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November 19, 2013

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

In re: Docket No. M-2012-2324075
Interim Guidelines For Natural Gas Distribution Company Eligible Customer Lists

Dear Secretary Chiavetta:

We are counsel to Equitable Gas Company, LLC in the above matter which concerns Final Interim Guidelines (“Final Interim Guidelines”) for Natural Gas Distribution Company (“NGDC”) Eligible Customer Lists (“ECL”) adopted by the Public Utility Commission (“Commission”) in its Final Order entered September 23, 2013 (“Final Order”). The Final Interim Guidelines provide, *inter alia*, that NGDCs shall continue to use the “opt-out” process to secure customer consent to the disclosure of information to licensed NGSs, that each NGDC that has not solicited its residential and commercial customer base within the twelve months prior to the effective date of the Final Order shall solicit its entire residential and small commercial customer base within ninety days and that each NGDC that has solicited its residential and small commercial customer base within the twelve months prior to the effective date of the Final Order shall be expected to make its next solicitation to its entire residential and small commercial base no later than one year after the prior solicitation.

Equitable solicits its customers once a year to make changes to their “opt-out” status. Equitable’s last “opt-out” solicitation was on October 8, 2012. Having solicited its customer base within twelve months of the Final Order, the expectation under the Final Interim Guidelines was that Equitable would have conducted its next solicitation within one year of October 8, 2012, *i.e.* by October 8, 2013.

There was insufficient time within the two week period from the entry of the Final Order on September 23, 2013 to October 8, 2013 for Equitable to include all of the new data points identified in Appendix A to the Final Order in its new ECL, to establish a secure site with access for licensed NGS suppliers, and to draft bill insert language to educate the customer on ECLs. More significantly, beginning October 1, 2013, and continuing through the end of January 2014, Equitable has been operating within an Information Systems freeze period (black-out). This is an annual event and results from an Information Systems resource constraint due to year- end financial close.

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By this letter Equitable is advising the Commission that it is planning to begin implementation of the Final Interim Guidelines early in 2014. Equitable's expectation is that it will initiate a complete customer solicitation under the Final Interim Guidelines by April 1, 2014. It is clear from the Final Order that the Final Interim Guidelines are not binding or mandatory in nature. The Guidelines, rather, "provide guidance while preserving flexibility and discretion, regarding an NGDC's release of appropriate customer information and usage data to a NGS." With this in mind, the Company believes that it is not necessary to submit a formal request for a waiver of the Guidelines to move forward as set forth above.

If anything further is required in regard to this matter please contact me at your convenience.

Very truly yours,

THOMAS, LONG, NIESEN & KENNARD

By



Thomas T. Niesen

cc: Law Bureau
Pennsylvania Public Utility Commission
Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
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