged violation and proposed civil penalty shall be referred to the Commission for formal resolution in either of the following manners:

1. The Commission may seek an injunction or mandamus in superior court in cases where immediate action is necessary; or
  2. The Commission may issue a show cause order and/or schedule a hearing requiring the operator to demonstrate why the operator should not be subject to the penalties set forth by O.C.G.A. §46-2-91.
3. If you are contesting both the alleged violation and the proposed civil penalty, you may request a hearing before the Commission. Please see *Procedures for Requesting a Hearing* below.

### **C. Notice of Amendment (NOA)**

The Operator may request an informal conference with the Director and/or her Staff to discuss the NOA. If you chose not to seek an informal conference, the following due process options are available:

1. If you are not contesting the NOA, you must submit to the Director the measures taken or of your plan(s) to address the observed deficiencies identified in the NOA. If the corrective measures that you present, or propose, are acceptable to the Director, the violation may be cleared this point. Such acceptance shall be verified by written statement issued by the Director following a re-inspection of the operator's facilities;
2. If you are not contesting the NOA, but you wish to submit written explanations, information, or other materials believed to warrant modification of the NOA in whole or in part, or if you are seeking clarification of the terms of the NOA, you may submit such materials; or
3. If you wish to contest the NOA, you must submit written explanations, information, or other materials in answer to the allegations in the NOA stating your reasons for objecting to the NOA, in whole or in part. If the information provided is acceptable to the Director, the issue may be closed at this point. Such acceptance shall be verified by written