



Industries

PROPANE

The firm's propane and gas fuels clients include retail marketers, utilities, propane wholesalers and suppliers, propane pipelines, tank manufacturers, and an odorant manufacturer. As a result of the breadth of our practice, our attorneys have developed a thorough understanding of issues that are particular to their propane and gas fuel clients.

Our experience is our clients' advantage

Having acted as lead counsel and supervised the defense of over 200 personal injury suits in thirty-five states, our propane litigation attorneys have extensive experience in all aspects of gas related litigation. Conner & Winters attorneys have defended multiple cases involving the following recurring circumstances and technical issues involving propane and/or natural gas operations:

- Proper installation and testing of propane delivery system and appliances
- Adequacy of employee training, including compliance with CETP, internal training programs, and various state certification requirements
- Compliance with GAS Check or other similar company prescribed programs
- "Out-of-gas" calls
- Equipment components of gas delivery system, including regulator, valves, and tanks
- Initial customer orientation and education, point-of-sale education and warning materials, and customer education and warning materials
- Adequacy of content and proof of delivery of consumer education materials and education and warning materials between segments of the propane industry
- Retailer's response to complaints of odor

ATTORNEYS

Melodie Freeman-Burney

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PRACTICES

Propane and Natural Gas Litigation

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- Cylinder certification and filling operations
- LP technician and consumer actions in the lighting of appliances
- Operation and storage of portable propane-fueled heaters
- Claimed defects and maintenance of propane-fueled appliances
- Leak testing and pressure testing of propane systems by propane retail servicemen
- “Odor fade” cases alleging that the ethyl mercaptan odorant in propane was oxidized in the tank or after a leak losing its ability to provide an effective warning
- Carbon monoxide exposure and death cases
- Installation and information provided to consumers concerning the use of gas and carbon monoxide detectors
- Below grade propane system installations
- Underground propane storage tank installation and warning material
- Operation of propane delivery vehicles, including compliance with Department of Transportation regulations
- Installation of equipment and maintenance of propane-fueled motor vehicles and the filling of tanks for propane-fueled motor vehicles, including RVs
- Installation and maintenance of safety equipment on propane delivery vehicles
- Installation and maintenance of equipment at retail propane distribution facilities
- Operation and equipment related to pipeline terminals, truck terminals, and underground storage facilities
- Propane odorant injection equipment, and proof and verification of odorization
- Training and warning materials provided by propane retailers to representatives of building and home service industry
- Training material provided to firefighters concerning propane emergencies including the danger of BLEVE (Boiling Liquid Expanding Vapor Explosion)

In addition, we are regularly called upon to represent manufacturers, retailers, or wholesalers in cases involving allegations of defects involving propane equipment, including regulators, appliance controls, piping, pumps, valves, venting, relief devices, and propane tanks; as well as claims alleging failure to comply with applicable industry and ASME standards.

Industry knowledge equals quick accident response

Our experience is not confined to the legal issues that are peculiar to the propane and gas fuel industry. In addition, our attorneys are well versed in the technology, operations, and business practices associated with all aspects of their clients’ industry. Through our extensive involvement in propane and gas fuels litigation the firm has developed close working relationships with numerous expert witnesses and investigators around the country. As a result, we can quickly assemble a well equipped team of attorneys, experts and investigators to

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respond quickly to an accident anywhere in the country.

Planning and preparing for trial

Because of our experience, we can rely upon a large database of technical literature and expert depositions to help craft a winning litigation strategy. Using prior depositions, we can identify inconsistencies in the positions taken by opposing experts and use them to undermine the expert's credibility. We are also able to effectively utilize trial presentation software to simplify complex scientific evidence for presentation to juries.

Business and industry counseling

Conner & Winters has also represented fuel retailers and suppliers in general business matters, including acquisitions of independent propane retailers, drafting supply contracts for wholesale propane sales, negotiation of supplier contracts, contracts for operation of pipeline terminals, and key employee compensation agreements. Our attorneys have also provided counsel regarding product recalls with the Consumer Product Safety Commission.

Members of Conner & Winters have provided presentations to various state organizations, including the Alabama Propane Gas Association, Arkansas Propane Gas Association, Florida Propane Gas Association, Georgia Propane Gas Association, New England Propane Gas Association, Oklahoma Propane Gas Association, and the Western Propane Gas Association. Our attorneys have also provided legal advice to the NPGA concerning various NPGA activities, principally the activities of the Technical & Standards Committee and the Safety & Education Committee. Our attorneys served in an advisory capacity to the Propane Energy Research Council ("PERC") as part of its Liability Task Force, and were also retained by PERC as its principal outside legal consultant in connection with the publication of Propane Emergencies, a training text as well as video provided to fire departments and first responders throughout the United States.

Learn more about our capabilities in the propane industry by contacting one of the attorneys listed on the right.

Publications & Events

Propane and the Law: Overfilling in the OPD Age
SCPGA News, 09.24.2019

Understand Liabilities with Underground Tanks - article by Mark E. Dreyer
Iowa Propane Gas News, 08.12.2019

Putative Class Action Could Require That Gas Retailer Provide Gas Detectors
South Carolina Propane Gas Association News, 07.2019

CW attorney Mark Dreyer shares "Training and Telltales"

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Alabama Propane Gas Association, 06.26.2019