

In the Circuit Court of Kanawha County, West Virginia

MOUNTAINEER GAS COMPANY,
Plaintiff,

v.

Case No. CC-20-2023-C-1067
Judge David Hammer

**WEST VIRGINIA-AMERICAN WATER
COMPANY,**
Defendant

AGREED ORDER DIRECTING ADDITIONAL INSPECTION OF PIPELINES

This matter came before the Court on “Mountaineer Gas Company’s Motion for Expedited Consideration for and Entry of an Order Directing Inspection of Pipelines” filed on January 3, 2025. The parties completed the excavation and removal of sections of the water and gas pipelines in accordance with the protocol provided for in the Agreed Order Directing Inspection of Main Pipelines entered on October 20, 2024, and the pipe sections were transported to Applied Technical Services (“ATS”) in Marietta, Georgia. Mountaineer Gas Company and West Virginia-American Water Company, in resolution of Mountaineer’s Motion, have agreed upon the following for additional inspection of the water and gas pipelines:

1. ATS will cut a four-foot section of each pipeline using a wheel-cutting device, with the center point being the middle bolt of the clamp on each pipe. The parties to this action as well as the other civil actions may be present for this step.
2. The four-foot sections will be transported to North Star Imaging in Orlando, Florida.
3. The parties will engage North Star to conduct CT scans of each pipeline with the clamps in place.
4. After completion of this CT Scan the clamps shall be removed. Photographs shall be taken and a second CT scan shall be completed. The parties to this action, as well as the other civil actions, may be present for this step.

5. Upon completion of the scans the pipeline sections, and clamps, and any other material, shall be returned to ATS.
6. The parties will then make arrangements to set a time for ATS to permit visual inspection and examination at a mutually convenient time, provided that counsel for the plaintiffs in the other civil actions shall have the opportunity to participate in this inspection and examination.
7. The parties reserve the right to conduct scans of other sections of the pipelines as well as further testing of the pipelines, provided counsel for the plaintiffs in the other civil actions shall receive reasonable notice of further testing and the opportunity to participate.

The Court FINDS and CONCLUDES the protocol stated herein is appropriate and hereby directs the parties to proceed accordingly, provided that counsel shall forthwith provide a copy of this Order to counsel for the plaintiffs.

It is so ORDERED.

Prepared and Agreed by:

/s/ Richard D. Owen

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/s/ David M. Hammer

Circuit Court Judge

8th Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit www.courtsv.gov/e-file/ for more details.