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December 28, 2011

VIA HAND DELIVERY

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

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PA PUC
SECRETARY'S BUREAU

**RE: Pennsylvania Public Utility Commission v. Philadelphia Gas Works,
Docket No. R-2008-2073938**

Dear Secretary Chiavetta:

On November 23, 2011, Philadelphia Gas Works ("PGW" or "Company") and numerous natural gas suppliers ("NGSs") filed a Joint Petition for Settlement ("Joint Petition" or "Settlement") in the above-captioned proceeding with the Pennsylvania Public Utility Commission ("PUC" or "Commission"). The Joint Petition addresses PGW's Alternative Default Service Supply Collaborative Process ("DSS Collaborative"). Along with PGW, the Joint Petitioners consist of Interstate Gas Supply, Inc., Dominion Retail, Inc., Hess Corporation, and Direct Energy Services, LLC.

The Philadelphia Industrial and Commercial Gas Users Group ("PICGUG") was a party to this proceeding; however, PICGUG was not made aware of the Settlement reached among PGW and the NGSs until the Joint Petition was filed with the PUC. PICGUG did not file an Answer to the Petition due to an expectation that the Commission would refer the contested matter to the Office of Administrative Law Judge for hearings pursuant to the directives contained in the April 13, 2011 Secretarial Letter issued in this proceeding.

Upon further review of the Joint Petition, PICGUG realized that the Joint Petition fails to specifically identify all parties opposing the Settlement or taking no position on the Settlement as required under Commission regulations. See 52 Pa. Code § 5.232(b)(2)-(3). Accordingly, in light of the fact that Answers in opposition to the Joint Petition were previously filed by the Bureau of Investigation and Enforcement ("I&E"), the Office of Consumer Advocate ("OCA"), and the Office of Small Business Advocate ("OSBA"), stating their positions on the Settlement, PICGUG finds it incumbent to identify its position with regards to the Joint Petition.

To that end, and in order to facilitate the Commission's determination of this matter, PICGUG hereby notifies the Commission that it opposes the Settlement. Rather, PICGUG concurs with the Answers

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filed by I&E, OCA, and OSBA recommending denial of the Joint Petition for several reasons, including the fact that the Joint Petition does not address cost allocation issues.

As indicated on the attached Certificate of Service, all parties to this proceeding are being duly served. Please date stamp the extra copy of this letter and kindly return to us for our filing purposes. Thank you.

Sincerely,

McNEES WALLACE & NURICK LLC

By 
Charis Mincavage (Pa. I.D. No. 82039)
Adeolu A. Bakare (Pa. I.D. No. 208541)

Counsel to Philadelphia Industrial
and Commercial Gas Users Group

lmc

c: Chief Administrative Law Judge Charles E. Rainey, Jr. (via e-mail and First Class Mail)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants listed below in accordance with the requirements of Section 1.54 (relating to service by a participant).

VIA E-MAIL AND FIRST CLASS MAIL

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Adeolu A. Bakare

Dated this 28th day of December 2011, in Harrisburg, Pennsylvania

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