

The PIOGA Press

The monthly newsletter of the
Pennsylvania Independent Oil & Gas Association
September 2024 • Issue 173

Kevin Moody

The Man, the Myth, the Legend....

A farewell article for PIOGA's retiring General Counsel & VP of Government Affairs



Kevin Moody always dreamt of being a lawyer – more specifically he dreamt of being a lawyer, like Abraham Lincoln.

“It was in the first grade that I realized I shared a birthday (February 12) with famous President, Abraham Lincoln, because we got a day off of school! So that started a lifetime fascination with Lincoln. The more I learned about his life, the more I wanted to learn.”

Moody’s nostalgic recollection of his childhood idol brought back the wonder and excitement for his long-lived passion for law. “It was probably third or fourth grade when I realized I wanted to be a lawyer, like Abe Lincoln. As if that was possible. Oh, the things we dream of when we are young.”

Moody started practicing his legal eagle skills during family dinners – the practice of cross-examining his father was a newfound enjoyment for the Abe Lincoln-loving youth. “During elementary school, I used the family dinner time to practice making arguments. My dad would say things I didn’t understand or disagreed with, and I thought I had a knack for making my points because my dad would get frustrated and say, ‘Because I said so!’”

At a young age, Moody had a strong stance of believing in justice and the rule of law – with some further inspiration from the “one and only true Lone Ranger, Clayton Moore”, and Perry Mason.

Moody’s evening debates at the dinner table and his idolization for factual and fictional men of law, eventually led him down a remarkable and successful legal career path.

The Legal Journey - In 1972, Moody started at the University of Pittsburgh. After graduation and a year hiatus (to get married and save money), Moody, continued his schooling at Dickinson School of Law. Graduating in 1981, Moody started out his legal career with the Pennsylvania Department of Revenue, Board of Appeals – adjudicating state tax appeals and refund requests. Following his work at the Pa Department of Revenue, Moody worked in the Pennsylvania Public Utility Commission’s Law Bureau, handling court appeals involving natural gas, electric, water and sewer utilities.

Moody worked for 17 years in government service and then moved his way into private practice – first for Wolf Block Schorr & Solis-Cohen LLP (Harrisburg office) and then Eckert Seamans Cherin & Mellot LLC (Harrisburg office).

Continued on page 3

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PIOGA HAPPENINGS

OCTOBER

17th

PIOGA's Annual Membership Meeting

DECEMBER

11th

PIOGA's Holiday Party

17th

PIOGATech: Air Quality

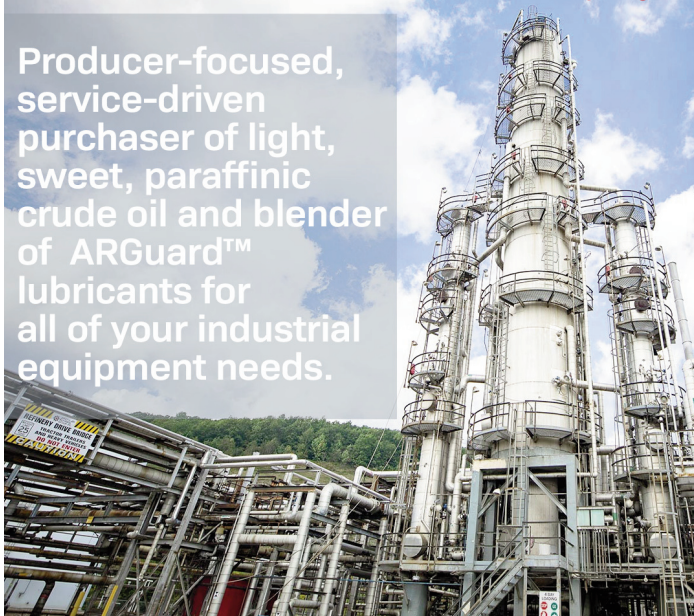
PIOGA 2024 Meetings & Events

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During his years of private practice, Moody's work involved: public utilities; competitive energy suppliers and natural gas producers; municipal corporations and municipality authorities; and state tax appeals.

The Lebanon (Pa) native's hard work and dedication eventually landed him with a 13-year career at PIOGA. In April 2011, Moody became PIOGA's first General Counsel and a legal driving force in many matters affecting the industry.

"After helping IOGA of Pa win the initial case against Peoples, in 1999, for not voluntarily tariffing its pooling program and then representing IOGA producers in matters involving the western gas utilities before the PUC, I realized what a significant and integral part natural gas plays in making possible life as we know it," Moody recalled, detailing his career with PIOGA and the industry. "I realized that the smaller producers needed the ability of a larger organization to mount the legal actions necessary to ensure reasonable regulation of their operations."

Beyond a reasonable doubt, Moody will be recognized as one of the most influential lawyers in the Pennsylvania oil and gas industry.

"Kevin did more in his career for the 'entire' industry than anyone can truly comprehend," admirably explained Dan Weaver, PIOGA President and Executive Director. "He is one of the most obstinate, singly focused, pain in the ass lawyers you will ever meet, and I am thankful everyday he was on our team."

Moody has, in a sense, become an industry legal precedent – with his lifetime of industry legal work playing a crucial role in shaping industry law and guiding future industry lawyers and legal decisions. Moody's strong belief in justice and the rule of law have been the bedrock to PIOGA's legal battles. Championing justice and making sure all in the industry, no matter of size, receive fair treatment. Moody has upheld the rule of law, created a stronger industry and fought for those who were unable to stand their ground. Fulfilling his childhood dream and proving the great Abraham Lincoln right,

"That some achieve great success is proof to all that others can achieve it as well." ■



Retirement – A little Q & A with the great Kevin Moody

Q: What are your hopes for PIOGA/the industry after retirement?

A: I hope – and fully expect – that with PIOGA's strengths (its members and leadership, committees, and staff) and Todd's intelligence, knowledge, judgment and legal skills, PIOGA will continue to lead the litigation and lobbying necessary to ensure the viability of Pennsylvania's oil and natural gas industry, especially the conventional aspect. PIOGA's willingness to engage in litigation, when others won't, has strategic advantages in helping to avoid unnecessary litigation or at least to bring opposing parties to the negotiation table more quickly than perhaps otherwise.

Q: What are you most looking forward to after retirement? What plans do you have?

A: First and foremost, I am looking forward to getting in better physical condition. Barb's mother had many valuable sayings, one of which was "if you don't have your health, you don't have anything." One reason for retiring is to enjoy watching and helping our 7 grandchildren grow older, and getting in better physical condition will certainly help that. Plus, I'm hoping to engage in competitive sports again (basketball & softball) to get the "thrill of victory" feeling I used to get from legal victories. We also plan to go on vacations with lots of activities while we are young enough to do so.

Moody's Most Memorable Career Moment

My most memorable was prior to coming in-house, when I was at WolfBlock (WB) representing IOGA of PA. WB got a state tax case that involved both my areas of expertise with the State government – state tax law and public utility law. I developed the stipulation of facts that provided the foundation for the application of our legal interpretation of the tax statute that the phrase "providing public utility services" did not include the provision of electricity service by electric cooperatives to their members, the essence of what electric cooperatives do. They don't have "customers" as public utilities do, they have "members." I was in Pittsburgh in July 2004 with my daughter visiting Duquesne when my colleague at WB called me and said, "We won!" Many state tax attorneys thought we had no chance of winning because the state tax statute – the Public Utility Realty Tax Act (PURTA) – had been interpreted differently since its enactment in 1971. Our stipulation of facts showed why our legal interpretation made the most sense and comported with actual practice – So the electric cooperatives went from being subject to a statewide property tax to being subject to local property taxes, which meant significant ongoing annual tax savings.

Check out **Page 15** for some farewell wishes to Kevin Moody and a few more photos from Kevin's retirement celebration!



PIOGA's 27th Annual Divot Diggers Golf Outing

It was a tee-rific day!! Golfers, volunteers, PIOGA staff, vendors and event sponsors participated in the PIOGA 27th Annual Divot Diggers golf outing on August 22nd at the Tam O'Shanter Golf Course in Hermitage, Pa. A special thank-you to all the sponsors - especially the event Title Sponsor, Ergon.



Pa. allows percentage depletion tax deductions

PIOGA Tax Committee

On July 11, 2024, Pennsylvania Governor Josh Shapiro approved PA Senate Bill 654 as part of the 2024-2025 state budget. The bill, among other changes, allows producers, mineral owners and royalty owners a deduction for percentage depletion for mines, oil and gas wells and other natural deposits.

Prior to the bill's passing, Pennsylvania did not conform to the federal percentage depletion rules. However, as of the effective date of the bill, the state now conforms to "the provisions of sections 611, 612, 613, 613A, 614, 616, and 617 of the Internal Revenue Code of 1986." This will allow taxpayers in the oil and gas industry to "claim a deduction for percentage depletion of a mine, oil and gas well and other natural deposit." The percentage depletion rate for oil and natural gas wells is 15%.

Prior to this bill's passage, Pennsylvania permitted taxpayers to only claim a deduction for cost depletion. This posed a challenge to mineral and royalty owners because it required an analysis of the rate at which their resource was being exhausted and application of that rate to their remaining basis in the property. The calculation for percentage depletion is based on revenue and will be easier for taxpayers to determine. From a tax perspective, percentage depletion is also more advantageous because, unlike cost depletion deductions, taxpayers may take percentage depletion deductions in excess of their basis in the well.

This change to Pennsylvania's tax code is effective for 2024 and will have a positive impact on Pennsylvania natural gas producers and royalty owners. Visit this page to read Senate Bill 654 in its entirety. ■

If you have any questions concerning this information, please contact Tax Committee member Don Nestor at 304-439-0568 (donnestor67@gmail.com) or Taxation Committee Chairman Woody Morris at 724-875-7857 (wmorris@schneiderdowns.com).



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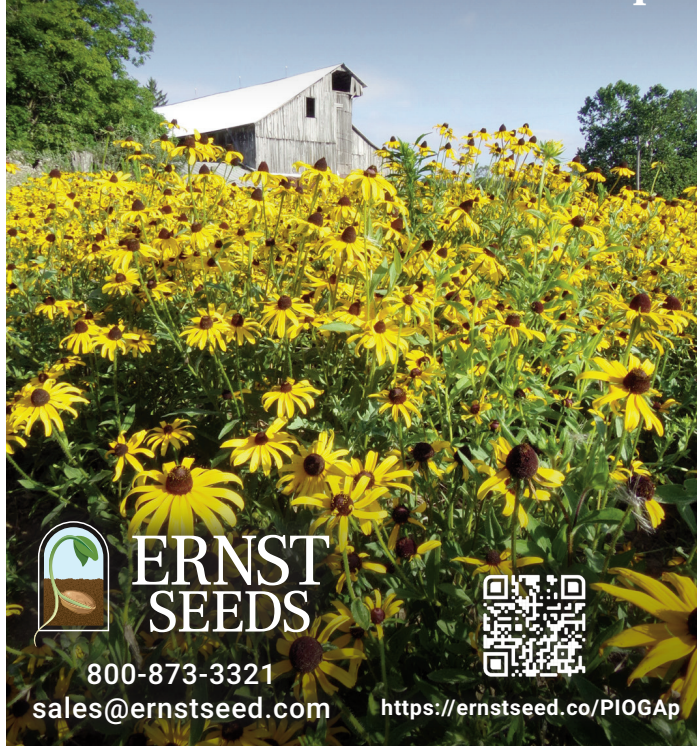


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This is Just Getting Started: US Appeals Court Overturns FERC Approval

Joseph Baran - Bertison-George, LLC, Principal

In a significant legal development, the United States Court of Appeals has invalidated the Federal Energy Regulatory Commission's (FERC) approval of a major natural gas pipeline expansion project, which was estimated to cost \$1 billion and aimed to serve approximately 3 million customers across various Atlantic states. This decision comes after extensive legal challenges and debates surrounding the environmental impact and necessity of the pipeline. The court's ruling reflects a review process that provides a higher bar in relation to environmental justice and underscores the complexity of balancing energy infrastructure development with environmental and social considerations.

The pipeline, which was proposed to run from western Pennsylvania to the New York metropolitan area, had been contested by several environmental groups, arguing that FERC had not adequately addressed the potential environmental consequences, particularly in relation to greenhouse gas emissions and adherence to state laws aimed at reducing carbon emissions. The court's decision to revoke the approval indicates a meticulous examination of these concerns, potentially setting a precedent for future energy projects and their regulatory approvals.

The outcome of this legal action may prompt a reevaluation of how such projects are assessed, with an increased emphasis on sustainable practices and compliance with environmental legislation. The implications of this decision are far-reaching, potentially influencing the approach to energy policy and infrastructure development not only in the affected states but also at a national level. It highlights the ongoing dialogue between energy needs and environmental stewardship, a conversation that is becoming increasingly pertinent as the effects of climate change become more pronounced. The court's ruling may also catalyze further discussions on alternative energy sources and the transition towards a more sustainable energy landscape. This case exemplifies the dynamic and often contentious intersection of law, environmental policy, and energy infrastructure in the United States.

The primary arguments against the pipeline expansion project, as highlighted by environmental groups and state advocates, centered on several key concerns. Firstly, there was a significant apprehension regarding the environmen-

tal impact, particularly the pipeline's contribution to greenhouse gas emissions and its alignment with climate change goals. New Jersey's ratepayer advocate, along with environmental groups, argued that the pipeline would account for nearly half of the state's greenhouse gas emissions by 2050, which would severely hinder the state's efforts to reduce emissions by 80 percent as part of its climate objectives.

Another major argument was the potential infringement on state laws designed to reduce carbon emissions. Critics contended that the Federal Energy Regulatory Commission (FERC) had not adequately considered how the pipeline's approval might conflict with these laws, thereby undermining state-level environmental policies and goals.

Furthermore, there were concerns about the project's necessity and its alignment with the region's move towards renewable energy sources. The opposition questioned the long-term need for the pipeline, given the increasing shift to sustainable energy solutions and the potential for the pipeline to become a stranded asset if demand for natural gas declines.

The case also brought to light the issue of environmental justice. Advocates argued that the pipeline could disproportionately affect disadvantaged communities, potentially leading to adverse health and environmental consequences. This aspect of the argument emphasized the need for FERC to conduct a more thorough environmental justice analysis as part of its approval process.

Lastly, the legal challenges raised questions about the adequacy of FERC's review process. The court's scrutiny of the pipeline approval suggested that FERC may need to adopt a more rigorous assessment of environmental impacts and public need in future projects, taking into account the broader implications for climate change and state environmental policies.

These arguments reflect a growing public and legal demand for more sustainable energy infrastructure and a more comprehensive evaluation of the environmental and social impacts of such projects. The court's decision to revoke the pipeline's approval underscores the importance of these considerations in the regulatory process and could influence the approach to future energy projects in the United States.

FERC *Continued from page 6*

In November of 2023, BG laid out several actions steps the oil and gas industry be advised to take:

- It is imperative for companies to thoroughly review their strategies concerning climate change and carbon reduction. The strategies should be detailed and realistic enough to align with the shifting legal landscape.
- It is important to evaluate whether the Environmental, Social, and Governance (ESG) commitments of a business are realistic and achievable. Conducting due diligence to substantiate these commitments is a crucial step, both currently and in the future. As regulations vary across different jurisdictions, it is challenging for cross-border businesses to comply with both voluntary and mandatory standards. However, it is imperative to develop a robust strategy to track and comply with these standards, especially with the prospect of a baseline standard with more granularity.
- It is crucial to keep in mind the expectations of regulators who oversee businesses.
- It's important to take note that courts are now paying attention to "scope 3 emissions". This means that businesses could be held responsible for the actions of their end customers, essentially creating a trend where companies are accountable for their entire supply chains.
- To tackle the issue of climate-related greenwashing, oil and

gas companies should conduct thorough and well-documented reviews of their entity and product level disclosures and statements related to ESG, providing evidence of their ESG investment processes. Furthermore, they should examine the level of consistency between their internal ESG practices and the disclosed policies and procedures.

- It is vital to be aware of the potential risks when making climate/ESG-related disclosures. To mitigate these risks, it is advisable to use relevant contractual terms to limit liability. You should be prepared for increased scrutiny and be able to demonstrate the accuracy of your disclosures and statements to both regulators and a wider audience of stakeholders.

Even though the appeals court was critical of FERC, it is crucial for the industry to go above and beyond FERC requirements. It must engage citizens directly and form alliances with organizations that could support these projects at a state level, thus leveling the environmental justice bar. ■



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Cast Your Vote! 2024 PIOGA Board of Directors candidates

Ballots are being distributed for the six positions that will be filled in the election for the 2024 PIOGA Board of Directors. Below are profiles of the 8 member companies and their representatives who are candidates for this year's election. The elected board members will serve a three-year term, 2024-2027, commencing with the 2024 Annual Membership Meeting on October 17.

Per the bylaw change approved in 2020, ballots are being sent electronically. The primary representative of each PIOGA member company (Full Members Only) receives one electronic ballot. To be counted, ballots must be electronically submitted or mailed to the PIOGA office by 5 p.m. on October 10. Candidates are elected by a simple majority of the returned ballots. The six candidates receiving the most votes will be elected. Electronic ballots will be released by September 9, 2024. If you have questions or if you don't receive your electronic ballot or need to request a hardcopy ballot to be mailed to you, please contact Deana McMahan, PIOGA Director of Administration, at deana@pioga.org.

2024 Board of Directors Election Candidate Profiles



BLX, Inc. - Stanley Berdell

Stan Berdell is the founder and President of BLX, Inc., a privately owned and operated producer of natural gas. Established in 1989, the company has operated in the Appalachian Basin for over 30 years. Stan is also the Managing Partner of Redmill Drilling and Mt. Pleasant Enterprises, all of which operate in the Appalachian Basin. Stan is part of the ownership group of Surefire Wireline, LLC, a service company providing wireline services for the oil & gas industry. The company started up operating out of his shop in Kittanning, Pennsylvania, and now operates in Williston, North Dakota and Greeley, Colorado.

As a mid-sized independent operator, BLX has always tried to keep pace with the oil and gas industry and was the first independent operator to drill and produce vertical Marcellus shale wells in Western Pennsylvania.

Always active in the community, Stan was the past President of the Richard G. Snyder YMCA Board of Directors.

Stan lives in Kittanning, Pennsylvania with his wife of 50 years, Judi. They have two daughters, Emily and Lindsay, and four grandchildren.



CSR Services. - Charlie Frantz

Charlie Frantz is a seasoned veteran of the oil and gas industry, bringing over 16 years of experience to his role as President of CSR Services, LLC. Under his strategic leadership, the Pennsylvania-based well plugging company has established a strong regional presence, providing critical plugging services to the Appalachian region. Prior to founding CSR Services in

2019, Charlie was a founding partner of Fluid Delivery Solutions, a nationally recognized water management company that he helped grow from its Pennsylvania roots. With a proven track record of strategic leadership and operational expertise, Frantz is driving CSR Services' growth and positioning the company as a trusted partner in the well plugging space. Charlie was born and raised in Northwest PA and continues living there with his family. In his free time, he is part of several community clubs and organizations.



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Diversified Energy Company PLC -

Daniel O. Frick

With over three decades of experience in Environmental Health and Safety (EHS) management, Daniel is a seasoned professional dedicated to ensuring compliance and fostering safe work environments. Serving as the EHS Regulatory Director at Diversified Energy Company since January 2021, Daniel leads regulatory initiatives and oversees EHS compliance across the organization.

Prior to his time at Diversified, Daniel was at LINN Energy (which emerged as Riviera Resources) from 2009-2020, initially as an Advisor and eventually becoming EHS Manager. In his roles at LINN/Riviera, he supported oil and gas assets in several states including Texas, Oklahoma, Louisiana, New Mexico, Wyoming, Colorado, and Utah, performing compliance tasks, safety training, and regulatory interface.

Daniel started his career in environmental consulting in 1992 at Environmental Compliance Associates, a boutique environmental firm supporting small to mid-size oil and gas companies. Daniel primarily focused on acquisitional due diligence and compliance programs while building his knowledge and relationships throughout the industry and regulatory agencies. Daniel eventually became Operations Manager, leading this organization.

Daniel received his bachelor's degree from Arizona State University where he graduated with high honors. Daniel holds industry credentials from the National Registry of Environmental Professionals (REM) and is certified by Sandia National Laboratories as an Infrastructure Specialist. Daniel's hobbies are golf, disc golf and family time.



Ergon Oil Purchasing, Inc. -

Ben Jezovnik

Ben Jezovnik currently works for Ergon Oil Purchasing, Inc. as a Crude Oil Account manager for the W. PA and SW New York region. Ben has been with Ergon for over 11 years. Initially, he started at Ergon, Inc. as a division order analyst at their refinery in Newell, WV. Ben was promoted to Crude Account manager which enabled him to get more involved with the conventional oil and gas community. His focus has been to

develop new PG crude sources in his region and continue to maintain existing relationships with PA/NY PG oil producers. Ben has been involved with all 3 PA Oil/Gas trade organizations since 2015 – PIOGA, PIPP, and PGCC. He is currently a board member for the PIPP organization which has been integral for his development in this industry. Prior to working in the Oil and gas industry Ben was a schoolteacher for 15 years working at different school districts from St. Thomas, VI to Northeast, MD. When Ben is not working, he enjoys all types of sports and outdoor activities. Ben really loves his blended family with 4 kids and 3 big awesome dogs. Ben graduated from East Stroudsburg University with a BS in Secondary Education with a concentration in American history.



**IGS Energy Producer Services -
Joe O'Donnell**

Joe O'Donnell is an Appalachian Supply Buyer for IGS Energy Producer Services, Inc. He has been in various natural gas marketing roles in PA for over 16 years, and has been involved with PIOGA for 8 years. Most recently, he has served as the co-chair of the Market Development Committee and the Board of Directors.

Outside of work, he enjoys spending time with his wife and four children, preferably outdoors. During the long PA winters, any combination of dance, gymnastics, and swimming occupy his attention.

He has a bachelor's degree in Business Management from Grove City College and an MBA from Waynesburg University.



Kinder Morgan - Ken Collins

Ken Collins is a seasoned public affairs professional with decades of experience designing and implementing communication strategies to motivate key political and business stakeholders, the media as well as the general public.

At Kinder Morgan, Ken leads a team whose activities include corporate public affairs, state government relations, and special projects throughout the United States.

With experience in over 30 states focusing on stakeholder engagement, Ken's ability to find synergies and open doors has led to success for Kinder Morgan.

Ken received his Bachelor of Arts from the Ohio State University.



**Kriebel Energy, LLC -
James Kriebel**

James E. Kriebel is president and chief executive officer of the Kriebel Companies which operate over 1900 wells in western Pennsylvania. He graduated from the University of Miami with a bachelor's degree in Business Administration. Mr. Kriebel, a native of Clarion County, and his family, have been involved in natural resource development in western Pennsylvania for over 50 years.

Jim is an active participant in the natural gas industry. He serves on the Board of Directors of the Pennsylvania

Independent Oil & Gas Association, and is also a member of the Executive Committee where he has served as Treasurer for many years. Jim is also a member of the PIOGA Legislative, Membership, and Market Development Committees. Jim is a member of the Society of Petroleum Engineers and the Independent Petroleum Association of America. Jim has also been actively involved with his local community. He served for many years on various committees with the Clarion University and the Trinity Point Church of God in Clarion.



**Long Ridge Energy & Power -
Len Paugh**

Len Paugh brings more than 30 years of oil and gas experience to his role as the Head of Gas Development for Long Ridge Energy. His current responsibilities include development of Long Ridge's gas assets, mid-stream and marketing of the gas for the power plant. Len is also heavily involved in the alternative energies program and business development at Long Ridge. Prior to his involvement with Long Ridge, Len was a principal at the Peters Management Group, a unique technical and operational consulting firm with specialization in multiple industries including coal, mineral processing, oil & gas and power generation. Prior to founding PMG, Len was a founding member and Chief Operating Officer for Mountaineer Keystone and MK Midstream. Prior to MK, Len was the Operations Manager for PA and WV for Range Resources. While at Range, Len lead the team developing the discovery wells in the Marcellus Shale. While at Range, Len's responsibilities included the day-to-day operations of drilling 250+ wells per year, operating 5,000 wells, 2,500 miles of pipeline, 30 compressor stations and a staff of over 150 people with annual budgets in excess of \$100MM. Len holds a Bachelor of Science Degree in Petroleum and Natural Gas Engineering from West Virginia University.



**Penn View Exploration, Inc. -
Brad Little**

Brad Little, age 58, resides in Western, PA. He has lived in Blairsville since 1984.

Brad graduated from Kiski Prep, attended Marietta College and Indiana University of PA. In 1991 married Yvonne. They have two children. Abbey, 27, lives in Brooklyn, NY and is employed by the Neue Galerie NY. Quintin, 25, lives in Midland, TX and is employed by Chevron.

Brad Little has over 36 years of experience in the oil and gas industry. From 1987 to 2000 he ran the day-to-day natural gas field operations, and was charged with several acid mine drainage treatment facilities while employed by North Cambria Fuel Co. With the support and help from Yvonne, in 2000, Brad founded Penn View Exploration, Inc. (PVE), an exploration, acquisition and production company with assets in the Appalachian Basin.

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Election *Continued from page 9*

Since 2000, PVE Inc. has developed and acquired 495 gas wells and 184 oil wells in Western and Central Pennsylvania, with over 25,500 acres of leaseholds in 8 countries. PVE, Inc. Consulted for other companies and their development and acquisition projects resulting in over 350 oil and gas wells being completed. In 2007, PVE, Inc. divested a 1,100-acre leasehold in Lawrence County, Pennsylvania to a major integrated oil company. In 2008, PVE, Inc. divested their shale gas leaseholds to a large independent gas company. The divestiture was over 9,000 acres.

Today PVE, Inc. concentrates on maintaining its oil and gas assets. The gas wells are located on 20,000 acres of leaseholds in 7 central and western Pennsylvania Counties, with the core acreage in Indiana County. The 5,500-acre oil field is primary production located in McKean County. It is known as the Burning Well Oil Field. In March 2019 PVE, Inc. acquired three horizontal Marcellus shale wells located in Westmoreland County, PA from a major integrated oil and gas company.

Penn View Exploration, Inc. and PVE Oil Corporation were capitalized and are wholly owned by Brad Little. Combined the companies have 9 full-time employees, 1 part-time employee, 2 geological consultants and a drilling consultant. Brad is the president and runs the day-to-day operations.

SEF Consulting, Inc. - Sam Fragale

Sam is currently engaged in providing management and engineering consulting services to the industry.

Sam was Co-Founder, President & CEO of Freedom Energy Resources LLC ("Freedom") which was a company engaged in the exploration and development of oil and gas assets in the Williston Basin, with a focus on conventional oil and gas. Prior to the creation of Freedom Sam worked in the oil and gas industry for over 35 years for companies such as Chief Oil & Gas, LLC as Senior VP Operations directing their Marcellus operations in Northeast PA. His team was directly responsible for increasing production from 40 MMc/d to 850 MMcf/d with over a BCF/d of capacity. During his 20-year tenure with Phillips Production Company/Phillips Drilling Company as Sr. Vice President/President & COO he was responsible for the drilling of over 3000 conventional wells. He directed the transformation of the company into a Marcellus Shale operator which resulted in the sale of the company to Exxon/Mobil in June 2011 for \$1.7 Billion. He started his career working for Shell Offshore Inc. as a Reservoir Engineer.

Sam is a former Member of the Technical Advisory Board for the PA Dept. of Environmental Protection and currently serves on the PIOGA's Board and Executive Committee as Secretary.



Steptoe & Johnson PLLC -

Deana Stephens

Deana Stephens' practice focuses on oil and gas law with particular emphasis on mineral title law. Prior to coming to Steptoe & Johnson, Mrs. Stephens worked as an abstractor for a local land company. Deana began her career

as a Prosecutor with the Allegheny County District Attorney's Office before taking her experience and knowledge to the Washington County District Attorney's Office where she continued in her role as Assistant District Attorney until 2011. Deana's experience gained while working with the public as a prosecutor and quick problem-solving skills enables her to assist clients with issues as they arise in a calm, efficient and thorough manner. Mrs. Stephens is a member of the Environment, Social, Governance ("ESG") group, a group of attorneys with experience and knowledge about how ESG impacts all aspects of business. She is also an Assistant Practice Group Leader and an integral part of the firm's Energy and Natural Resources Department. Deana has also been the Chair of PIOGA's Diversity Committee since 2021 and has served as a board member since January 2024.



TD Connections, Inc. -

Teresa Irvin McCurdy

Teresa started TD Connections in 2013 to provide personalized consulting services with a focus in the energy sector to guide clients through the government and regulatory process and assist them with their public relations needs.

Many people in the natural gas industry know Teresa as a former consultant for Hydro Recovery. She served as their Sr. VP of Business Development, Government and Public Relations.

Her core focus has always been supporting her clients in the energy industry by keeping them abreast of legislative and regulatory issues. She has been the Subcommittee Chair of the PIOGA's Environmental Committee since 2011; served on PIOGA's board since 2018; and served as the Vice Chair for two years of the MSC's Water Resources and Waste Management Committee.

Teresa has been very active in PIOGA, which includes utilizing some of her connections to set up meetings and advance PIOGA's positions at DEP meetings and in the legislature. She has also played an instrumental role in PIOGA Tech's Water and Waste Management Trainings.

She was a writer for the Northeast ONG paper (formerly the ONG Marketplace) and for the Pennsylvania Business Central. Teresa has been honored by being named the "Top 100 People in 2016 and 2017" and "Women Making A Difference 2017 and 2021."

In the business development realm, she has used the above knowledge and connections to help various businesses make connections.

Prior to starting her own business, she worked for a lobbying firm in Harrisburg representing various clients in all sectors, but primary focus on energy. She got her start in Harrisburg by first working for a 50-state legislative tracking company and then starting a state legislative tracking company with a colleague. That legislative tracking service, myPLS, is used not only by lobbyists but by the state legislature and Administration. ■

Navigating Rising Healthcare Costs: Strategies for Pennsylvania's Oil and Gas Industry

Casey Maschue and Alexis Ruff - NFP.

As Pennsylvania's oil and gas companies continue to fuel our state's energy future, a pressing challenge looms on the horizon: the rising cost of employee healthcare benefits. A recent report from NFP, a leading benefits consultant, highlights that employers are projecting a 7% increase in healthcare costs for the second consecutive year. For Pennsylvania Independent Oil & Gas Association (PIOGA) members – from small drilling contractors to large production companies – this trend demands attention and action.

The Driving Factors

The NFP US Benefits Trend Report identifies several key factors behind this surge:

- Increased utilization due to chronic health conditions.
- Catastrophic claims.
- Costly specialty prescription drugs.
- Emerging cell and gene therapies.
- Rising medical provider costs.

These factors, compounded by broader economic pressures like inflation and supply chain challenges, are creating a perfect storm for benefit costs in our industry.

A Call for Proactive Management

The days of simply delegating healthcare spend oversight to third parties are over. As Casey Maschue, Senior Advisor from NFP's Pennsylvania office, notes, "Oil and gas companies need to take a more active role in managing their healthcare costs. The continued escalation we're seeing is simply not sustainable, especially in an industry that experiences its own market fluctuations."

Alexis Ruff, Corporate Benefits Advisor at NFP, adds, "In today's complex healthcare landscape, it's crucial for oil and gas companies to adopt a strategic approach to benefits management. By leveraging data analytics and embracing innovative cost-containment strategies, companies can not only control expenses but also enhance the value of their benefits packages."

Leveraging Data for Better Decisions

One of the most promising strategies highlighted in the NFP report is the use of advanced data analytics. By harnessing the power of AI and machine learning, companies can gain unprecedented insights into their healthcare spending, opening up new avenues for cost management

and benefit optimization. With these tools, organizations can identify specific areas where costs can be contained, often revealing inefficiencies or trends in overutilization that were previously hidden.

Moreover, these advanced analytics can predict future healthcare trends across a company's workforce, allowing for proactive rather than reactive management of health benefits. This foresight enables companies to make data-driven decisions about benefit design, ensuring that the offerings are both cost-effective and meet the evolving needs of employees.

For PIOGA members, this could have particularly significant implications. By analyzing data specific to the oil and gas industry, companies can understand how the unique health risks associated with their field are impacting costs. This insight allows for the tailoring of benefits to address these industry-specific challenges, potentially leading to better health outcomes for employees and more controlled costs for employers.

Embracing Transparency and Accountability

Recent price transparency regulations are opening new doors for cost management. Employers now have the opportunity to demand greater accountability from both healthcare providers and insurance carriers. This shift allows companies to compare negotiated prices across health systems and regions, make more informed decisions about network strategies, and forecast healthcare costs with greater accuracy.

Value-Based Strategies

The NFP US Benefits Trend Report further underscores a pivotal shift towards value-based cost-containment strategies. For the oil and gas industry, these approaches offer opportunities to enhance employee health while keeping costs in check, moving towards a workplace where preventive care programs are tailored to address the unique health challenges faced by rig workers, pipeline technicians, and office staff alike.

Consider implementing direct contracts with top-tier providers, ensuring quality care for frequently used services at negotiated rates. Additionally, optimizing pharmacy benefits can tackle high-cost specialty drugs that impact both employee well-being and company budgets.

Continues on next page

By embracing these strategies, PIOGA members can create a healthcare environment that contains costs while demonstrating a genuine commitment to employee health and well-being.

A Collaborative Path Forward

Addressing these challenges requires a collaborative effort. PIOGA members are encouraged to work closely with experienced benefits advisors who understand the unique needs of the oil and gas industry, engage with employees to understand their healthcare needs, and stay informed about emerging trends and regulations in the healthcare space.

As Pennsylvania's oil and gas industry continues to navigate complex market conditions, managing employee healthcare costs is crucial for maintaining competitiveness. By embracing data-driven strategies, demanding greater transparency, and focusing on value-based approaches, PIOGA members can work to contain costs while still providing high-quality healthcare benefits to their workforce. ■

For more information on implementing these strategies in your company, reach out to PIOGA or NFP's Pennsylvania office.



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Advisor, Corporate Benefits
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NFP is proud to serve and support Pennsylvania's oil and gas industry through risk management, employee benefits, wealth and retirement solutions and more.

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[NFP.com](https://www.nfp.com)



PIOGA's Annual Meeting & Reception

Thursday, October 17th

@ Ferrante's Lakeview - Greensburg, Pa.

Member Meeting: 2-4 pm

Reception: 4-6 pm

Join us for this year's Annual Membership Meeting! At this year's meeting members will hear about the work of the association on legislative, regulatory and market development matters that impact the industry! Members will also get a chance to meet our newly elected Board of Directors.

Guest Speakers at this year's Annual Membership Meeting are Richard Gmerek and Chris Lammando from Gmerek Government Relations, Inc.

For more information on the meeting, becoming a sponsor and registration:

<https://pioga.org/event/piogas-annual-membership-meeting/>

In The Courts

Federal Court Nixes Biden's LNG Pause

President Biden's intention to temporarily suspend permits for new liquefied natural gas export facilities hit the rocks in early July after a federal district court sided with 16 states that oppose the move. The court determined that the U.S. Department of Energy failed to justify its claimed need to pause approvals to review its permitting process.

Update (September 2024): President Biden granted the first new approval for LNG exports since the decision to resume approvals, following the above noted federal judge's order. The US Energy Department granted a five-year license to New Fortress Energy, Inc. (<https://www.business-wire.com/news/home/20240903677869/en/>)

DC Circuit scraps Biden gas pipeline safety rules

A federal appeals court has tossed out new safety standards for natural gas pipelines, finding that regulators failed to explain why the benefits of the new rules outweighed their costs. U.S. Court of Appeals for the District of Columbia Circuit said the Pipeline and Hazardous Materials Safety Administration must go back to work on most of its 2022 standards that aimed to identify defects that can lead to pipeline failures.

Red states ask Supreme Court to halt EPA's methane rule

A coalition of Republican-led states is asking the Supreme Court to halt the Biden administration's effort to cut methane from oil and gas production.

The 23 state attorneys general and Arizona's GOP-led Legislature are asking the Supreme Court to block the implementation of an Environmental Protection Agency (EPA) rule that requires oil and gas wells to control leaks of planet-warming methane.

Their appeal comes after a lower court declined to do so. It marks the latest in a string of efforts from Republican-led states to block pollution and climate rules through the high court.

US District Court Throws Out Federal Agency's Assessment Allowing More Drilling for Fossil Fuels in the Gulf of Mexico

The US District Court for the District of Maryland has tossed a flawed environmental assessment on harms to endangered and threatened marine species from oil and

gas drilling and exploration in the Gulf of Mexico.

In an August ruling, the district court agreed with environmental groups that the biological opinion violated the law in multiple ways. The court declared the 2020 biological opinion unlawful and ordered the National Marine Fisheries Service (NMFS) to produce a new biological opinion by December 2024. The biological opinion is required to ensure that drilling and exploration for fossil fuels in the Gulf does not jeopardize endangered and threatened species, and is a prerequisite for oil and gas drilling permits auctioned by the U.S. Department of the Interior.

Group sues Texas over law banning state business with firms "boycotting" fossil fuels

A business group sued Texas in late August over a 2021 law that restricts state investments in companies that, according to the state, "boycott" the fossil fuel industry.

The American Sustainable Business Coalition filed suit against Attorney General Ken Paxton and Comptroller Glenn Hegar, alleging that the law, Senate Bill 13, constitutes viewpoint discrimination and denies companies due process, in violation of the First and Fourteenth Amendments.

Known as the "anti-ESG law" — which stands for "environmental, social and governance" — Senate Bill 13 requires state entities, including state pension funds and the enormous K-12 school endowment, to divest from companies that have reduced or cut ties with the oil and gas sector and that Texas officials deem antagonistic to the fossil fuel industry.

The business group asked a federal judge in Austin to declare the statute unconstitutional and permanently block the state from enforcing it.

Oil industry says Pennsylvania climate lawsuit violates Sunshine law

The state oil and gas industry is seeking to dismiss a climate lawsuit, arguing that leaders in Bucks County violated the state's Sunshine Act when they agreed to pursue litigation, arguing that oil executives misled the public for decades about the dangers of burning fossil fuels.

The motion to dismiss argued that the lawsuit is unlawful because the public was never given an opportunity to consider if the county should enter the legal fray. ■

"It is almost impossible to calculate the financial benefit to our membership from Kevin's work. His knowledge, tireless effort and legal brilliance is nothing short of amazing. But more importantly we will miss the man, the friendship and leadership he represents. He will be sorely missed."
 Lou D'Amico, Past PIOGA President and Executive Director.

"Well Kevin, it's been like 24K Magic working with you all these years. Keep the Uptown Funk going and enjoy your next chapter. You've more than earned it! I'm sure we will see you around again soon."
 Debbie Oylar, Director of Member Services & Finance.

"I'm honored to have been selected to continue Kevin's tireless and enduring advocacy for PIOGA and the entire industry. While I knew the name Kevin Moody before I came to PIOGA, I've truly come to learn and appreciate how great of a lawyer he is; and, more importantly, that he's an even better person than he is a lawyer." Todd Pappasergi, General Counsel

"It has been a pleasure working with you over these past 7 years Kevin! Where did the time go? Thank you for providing the countless articles and documents for the committees. You shared such valuable information with our members. And lastly, if you are ever up for a rematch at 3 Rivers Karting, just let me know!" Deana McMahan, Director of Admin. & Committee Liaison.

"Kevin you are awesome! Since I started at PIOGA, I have been in awe of your dedication to and knowledge of the oil and gas industry. Go enjoy yourself! Go dance to 'I Shot the Sheriff' with Barb. Make Bob Marley proud." Meg Keely, Director of Communications

"Kevin is a one-of-a-kind person and will be missed but I am certain we will see him around. I am proud that Kevin was my colleague and even more grateful to call him my friend."
 Dan Weaver, President and Executive Director



THANK YOU TO OUR 2024 PIOGA PARTNERS

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EXECUTIVE PARTNERS

MEETING PARTNERS

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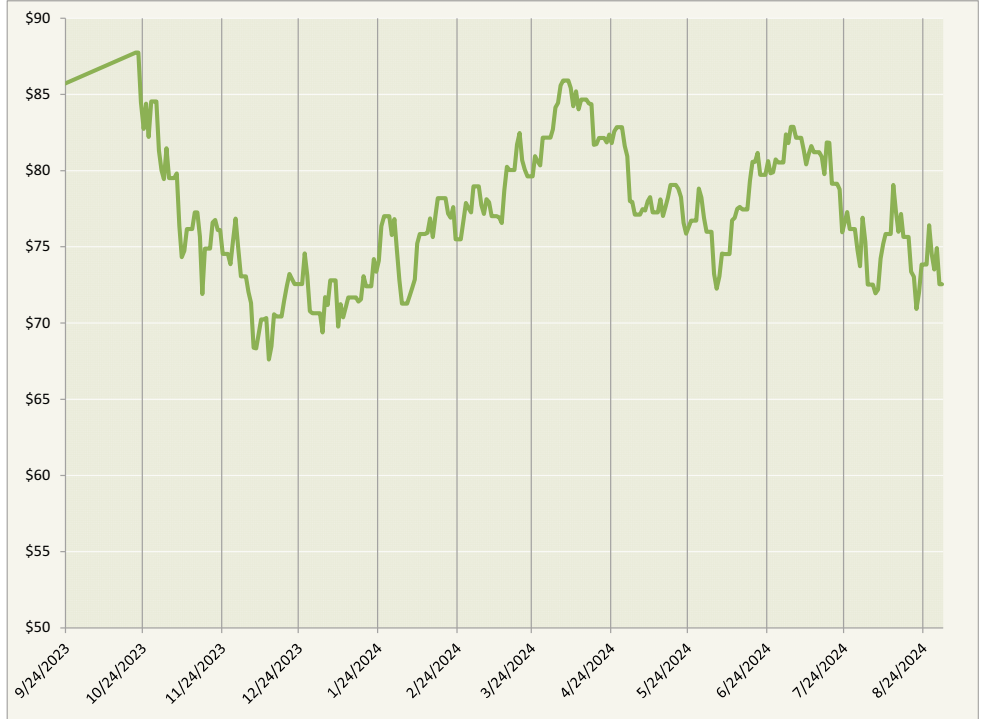
CLAY SHOOT PARTNERS

COMMITTEE/PIOGAtech PARTNERS

NETWORKING PARTNERS

Oil & Gas Dashboard

Penn Grade Crude Oil Prices



Sources

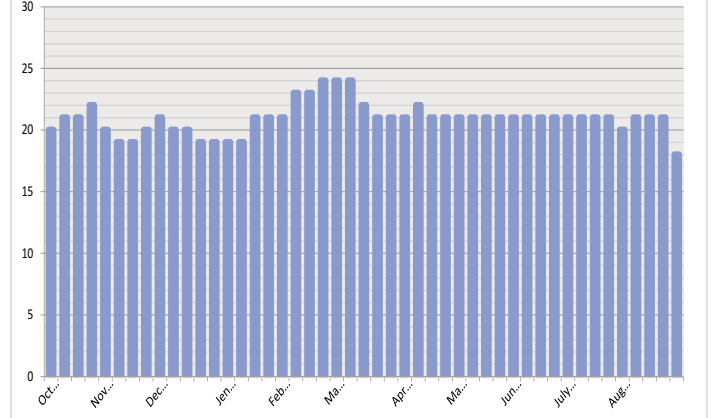
American Refining Group:
www.amref.com/Crude-Prices-New.aspx
 Ergon Oil Purchasing: www.ergon.com/crudeoil
 Gas futures: quotes.ino.com/exchanges/?r=NYMEX_NG
 Baker Hughes rig count: bakerhughesrig-count.gcs-web.com/na-rig-count
 NYMEX strip chart: Mid American Natural Resources
 Basis futures values: BHE Eastern Energy Field Services

Natural Gas Futures Closing Prices

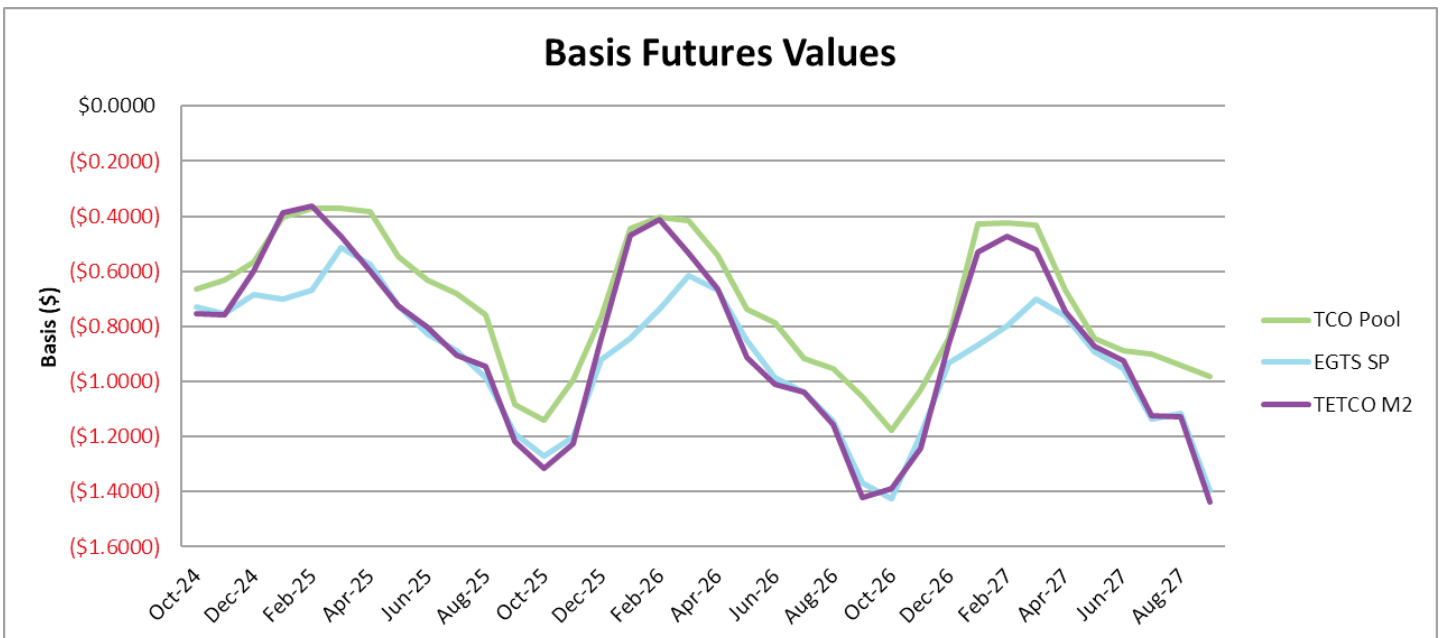
October 2024	2.249
November	2.573
December	3.078
January 2025	3.364
February	3.243
March	2.932
April	2.814
May	2.858
June	3.009
July	3.165

Prices as of Sept. 10, 2024

Pennsylvania Rig Count



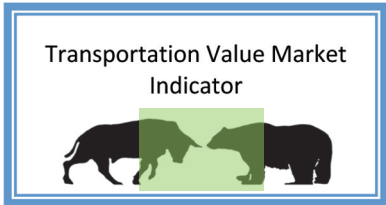
Basis Futures Values



Northeast Pricing Report – September 2024

On Thursday, October, natural gas prices exhibited moderate gains as traders and commodity funds transitioned positions from the expired September contract to the October contract. Cooler weather is being forecasted for much of the eastern US from September 3-7, potentially reducing demand for natural gas for air conditioning. The weekly EIA inventory report conveyed a neutral outlook as natural gas supplies increased by 35 billion cubic feet, aligning with expectations. The Edison Electric Institute reported a 7.76% year-on-year decline in total US electricity output for the week ending August 24, yet noted a 1.65% year-on-year increase in electricity output for the 52-week period ending August 24. In the Northeast, front-month basis prices were flat at every location and for every trading period

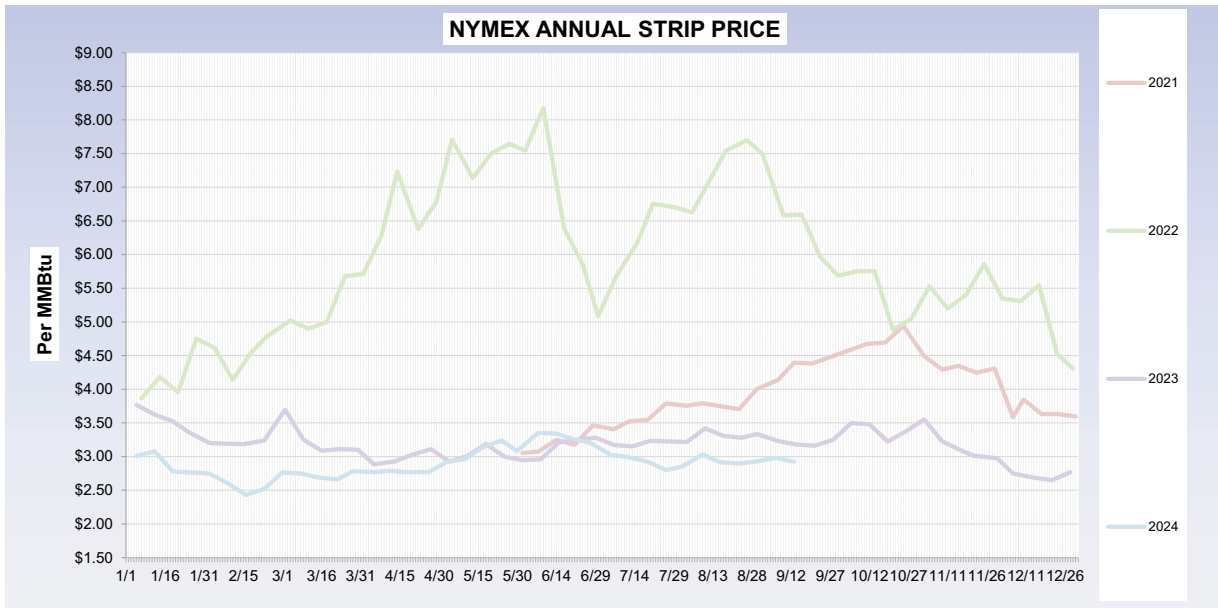
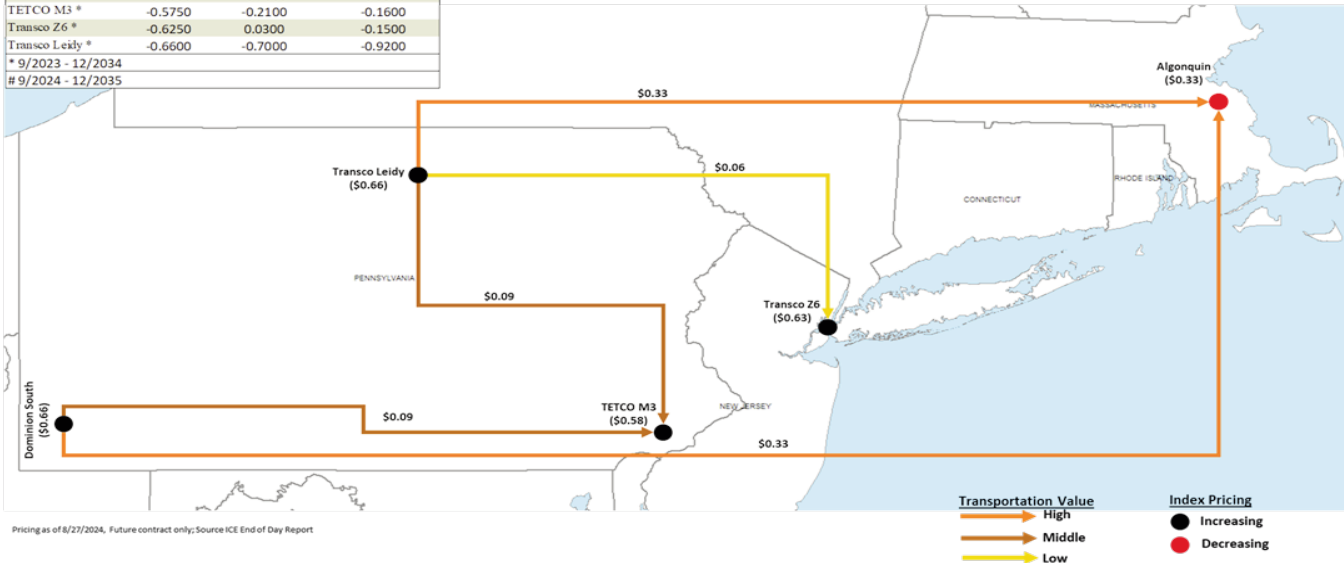
Despite a flat market, most of the values for transportation decreased. Dominion South to Algonquin decreased by \$0.02 per MMBtu. Transco Leidy to Algonquin increased by \$0.03 per MMBtu. The value for Transco Leidy to Transco Z6 decreased the most by \$0.10 per MMBtu. Dominion South to TETCO M3 decreased by \$0.08 Per MMBtu.



Provided by Bertison-George, LLC
www.bertison-george.com

Location	Pricing Term		
	9/2024	9/2024-8/2025	9/2024-12/2029
Algonquin	-0.33	2.17	2.24
Dominion South #	-0.6600	-0.7600	-0.9500
TETCO M3 *	-0.5750	-0.2100	-0.1600
Transco Z6 *	-0.6250	0.0300	-0.1500
Transco Leidy *	-0.6600	-0.7000	-0.9200

* 9/2023 - 12/2034
9/2024 - 12/2035



The information in this report was obtained from reliable sources but is not guaranteed for accuracy. The views and opinions set forth are solely those of the author(s), and are subject to change without notice.

Spud Report: August



The data show below comes from the Department of Environmental Protection. A variety of interactive reports are available by going to the Office of Oil and Gas Management page at www.dep.pa.gov and choosing Report from the menu. The table is sorted by operator and lists the total wells reported as drilled last month. **Spud** is the date drilling began at a well site. The **API number** is the drilling permit number issued to the well operator. An asterisk (*) after Operator indicates a conventional well.

Operator	Wells	Date	API#	County	Municipality	Operator	Wells	Date	API#	County	Municipality		
Blackhill Energy	4	8/1/24	015-23915	Bradford	Springfield	MSL Oil & Gas *	2	8/5/24	083-57703	McKean	Hamilton Twp		
		8/1/24	015-23931	Bradford	Springfield			Pennhills Resources	8/13/24	053-31123	Forest	Kingsley Twp	
		8/1/24	015-23932	Bradford	Springfield					8/23/24	083-57721	McKean	Sergeant Twp
		8/1/24	015-23933	Bradford	Springfield						Range Resources	5	8/2/24
Branch John D. *	3	8/7/24	123-48792	Warren	Warren City	8/2/24	125-29132	Washington	Blaine Twp				
		8/14/24	123-48789	Warren	Warren City		8/2/24	125-29133	Washington	Blaine Twp			
		8/21/24	123-48791	Warren	Warren City			8/3/24	125-29134	Washington			Blaine Twp
Cameron Energy Co *	3	8/6/24	053-31112	Forest	Howe Twp	8/3/24	125-29130		Washington	Blaine Twp			
		8/14/24	053-31109	Forest	Howe Twp		Snyder Bros Inc.		11	8/1/24	005-31513	Armstrong	North Buffalo
		8/22/24	053-31107	Forest	Howe Twp					8/1/24	005-31514	Armstrong	North Buffalo
Chesapeake Appalachia	9	8/26/24	113-20480	Sullivan	Cherry Twp	8/5/24	005-31511	Armstrong	North Buffalo				
		8/26/24	113-20477	Sullivan	Cherry Twp		8/5/24	005-31512	Armstrong		North Buffalo		
		8/26/24	113-20478	Sullivan	Cherry Twp			8/6/24	005-31510		Armstrong	North Buffalo	
		8/26/24	113-20481	Sullivan	Cherry Twp				8/13/24	005-31497	Armstrong	North Buffalo	
		8/27/24	113-20479	Sullivan	Cherry Twp	8/13/24	005-31507	Armstrong		North Buffalo			
		8/6/24	113-20484	Sullivan	Forks Twp		8/14/24	005-31508	Armstrong	North Buffalo			
		8/6/24	113-20485	Sullivan	Forks Twp	8/14/24		005-31509	Armstrong	North Buffalo			
		8/6/24	113-20486	Sullivan	Forks Twp		8/21/24	005-31516	Armstrong	North Buffalo			
		8/6/24	113-20487	Sullivan	Forks Twp	8/21/24		005-31517	Armstrong	North Buffalo			
		Curtis & Son Oil *		8/27/24	123-48964		Warren	Farmington	Wilmoth Interests Inc. *	3	8/7/24	123-48914	Warren
Gas & Oil MGMT *		8/16/24	123-48837	Warren	Pleasant Twp	8/14/24	123-48912	Warren			Sheffield Twp		
Howard Drilling Inc. *	2	8/14/24	083-57671	McKean	Wetmore Twp		8/22/24	123-48915			Warren	Sheffield Twp	
		8/23/24	083-57669	McKean	Wetmore Twp								
KCS Energy Inc. *	3	8/14/24	123-48884	Warren	Pleasant Twp								
		8/21/24	123-48883	Warren	Pleasant Twp								
		8/28/24	123-48886	Warren	Pleasant Twp								

	August	July	June	May	April
Total Wells	48	39	35	47	35
Unconventional Gas	29	21	19	32	16
Conventional Gas	0	0	0	0	0
Oil	17	15	8	10	17
Combination Oil/Gas	2	3	7	5	2

2024-2025 Membership Directories have been mailed!

PIOGA is pleased to announce that the 2024-2025 hardcopy membership directories have been mailed and hopefully have reached your mailbox! The directory, published once a year, is the main resource guide for our association members seeking to contact one another and a one-stop resource guide for companies looking to find services or products from other PIOGA member companies. Please be sure to visit the Preferred Suppliers section of the directory to locate companies that are eager to support your operations.

Please note that one copy of the Directory has been provided to each member company.

If you would like to request additional directories, please contact *Deana McMahan* at deana@pioga.org to place your order. There will be a \$15 charge per directory to cover the cost of the directory and shipping. Additionally, an electronic version of the directory is available in the "Members Only" area of the PIOGA website.

New PIOGA members Welcome!

Assist Services

Sabrina Hudock
207 Carlton Dr. Eighty Four, Pa. 15330
Allies & Provider

NexTier Bank

Lara Wozniak
101 East Diamond St. Butler, Pa. 16001
Allies & Provider

Steel Nation

Sandy Spencer
100 Southpointe Square Lane. Cannonsburg, Pa. 15317
Allies & Provider

Calendar

PIOGA events

Information: www.pioga.org > **PIOGA Events**

PIOGA's Birds & BBQ Clay Shoot

September 18. West Penn Sportsmen's Club. Murrysville, Pa.

PIOGA's Annual Membership Meeting

October 17. Ferrante's Lakeview. Greensburg, Pa.

PIOGA's Holiday Membership Party

December 11. The Chadwick. Wexford, Pa.

PIOGATech: Air Quality

December 17th. The Chadwick. Wexford, Pa.

Other events

SOOGA Annual Trade Show

September 19-20

(<https://pioga.org/event/sooga-annual-trade-show/>)

WVU Extension - Hazards Recognition and Standards for On-Shore Oil & Gas

October 15-18

(<https://pioga.org/event/wvu-extension-hazards-recognition-and-standards-for-on-shore-oil-and-gas-exploration-and-production/>)

Mineral Appraisal Workshop

October 16

(<https://pioga.org/event/mineral-appraisal-workshop/>)

IPAA 95th Annual Meeting

October 28-29

(<https://pioga.org/event/ipaa-95th-annual-meeting/>)

The Appalachian STEPS/PIOGA Safety Committee Meeting

November 14

(<https://pioga.org/event/the-appalachian-steps-network-quarterly-meeting-piogas-safety-committee-meeting-3/>)

Full Calendar - PIOGA Event & Meeting Schedule -

<https://pioga.org/event/pioga-event-and-meeting-schedule-2024/>

PIOGA Members and Industry Partners - Please email meghan@pioga.org to advertise upcoming events.



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Sam Fragale (Secretary), SEF Consulting, LLC
Gary Slagel (Past-Chairman), Steptoe & Johnson, PLLC.
Ben Jezonik, Ergon
Robert Beatty Jr., Coolspring Gas & Oil Co., LLC
Stanley J. Berdell, BLX, Inc.
Dan Billman, Billman Geologic Consultants, Inc.
Brian Bittinger, Bittinger Drilling, LLC / D&B Gas Production, LLC
Mark Cline, Cline Oil Company
David Cook, American Refining Group, Inc.
Carrie Crumpton, CNX Resources Corp.
Daniel Frick, Diversified Energy Company PLC
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Joe O'Donnell, IGS Energy, Inc.
Len Paugh, Long Ridge Energy & Power
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Jake Stilley, Patriot Exploration Corporation
ShalePro Energy Services
Bryan Snyder, Snyder Brothers, Inc.
Jeff Walentosky, Moody and Associates, Inc.

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Meghan Keely (meghan@pioga.org), Director of Communications (also newsletter advertising & editorial contact)
Deana McMahan (deana@pioga.org), Director of Administration and Committee Liaison

Pennsylvania Independent Oil & Gas Association

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724-933-7306 • www.pioga.org

Oil Region Office (Meghan Keely)
304 East Bissell Ave., Oil City, PA 16301
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