



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

September 10, 2004

DOCKETED
SEP 17 2004

TO ALL INTERESTED PARTIES:

DOCUMENT

Re: Investigation into Gas Competition
Docket No. I-00040103

On May 28, 2004, the Public Utility Commission (Commission) issued an order initiating an investigation into the effectiveness of competition in the natural gas industry in Pennsylvania as required by the 1999 Natural Gas Choice and Competition Act. As part of this investigation, the Commission directed that an *en banc* hearing be held to accept testimony regarding the issues delineated in the May 28, 2004 Order.

The purpose of this letter is to notify interested parties of the procedures for the *en banc* hearing. Please be advised that the hearing is scheduled for Thursday, September 30, 2004 at 1:30 p.m. and will be held in Hearing Room 1, Keystone Building, 400 North Street, Harrisburg, PA 17120.

The Commissioners will preside at the hearing *en banc*. Administrative Law Judge Susan D. Colwell will swear in witnesses and will manage the course of the hearing. The hearing will be transcribed by a court reporter.

Requests to participate in the September 30, 2004 hearing must be submitted to the Commission Secretary no later than September 22, 2004. Because this investigation is not an adversarial proceeding, a company need not be represented by an attorney, but may be represented by a partner, bona fide officer, or employee of the company. 52 Pa. Code §1.21(c).

A witness may submit written exhibits for inclusion in the record. Twenty-five (25) paper copies and one (1) electronic copy of each exhibit should be brought to the hearing for distribution to the Commission, Commission staff, the court reporter and the Secretary. Witnesses may also bring extra copies for public distribution. However, all exhibits will be posted on the Commission's website. Except for questions from the Commissioners and Commission staff, no other cross-examination of a witness will be permitted.

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Note that a witness may use a Power Point presentation as a visual aid. To lessen the likelihood of technical difficulties, an electronic copy of the presentation must be submitted to Jill D. Helsel, jhelsel@state.pa.us, Office of Communications by 4:00 p.m. on September 27, 2004. The Power Point presentation must be marked as an exhibit and entered into the record at hearing. For clarity of the transcript, the witness must identify the content of, and number of each slide while testifying. Again, twenty-five (25) paper copies and one (1) electronic copy of the presentation should be brought to the hearing for distribution to the Commission, Commission staff, the court reporter and the Secretary. Witnesses may also bring extra copies for public distribution.

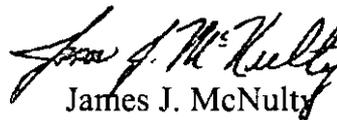
For the purpose of streamlining the hearing, witnesses sharing substantially like interests and positions will be grouped into panels to present testimony. On September 24, 2004, the Commission will issue an agenda that will identify witnesses selected to testify, establish a schedule for the hearing, and will designate panels of witnesses. Please note that the time for each panel will be listed on the agenda and that the time allotted to individual witnesses will be 15 minutes or less.

In lieu of rebuttal testimony, written reply comments may be submitted. An original and ten copies of such reply comments must be filed with the Commission's Secretary. A copy of the filed reply comments in electronic format on a diskette must also be submitted. The deadline for filing reply comments is October 10, 2004. All reply comments will be posted on the Commission's website.

Any questions regarding this letter or the Commission's investigation should be directed to contact persons Patricia Krise Burket (legal) at (717) 787-3464 or Robert Bennett (technical) at (717) 787-5553.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the Scheduling Office at (717) 787-1399. The AT&T Relay Service number for persons who are deaf or hearing-impaired is 1-800-654-5988.

Very truly yours,


James J. McNulty
Secretary

cc: Karen Oill Moury, Acting Executive Director
Veronica A. Smith, Chief Administrative Law Judge
Susan D. Colwell, Administrative Law Judge
Robert A. Rosenthal, Director, Fixed Utility Services
Robert Bennett, Manager – Energy, Fixed Utility Services
Mitchell A. Miller, Director, Bureau of Consumer Services
Bohdan R. Pankiw, Chief Counsel
Robert F. Young, Deputy Chief Counsel
Patricia Krise Burket, Assistant Counsel
Kevin F. Cadden, Director, Conservation, Economics and Energy Planning
June Perry, Director, Legislative Affairs
Thomas Charles, Director, Office of Communications