

**BRUNINI**  
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March 6, 2025

Mr. Yuri Petrini  
Megalopolis Enterprise Companies, LLC  
P.O. Box 1183  
Biloxi, MS 39530  
[yuri@megalopolisms.com](mailto:yuri@megalopolisms.com)

***Via Electronic Mail***  
***and regular U.S. Mail***

Re: Cross-Bore and Utility Work at 929 Division Street, Biloxi, MS

Dear Yuri:

Thanks for your emails sent last Tuesday sharing your concerns and providing a number of documents for my review. I have carefully reviewed all of them and have a number of observations and comments about them that I wanted to provide prior to our follow-up discussion.

First, as I indicated in our call last Friday, it seemed to me that many of your issues really relate to the work and damages apparently done by CenterPoint's contractor for the project, T.L. Wallace Construction Company, and the communications you have had with officials of the City of Biloxi and with its legal counsel Peter Abide relating to the various information requests you have submitted to the City. I will address both below.

As for any monetary damages that you sustained as a result of T.L. Wallace's cross-boring into your sewer line, those damages would be the responsibility of T.L. Wallace, not CenterPoint. Indeed, although in our conversation you referred to T.L. Wallace as CenterPoint's "agent", T.L. Wallace actually performed its boring work pursuant to a written contract with CenterPoint that makes it quite clear that T.L. Wallace's work was performed as an "independent contractor". In fact pursuant to its contract with CenterPoint, T.L. Wallace was expressly responsible for locating and avoiding or disturbing underground structures, repairing any damage done to such structures, preventing and or remediating any environmental contamination, and restoring the site of its work. I am sure you are aware that, absent circumstances not present in this situation, a person or firm hiring an independent contractor and leaving the details of the work to that contractor is not liable for damages done by the contractor. Accordingly, if you have not already done so, I trust you will be submitting a claim to T.L. Wallace for all of the damages you have mentioned in your prior correspondence and discussions. If you already have done that, please let me know if you have received a response, and if so, the substance of that response.

With respect to your problems with the City of Biloxi, as we discussed in our call, I am not sure what CenterPoint can do to help you there. I appreciate from your correspondence with the City and Mr. Abide that you believe they have not properly responded to your multiple requests for information or taken seriously the issues you have raised with them. I am confident from speaking to you that you will continue your pursuit of this information and ultimately will obtain that to which you are entitled.

I do want to address the documents you provided to me that specifically relate to CenterPoint. For example, you provided documents relating to CenterPoint's \$350 contribution for the purchase of shrimp from Desporte Seafood for a shrimp boil held in conjunction with the American Public Works Association October 23 State Conference held in Biloxi. I take it from your accompanying email that you believe there may have been something nefarious about his because the request to consider the contribution came from Jody Ewing, an engineering inspector with the City of Biloxi's Engineering Department. I sincerely hope you are not suggesting that there was anything illegal or improper about this minimal contribution in support of the APWA. As I am sure you know, organizations like CenterPoint frequently are asked to contribute to industry groups like the APWA, and there is nothing illegal or improper about CenterPoint's contribution to this event, regardless of the person who made the request and the position the person held. In any event, we can assure you the contribution was not made to obtain favorable treatment from Inspector Ewing on any permits CenterPoint might submit to his department.

I also want to comment on the documents you submitted that are specifically related to another CenterPoint entity, but not its Mississippi gas distribution company. For example, you submitted letters relating to two notices of probable violations, one in 2007 and one in 2012, between officials of the Pipeline and Hazardous Materials Safety Administration and CenterPoint Energy-Mississippi River Transmission Company compliance personnel. Those letters involved a CenterPoint interstate gas transmission company, an entirely separate and distinct business from CenterPoint's gas distribution company on whose behalf T.L. Wallace performed the work in question. Accordingly, and with all due respect, I fail to see the relevance of those to the situation at hand.

You also provided documents relating to a September 1, 2020 field inspection conducted by the Mississippi Public Service Commission of CenterPoint's Biloxi area gas distribution system and to a February 13-16, 2023 Mississippi Public Service Commission field inspection of CenterPoint's Ocean Springs system. As to the former, the field inspector's inspection disclosed only two areas of non-compliance on the entire Biloxi area system, one involving corrosion of a riser at the Hard Rock Casino in Biloxi and one involving missing vent screens on the Hard Rock Casino/Hotel regulators. As the October 6, 2020 letter from CenterPoint's Mississippi District Operations Manager to the Mississippi Public Service Commission reveals, both issues were promptly addressed and repaired. It is not uncommon at all for minor issues like these to be encountered during extensive field inspections, and the important point to note is that CenterPoint promptly and properly addressed them.

Mr. Yuri Petrini  
March 6, 2025  
Page 3

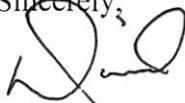
As for the 2023 Ocean Springs inspection, the documents you provided indicate that the only problem found on the entire Ocean Springs area system was that there were multiple locations in Ocean Springs where some service lines were not installed with the required cover depth. The documents you provided, however, show that the “concerns were only limited to one contractor [Abercrombie]” and that the contractor promptly remedied the problem at its own expense. The documents also show that CenterPoint did not stop there in responding to the inspection finding but that it instead also conducted an investigation of the work done by all third-party contractors installing service lines during the same time period that Abercrombie did. CenterPoint took this extra step to confirm that the lines the other contractors had installed were at the proper depth, and the investigation found that they were.

You also provided a PHMSA Form 14 Operator Qualification Plan Review – July 2020 relating to an inspection by the Pipeline Safety Division of the Mississippi Public Service Commission of CenterPoint’s Gulfport natural gas system. Notably, the inspectors informed CenterPoint officials “that there were no compliance issues at this time.” Accordingly, this is further evidence of CenterPoint’s commitment to providing safe natural gas service to its customers on the Gulf Coast.

As I told you in our conversation on February 7, our firm has had the privilege of representing CenterPoint and its predecessor here in Mississippi for well over a half of a century. Our experience with the company has shown it to be a well-run, responsible public utility that has dedicated, skilled workers who do their best to provide safe and reliable natural gas service to its customers here in Mississippi. CenterPoint takes very seriously its safety responsibilities and has always been open to consider any safety issues brought to its attention.

I look forward to our follow-up conversation after you have had an opportunity to review my letter. Please let me know when would be a convenient time for us to talk.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. David Kaufman', written over a horizontal line.

R. David Kaufman

RDK/rlh