



National Fuel

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Attorney

October 29, 2012

Ms. Rosemary Chiavetta, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Interim Guidelines for Natural Gas
Distribution Company Eligible
Customer Lists
Docket No. M-2012-2324075

Dear Secretary Chiavetta:

Enclosed please find the Comments of National Fuel Gas Distribution Corporation in the above-referenced docket.

Sincerely,

Maureen Geary Krowicki

MGK/cjc

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Interim Guidelines For Natural
Gas Distribution Company
Eligible Customer Lists**

COMMENTS

Docket Number: M-2012-2324075

**COMMENTS OF
NATIONAL FUEL GAS DISTRIBUTION CORPORATION
TO THE INTERIM GUIDELINES**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

I. Introduction.

Recently, the Pennsylvania Public Utility Commission (the "Commission") entered a Tentative Order ("Order") at this docket. The Order states that it was to provide guidance in the form of draft interim guidelines to Natural Gas Distribution Companies ("NGDCs") and Natural Gas Suppliers ("NGSs") alike similar to the non-binding guidelines issued for the benefit of the electric industry.¹ This matter was issued as a tentative order to provide market participants with the opportunity to comment and it was served on all NGDCs, NGSs licensed to provide service in the Commonwealth, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate and the Pennsylvania Coalition against Domestic Violence. Comments were due within 30 days of the entry date and reply comments 15 days thereafter.

National Fuel Gas Distribution Corporation ("National Fuel"), a certificated NGDC providing service to customers in Northwestern and north-central Pennsylvania, appreciates this

¹ *Interim Guidelines For Eligible Customer Lists*, Docket No. M-2010-2183412, Final Order on Reconsideration entered November 15, 2011 ("Electric ECL Order").

opportunity to submit comments on the Order. In addition to these comments, the Energy Association of Pennsylvania (the "EAPA"), of which National Fuel is a member, is contemporaneously filing Comments at this Docket. National Fuel incorporates herein and supports the Comments filed by the EAPA.

II. Comments

The Background section of the Order references a petition at Docket No. P-2012-2291983 (Petition) for a declaratory order that NGDCs were under a continuing obligation to provide customer lists to NGSs operating in their service territories within the imposition of fees on the NGSs. That Petition was directed at Columbia Gas of Pennsylvania and National Fuel and was ultimately denied in an order dated September 27, 2012 wherein the Commission concluded that neither its regulation at Section 62.78 nor two prior orders issued at Docket M-00991249F0009 required the continued provision of customer lists at no cost to NGSs.

The Background section of the Order states that both Columbia Gas of Pennsylvania and National Fuel stated "that they will continue to provide customer lists to NGSs on a voluntary basis." To correct the record, National Fuel notes the statement in the Order regarding National Fuel's voluntary provision of customer lists is inaccurate. National Fuel filed an Answer to the Petition on March 26, 2012 in which it stated that it was not voluntarily providing its customer lists because: (a) 52 Pa. Code § 62.78 did not require NGDCs to provide customer lists to NGSs and (b) the Commission's April 13, 2000 tentative order and the May 11, 2000 final order at Docket M-00991249F 0009 state that NGDCs were required to provide updated customer lists only until January 1, 2004.

National Fuel supports informed customer choice and has significant experience in managing a robust platform enabling NGSs to obtain and serve retail customers. Although

National Fuel is not currently providing customer lists, the Company will comply with any requirements from the Commission with regard to the same.

III. Conclusion.

National Fuel Gas Distribution Corporation appreciates the opportunity to provide comments regarding the Tentative Order Re: Interim Guidelines for NGDC Customer Lists and thanks the Commission for its time and attention to this matter.

Respectfully submitted,



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