



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

IN REPLY PLEASE
REFER TO OUR FILE

December 30, 2005

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

Re: Investigation into Competition in the Natural Gas Supply Market

Docket No. I-00040103 *F0002*

Dear Secretary McNulty:

Enclosed for filing please find an original and three (3) copies of the **Notice of Withdrawal of Appearance** of the Office of Trial Staff (OTS) in the above-captioned proceeding.

Copies are being served on all active parties of record.

Sincerely,

Johnnie E. Simms
Chief Prosecutor
Office of Trial Staff

DOCUMENT
FOLDER

Enclosure

c: Parties of Record

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SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into Competition in the
Natural Gas Supply Market

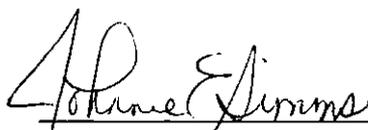
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Docket No. I-00040103 *F0002*

NOTICE OF WITHDRAWAL OF APPEARANCE

TO THE SECRETARY:

Please withdraw the appearance of Charles Daniel Shields and Johnnie E. Simms of the Office of Trial Staff of the Pennsylvania Public Utility Commission in the above-captioned proceeding. Notice is being served on all parties of record .



Johnnie E. Simms
Chief Prosecutor

Dated: December 30, 2005

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SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into Competition in the : Docket No. I-00040103
Natural Gas Supply Market

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Withdrawal of Appearance**, dated December 30, 2005, either personally, by first class mail, electronic mail, express mail and/or by fax upon the persons listed below:

Dan Regan, Esquire
Energy Association of Pa.
800 North Third Street Suite 301
Harrisburg, PA 17102

Susan K. Jackson, Esquire
Mixenergy
20 Summer Street
Stamford, CT 06901

Gregory J. Stunder, Esquire
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122

Nancy Nielsen, Controller
Mid American Natural Resources Inc.
2005 West 8th Street
Erie, PA 16505

Louis D. D'Amico Executive Director
Independent Oil & Gas Association of Pa.
North Ridge Office Plaza II
115 VIP Drive Suite 110
Wexford, PA 15090-7906

Mark R. Kempic, Esquire
Columbia Gas of Pa.
501 Technology Drive
Canonsburg, PA 15317-9585

Industrial Energy Consumers of Pa.
240 North Third Street Suite 403
Harrisburg, PA 17101

Daniel L. Frutchey, Sr. VP & Gen. Counsel
Equitable Gas Company
200 Allegheny Center Mall
Pittsburgh, PA 15212-5352

Mark T. Ward, VIP Regulatory Affairs
Rockwood Bldg Suite 110
1077 Celestial Street
Cincinnati, OH 45202-1629

Scott R. McCorry Vice President
The Mack Services Group
45 Branch Avenue
P.O. Box 557
Berwyn, PA 19312-0557

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Gary A. Jeffries, Sr. Counsel
Dominion Retail, Inc.
1201 Pitt Street
Pittsburgh, PA 15221

Frank Rainey Director Energy Utilization
Bruce Davis Vice Pres Gas Supply/Mktg.
PG Energy, Inc.
One PEI Center
Wilkes-Barre, PA 18711-0601

Ralph E. Dennis, Director Regul Affairs
9960 Corporate Campus Drive Suite 200
Constellation Newenergy- Gas Division
Louisville, KY 40223

Mark S. Kumm, President
PECO Energy Services
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Arlington, VA 22209

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Alice A. Curtiss, Esquire
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Williamsville, NY 14231

Stephen J. Sickafuse, Treasurer
T. W. Phillips Energy Corp
502 Keystone Drive, Suite 200
Warrendale, PA 15086

Carl M. Carlotti, Vice President
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Erie, PA 16512

Amy Gold, Director Regulatory Affairs
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PECO Energy Company
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Philadelphia, PA 19103

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Syare, PA 18840

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Thomas Niesen, Esquire
Thomas, Thomas, Armstrong & Niesen
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P.O. Box 9500
Harrisburg, PA 17108-9500

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Houston, TX 77002

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Open Flow Gas Supply Corp.
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Dubois, PA 15801-0297

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Dominion Resources
625 Liberty Avenue
Pittsburgh, PA 15222

Jay W. Dawson, Esquire
Robert M. Hovanec, Esquire
T.W. Phillips Gas & Oil Co.
205 North Main Street
Butler, PA 16001

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Amerada Hess Corp.
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Woodbridge, NJ 07095-0961

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PPL
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Wyomissing, PA 19610

Tim Merrill, GM & VP
NRG
111 South Commons
Pittsburgh, PA 15212

Christopher M. Trejchel, Esquire
National Fuel Gas Distribution
PO Box 2081
Erie, PA 16512

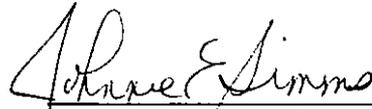
James P. Melia, Esquire
Kirkpatrick & Lockhart LLP
Payne Shoemaker Bldg
240 N. Third Street
Harrisburg, PA 17101-1507

Irene M. Prezelj
395 Ghent Road
Akron, OH 44333

Charis Mincavage, Esquire
Derrick P. Williamson, Esquire
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Steven J. Keene Sr., Esquire
Office of Consumer Advocate
Forum Place - 5th Floor
555 Walnut Street
Harrisburg, PA 17101-1923

William R. Lloyd, Jr., Esquire
Office of Small Business Advocate
Commerce Building - Suite 1102
300 North 2nd Street
Harrisburg, PA 17101

A handwritten signature in cursive script, reading "Johnnie E. Simms", written over a horizontal line.

Johnnie E. Simms
Chief Prosecutor

Dated: December 30, 2005
Docket No. I-00040103



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

IN REPLY PLEASE
REFER TO OUR FILE

NOTICE
Date Change
Requests for Comments
Call for Volunteers

Date: January 20, 2006

To: ALL INTERESTED PARTIES

Re: Meeting
Natural Gas Stakeholders Working Group
Natural Gas Choice and Competition Act
Docket No. I-00040103 F0002

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DOCKETED
APR 6 2006

On October 6, 2005, the Pennsylvania Public Utility Commission issued its "Report to the General Assembly" ("Report"), regarding competition in Pennsylvania's retail natural gas supply services market. After review of the record, the Commission determined that there is not "effective competition" in the retail natural gas supply market on a statewide basis at this time. *Investigation into the Natural Gas Supply Market: Investigatory Order and Report to the General Assembly*, order entered October 6, 2005 at Docket No. I-00040103, p. 4. As required by the law, the Commission must convene the Natural Gas Stakeholders ("Stakeholders") to explore avenues, including legislative, to increase competition. See 66 Pa. C.S. § 2204(g).

On December 30, 2005, the Commission issued a Secretarial Letter that established a tentative date for the Stakeholder Working Group's initial meeting and previewed the plan to organize the Working Group into subgroups that would address related issues raised in the Report. The letter stated that by January 20, 2006, Commission Staff would send a notice to Stakeholders that would name subgroups and announce the issues that were tentatively assigned to each subgroup. The notice also would request feedback on the issue assignments and would ask for volunteers to participate in each subgroup. The instant notice is being issued consistent with the previous Secretarial Letter.

January 20, 2006

By this notice, the date for the first meeting of the Stakeholders Working Group has been changed to **Thursday, March 30, 2006**. The morning session will start at 9:00 a.m. and will be held in Hearing Room 1 in the Commonwealth Keystone Building at 400 North Street, Harrisburg, PA. In the afternoon, the various subgroups will meet to begin their work.

In its Report, the Commission identified 20 issues for study and recommendation by the Stakeholders. It is expected that the Stakeholders will propose changes that need to be made to the structure and operation of Pennsylvania's retail natural gas market to encourage increased participation by suppliers and customers. Report at pp. 67 - 69.

Commission Staff has tentatively identified related issues and assigned them to three subgroups. These subgroups are:

- I. INTER-COMPANY ACTIVITY (IA) SUBGROUP
- II. CUSTOMER INTERFACE (CI) SUBGROUP
- III. COST OF SERVICE GROUP (CS) SUBGROUP

Attached is a list of the subgroups with the issues assigned to each¹.

Recognizing that some overlap of issues may occur, feedback is requested on the issues that have been tentatively assigned to each subgroup. After reviewing the comments, Commission Staff will make adjustments to subgroup issue assignments as may be necessary. Also, by this notice, Commission Staff is requesting volunteers to participate in the three subgroups.

Stakeholders who intend to participate in the Working Group must file a notice to participate with the Commission's Secretary. The notice to participate does not need to be in any special form, but must reference Docket No. I-00040103 F0002, and contain the following information: the person's name; the name of the subgroup for which he or she is volunteering (if any); the name of the Stakeholder he or she represents; and the person's contact information including company name, postal address, preferred e-mail address, and telephone numbers.

¹ Note that the list also contains a group of miscellaneous issues not easily divided among the subgroups. At this time, it is anticipated that these will be issued for public comment and Staff recommendation.

January 20, 2006

To avoid due process problems and conflicts of interest, it is requested that the notice to participate list any pending Commission proceedings involving the Stakeholder, and any pending proceedings in any court or administrative agency in which both the Stakeholder and the Commission are parties. Stakeholders will be expected to make a good faith effort to update this list during the Working Group process as is necessary.

The deadline to submit comments to the tentative subgroup issue assignments, to file notices to participate and to volunteer to work in a specific subgroup is February 17, 2006. An original and three copies of each document referencing Docket No. I-00040103 F0002 must be filed with the Secretary, PA Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265 no later than February 17, 2006. It is requested that a copy of each document filed be sent electronically to Assistant Counsel Patricia Krise Burket at <pburket@state.pa.us> .

By March 15, 2006, a notice will be mailed to the Stakeholders. This notice will confirm the date and establish a tentative agenda for the initial Stakeholder meeting. The notice also will announce subgroup member assignments and will name Commission staff members assigned to assist each subgroup.

A copy of a waiver agreement will be included to address the potential participation of the Commissioners and their advisors in the Working Group. By signing this agreement, Stakeholders will waive objections to the subsequent deliberation and vote on any issues, subsequent petitions, settlements or any further proceedings that result from the Stakeholder Working Group process by the participation of specific Commissioners and Commission staff members participating in the Working Group process. Stakeholders will be asked to sign a copy of this agreement at the Initial Stakeholders Meeting.

Please direct any questions regarding this notice to Assistant Counsel Burket at (717) 787-3464.

Attachment

cc: Karen Oill Moury, Director of Operations
Bohdan R. Pankiw, Chief Counsel
Robert F. Young, Deputy Chief Counsel
Patricia Krise Burket, Assistant Counsel

Robert A. Rosenthal, Director, Fixed Utility Services
Mitchell Miller, Director, Bureau of Consumer Services
Wayne Williams, Director, Conservation, Economics and Energy Planning
Thomas Charles, Manager, Office of Communications
Kirk House, Senior Attorney, Office of Special Assistants
J. Edward Simms, Director, Office of Trial Staff
Timothy Wallick, Deputy Director, Office of Trial Staff
Charles T. Weakley, Office of Trial Staff
Paul J. Metro, Gas Safety Supervisor, Bureau of Transportation and Safety
June Perry, Director, Office of Legislative Liaison

NATURAL GAS STAKEHOLDERS WORKING GROUP

PROPOSED SUBGROUPS AND ISSUE ASSIGNMENTS

I. INTER-COMPANY ACTIVITY (IA) SUBGROUP

- A.¹ SECURITY. Excessive security and restrictive forms of security accepted by NGDCs and lack of uniformity of security requirements hinder supplier entry and market participation.
- MANDATORY CAPACITY ASSIGNMENTS. Mandatory capacity assignment acts as a market barrier.
- NOMINATION AND DELIVERY REQUIREMENTS. Restrictive nomination and delivery requirements that varied among NGDCs discourage supplier participation in the market.
- PENALTIES FOR NON-DELIVERY. Excessive penalties and lack of uniformity between NGDC systems act as barriers to supplier participation in the statewide retail market.
- RECEIVABLES FOR MASS MARKET CUSTOMERS. Institution of a reasonably priced NGDC “purchase of receivables” policy as an interim mechanism to promote choice for customers. Use of a “bad debt tracker” to ensure NGDC recovery of bad debt expense in conjunction with purchase of receivables.
- SUPPLIER TARIFF REQUIREMENTS: Uniform supplier tariff rules, including those provisions related to customer enrollment, to encourage supplier participation statewide.
- MARKET INFORMATION: The cost for daily consumption information and data accuracy issues and availability of daily customer usage or utility operating and transportation discount information create barriers for NGS participation.
- SWITCHING RESTRICTIONS: Lag in NGDCs implementation of customer switching suppliers.

For a number of these issues, it is suggested that the IA Subgroup should initially focus on conforming practices to North American Energy Standards Boards (NAESB) recommended business practices.

¹ Issues identified for study are those identified in the Commission’s *Report to the General Assembly on Competition in Pennsylvania’s Retail Natural Gas Supply Market, Investigation into the Natural Gas Supply Market*, Docket No. I-00040103, October 6, 2005, pp. 67-69. In addition to these issues, other relevant matters may also require examination by the Working Group. *Report*, p. 67.

II. CUSTOMER INTERFACE (CI) SUBGROUP

- **PRICING INFORMATION AND CONSUMER EDUCATION.** Lack of timely price signals act as a barrier to customer participation. Price to Compare. Additional consumer education may be needed in light of changes that may be made to the market.
- **G. SEAMLESS MOVE:** Lack of portability of competitive supply service for a retail customer moving from one location to another within the same service territory discourage customer participation.
- **ACQUISITION COSTS FOR MASS MARKET:** Use of Opt-Out Municipal Aggregation, increased availability of customer lists and customer assignment programs to lessen the high cost to NGSs of acquiring mass market customers.
- **SUPPLIER CONSOLIDATED BILLING:** Availability of Supplier Consolidated Billing as an important tool for advancing NGS-customer relationships.
- **CONSUMER PROTECTION RULES.** Revision of some requirements, particularly customer notice requirements, that create additional costs for NGSs.
- **NGDC CONSOLIDATED BILLING:** Exclusive NGDC consolidated billing limitations restrictions NGSs in their ability to communicate effectively with consumers.
- **NGDC NEGOTIATED SUPPLY CONTRACTS:** Possible elimination of special negotiated contracts or agency agreements between customers and NGDCs.
- **SERVICE TO LOW INCOME CONSUMERS.** Remove of obstacles to provide competitive retail service to low income customers.

It is suggested that the CI Subgroup also examine the reform of the natural distribution company's Fixed Price option versus the present quarterly adjustment practice or potential monthly adjustment practice.

III. COST OF SERVICE GROUP (CS) SUBGROUP

The CS Subgroup will review and develop recommendations identifying the costs to be collected and the mechanisms that will be used to recover the costs.

- **COSTS OF RETAIL SUPPLY SERVICE.** Inclusion of all costs related to natural gas supply procurement as a means of increasing supplier participation in the statewide retail market.
- **RECEIVABLES FOR MASS MARKET CUSTOMERS** (as issue relates to bad debt tracker and Chapter 14 interaction). Institution of a reasonably priced NGDC “purchase of receivables” policy as an interim mechanism to promote choice for customers. Use of a “bad debt tracker” to ensure NGDC recovery of bad debt expense in conjunction with purchase of receivables.
- **ACQUISITION COSTS FOR MASS MARKET** (as issue relates to cost impacts/discounts): Use of Opt-Out Municipal Aggregation, increased availability of customer lists and customer assignment programs to lessen the high cost to NGSs of acquiring mass market customers.

IV. OTHER MISCELLANEOUS ISSUES (not assigned to any Subgroup²)

- **NGDC PROMOTION OF COMPETITION:** Use of incentives for NGDC incentives to promote competition with a corresponding ban on the marketing of SOLR service by NGDC.
- **SUSTAINED COMMISSION LEADERSHIP IN COMPETITIVE MARKETS:** The need for a supplier Ombudsman to increase Commission responsiveness to supplier issues.
- **CODE OF CONDUCT:** Lack of reporting, auditing or enforcement of the Code of Conduct, especially in regard to certain communications between an NGDC and its unregulated affiliates.

² Issues O (Ombudsman) and R (Code of Conduct) at pages 68 and 69 of the *Report* do not fit in with any particular Subgroup. Commission Staff may develop recommendations after public comment and review. Certain aspects of Issue N (NGDC Promotion of Competition) may ultimately be addressed by all three Subgroups. *Report*, p. 68.



THE MACK SERVICES GROUP
Putting our energies to work for you.™

January 27, 2006

Commonwealth Of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Attention: Secretary James J. McNulty

Regarding: Docket No. I00040103 ~~F0002~~ ^{F0002}

Dear Secretary McNulty,

Please accept this letter as our intention to participate in the natural gas stakeholders working group scheduled to meet on March 30, 2006, as detailed in Docket No I-00040103 ~~F0002~~ ^{F0002}

The following individuals intend to participate in the Cost of Service Group:

Scott R. McCorry
Cost of Service Group
The Mack Services Group
P.O. Box 557
Berwyn PA. 19312
Email: smccorry@mackservicesgroup.com
Phone: 610-644-0562

Gregg Puccino
Cost of Service Group
The Mack Services Group
P.O. Box 557
Berwyn PA 19312
Email: gpuccino@mackservicesgroup.com
Phone: 610-644-0562

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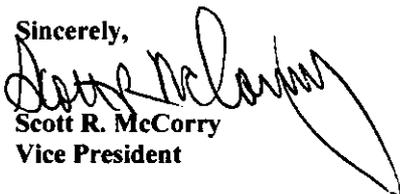
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The Mack Services Group is not currently involved in any pending proceedings in any court or administrative agency in which The Mack Services Group and the Commission are parties.

If you require additional information, please feel free to contact me at the above listed number or email address.

Sincerely,


Scott R. McCorry
Vice President

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**STAND ENERGY
CORPORATION**

1077 Celestial Street • Rookwood Bldg • Suite 110
Cincinnati, Ohio 45202-1629
(513) 621-1113
(800) 598-2046
(513) 621-3773 Fax

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SECRETARY'S BUREAU

February 3, 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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**Re: Stand Energy Corporation's Notice of Participation in
Natural Gas Stakeholders Working Group
Docket No. I-00040103 F002 F0002**

Dear Mr. McNulty:

Please find enclosed an original and three (3) copies of Stand Energy Corporation's Notice of Participation in Natural Gas Stakeholders Working Group pursuant to notice received from the Commission inviting interested parties to comment and participate.

Please file this Notice and distribute the required copies accordingly. Thank You.

Sincerely,

John M. Dosker
General Counsel

Encls
cc: Mark Ward

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Natural Gas Stakeholders Working Group :
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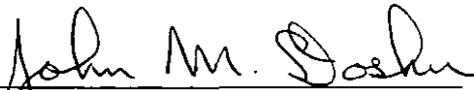
Docket No. I-00040103 ~~F002~~
F002

**NOTICE OF PARTICIPATION
OF STAND ENERGY CORPORATION**

Stand Energy Corporation hereby files this Notice of Participation in the "Natural Gas Stakeholders Working Group" ordered by the Commission in *Investigation into the Natural Gas Supply Market: Investigatory Order and Report to the General Assembly* entered herein on October 6, 2005 pursuant to 66 Pa C.S. §2204(g).

Stand Energy Corporation would like to volunteer to serve on the Inter-Company Activity Subgroup (IA), if its participation can occur for the most part remotely via telephone conference call. Stand Energy Corporation is located in Cincinnati, Ohio and the logistics of having a representative physically present at all subgroup meetings would prevent our participation.

RESPECTFULLY SUBMITTED
STAND ENERGY CORPORATION


John M. Dosker
General Counsel
Stand Energy Corporation
1077 Celestial Street, Suite 110
Cincinnati, Ohio 45211
(513) 621-1113 (Phone)
(513) 662-3773 (Fax)
jdosker@stand-energy.com

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Mark Ward
Vice-President of Regulatory Affairs
Stand Energy Corporation
1077 Celestial Street, Suite 110
Cincinnati, Ohio 45211
(513) 621-1113 (Phone)
(513) 662-3773 (Fax)
mward@stand-energy.com

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing Notice of Participation of Stand Energy Corporation upon Patricia Krise Burket, Esq., Assistant Counsel via e-mail to pburket@state.pa.us on this 3rd day of February 2006.

Patricia Krise Burket, Esq.
Assistant Counsel
Pennsylvania Public Utility Commission
Harrisburg, PA 17105-3265

VIA E-MAIL: pburket@state.pa.us



John M. Dosker

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF SMALL BUSINESS ADVOCATE
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, Pennsylvania 17101

William R. Lloyd, Jr.
Small Business Advocate

(717) 783-2525
(717) 783-2831 (FAX)

February 10, 2006

HAND DELIVERED

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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2006 FEB 10 AM 12:54
SECRETARY'S OFFICE

**Re: Investigation into the Natural Gas Supply Market:
Report to the General Assembly on Competition in
Pennsylvania's Retail Natural Gas Supply Market
Docket Nos. I-00040103 and I-00040103F0002**

F0002

Dear Secretary McNulty:

I am delivering for filing today the original plus three copies of the Comments on behalf of the Office of Small Business Advocate in the above-captioned matter.

If you have any questions, please contact me.

Sincerely,

William R. Lloyd, Jr.
Small Business Advocate

Enclosures

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE
2006 FEB 10 10:19:54 AM

Investigation into the Natural Gas Supply :
Market: Report to the General Assembly : Docket Nos. I-00040103
On Competition in Pennsylvania's Retail : I-00040103F0002
Natural Gas Supply Market :

**Response of the Office of Small Business Advocate
to the January 20, 2006, Notice Regarding the
Natural Gas Stakeholders Working Group**

I. INTRODUCTION

By Order entered October 6, 2005, the Pennsylvania Public Utility Commission ("Commission") issued its Report to the General Assembly ("Report") regarding competition in the retail natural gas supply services market. Based on its determination that there is not "effective competition" on a statewide basis, the Commission indicated that stakeholders would be convened to explore avenues, including legislative, to increase competition.

By Secretarial Letter dated December 30, 2005, the Commission stated its intention to utilize a stakeholder working group and subgroups to address issues raised in the Report.

By Notice dated January 20, 2006, the Commission provided a list of issues tentatively assigned to the working group or to subgroups. The Commission also requested that each stakeholder file a notice to participate in the working group and identify its specific representative(s) participating in the working group and each subgroup. In addition, the Commission requested that each stakeholder identify Commission proceedings (presumably related to natural gas) in which the stakeholder is

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involved. Finally, the Commission indicated that a stakeholder will be required to sign a waiver of “objections to the subsequent deliberation and vote on any issues, subsequent petitions, settlements or any further proceedings that result from the Stakeholder Working Group process by the participation of specific Commissioners and Commission staff members participating in the Working Group process.”

In accordance with the January 20, 2006, Notice, the Office of Small Business Advocate (“OSBA”) offers the following Response.

II. PENDING AND ANTICIPATED PROCEEDINGS

Under Section 5(a) of the act of December 21, 1988 (P. L. 1871, No. 181), known as the Small Business Advocate Act, 73 P.S. § 399.45(a), the Small Business Advocate is authorized and directed “to represent the interest of small business consumers as a party, or otherwise participate for the purpose of representing an interest of small business consumers before the commission in any matter properly before the commission.”

In fulfilling its statutory obligation, the OSBA is currently involved in numerous Commission proceedings which raise legal issues which appear to be the same, or substantially the same, as issues the Commission has assigned to the working group or particular subgroups. The OSBA anticipates entering future proceedings which also will raise such issues.

Set forth below is a list of the current gas-related proceedings in which the OSBA is participating:

1. The OSBA is a party in the following proceedings involving “interim” changes in Purchased Gas Cost rates: Columbia, P-00062200; UGI, P-00062201; and PG Energy, P-00062202. The OSBA was a party in PGW’s

“interim” change at R-00050264. These proceedings, and any other “interim” change cases which may be filed, raise legal questions which the Commission apparently intends to consider as part of the working group process.

2. The OSBA is a party to Columbia’s PPS/OSS proceeding at R-00049783.

That proceeding has triggered intense debate about the extent to which a natural gas distribution company (“NGDC”) should be offering “competitive” services.

3. The OSBA not only expects to enter all of the 2006 Section 1307(f) cases but notes that the Commission has not yet entered final orders in the 2005 Section 1307(f) cases of Dominion Peoples and Equitable. Therefore, it is possible that either, or both, of those proceedings will result in further Petitions for Reconsideration or in appeals to Commonwealth Court. Significantly, the Dominion Peoples and Equitable 2005 cases raise issues regarding NGDC-on-NGDC competition. In addition, Section 1307(f) proceedings, by their nature, may involve questions about the allocation of transportation, storage, and commodity costs between sales and shopping customers.

4. The OSBA is a party in the following active universal service proceedings: Dominion Peoples, P-00052196 and R-00051093; PG Energy, M-00001326; and the Commission’s generic proceeding on the funding of Customer Assistance Programs, M-00051923. The OSBA also expects to be a party in future proceedings which propose to make small business ratepayers responsible for funding universal service programs.

5. The OSBA is a party in miscellaneous PGW cases, P-00052141, P-00052152, and 1673 CD 2005.
6. The OSBA expects to become a party in the base rate case to be filed by T. W. Phillips and in any other base rate cases which are filed by NGDCs.

III. OSBA's INABILITY TO SIGN THE WAIVER

The OSBA recognizes the importance of the gas stakeholder process. However, the OSBA has two serious concerns.

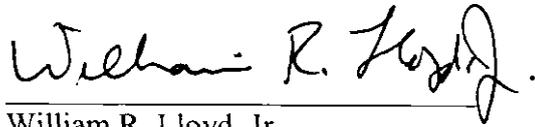
First, the OSBA simply does not have enough personnel to participate actively in the working group and the various subgroups. Consequently, even if the OSBA were to participate to some extent, it is likely that issues raised in one or more of the aforementioned cases would be addressed at meetings the OSBA would be unable to attend.

Second, the OSBA appreciates the dilemma created for the Commission by the potential conflict between due process and the duties assigned by 66 Pa. C.S. § 2204(g). However, the OSBA believes that the issues which have arisen, or may arise, in the aforementioned cases must be decided in on-the-record proceedings and not in an informal working group setting in which the OSBA, if represented at all, may be woefully outnumbered.

IV. CONCLUSION

In view of the foregoing, the OSBA is unwilling to sign the waiver contemplated by the January 20, 2006, Notice. Consequently, the OSBA recognizes that, under the rules set by the Commission, the OSBA will not be able to participate in the working group and subgroups.

Respectfully submitted,



William R. Lloyd, Jr.
Small Business Advocate

Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101
(717) 783-2525

Dated: February 10, 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into the Natural Gas Supply :
Market: Report to the General Assembly : Docket Nos. I-00040103
On Competition in Pennsylvania's Retail : I-00040103F0002
Natural Gas Supply Market :

Certificate of Service

I certify that I am serving copies of the foregoing document, on behalf of the Office of Small Business Advocate, by e-mail and first class mail upon the persons addressed below:

Donna Clark, Esquire
Energy Association of Pennsylvania
800 North Third St., Suite 301
Harrisburg, PA 17102

Mark R. Kempic, Esquire
Columbia Gas of Pennsylvania
650 Washington Road - #520
Pittsburgh, PA 15228-2703

Gregory J. Stunder, Esquire
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122

Daniel L. Frutchey, Sr. VP & Gen. Counsel
Equitable Gas Company
200 Allegheny Center Mall
Pittsburgh, PA 15212-5352

Louis D. D'Amico, Executive Director
Independent Oil & Gas Association of PA
North Ridge Office Plaza II
115 VIP Drive - Suite 110
Wexford, PA 15090-7906

Scott R. McCorry, Vice President
The Mack Services Group
45 Branch Avenue
P. O. Box 557
Berwyn, PA 19312-0557

Industrial Energy Consumers of PA
240 North Third Street - Suite 403
Harrisburg, PA 17101

Gary A. Jeffries, Sr. Counsel
Dominion Retail, Inc.
1201 Pitt Street
Pittsburgh, PA 15221

Mark T. Ward, VIP Regulatory Affairs
Rockwood Bldg. - Suite 110
1077 Celestial Street
Cincinnati, OH 45202-1629

Susan K. Jackson, Esquire
Mixenergy
20 Summer Street
Stamford, CT 06901

Nancy Nielsen, Controller
Mid American Natural Resources, Inc.
2005 West 8th Street
Erie, PA 16505

SECRETARY'S OFFICE

2006 FEB 10 AM 12:54

Frank Rainey, Director, Energy Utilization
Bruce Davis, VP, Gas Supply/Mktg.
PG Energy, Inc.
One PEI Center
Wilkes-Barre, PA 18711-0601

Ralph E. Dennis, Director Regul. Affairs
9960 Corporate Campus Drive - #200
Constellation Newenergy - Gas Division
Louisville, KY 40223

Mark S. Kumm, President
PECO Energy Services
1300 North 17th Street - #1600
Arlington, VA 22209

Vincent A. Parisi, Esquire
Interstate Gas Supply, Inc.
5020 Bradenton Avenue
Dublin, OH 43017

Alice A. Curtiss, Esquire
National Fuel Resources, Inc.
165 Lawrence Bell Drive - #120
P. O. Box 9072
Williamsville, NY 14231

Stephen J. Sickafuse, Treasurer
T. W. Phillips Energy Corp.
502 Keystone Drive - #200
Warrendale, PA 15086

Curtis D. Clifford, VP of Natl Gas Svc.
975 Berkshire Blvd. - #100
Wyomissing, PA 19610

Carl M. Carlotti, Vice President
National Fuel Gas Distribution Corp.
P. O. Box 2081
Erie, PA 16512

Amy Gold, Director, Regulatory Affairs
Shell Trading & Power Company
909 Fannin Street - Plaza Level One
Houston, TX 77010

Brian D. Crowe, Dir. Rates & Reg. Affairs
PECO Energy Company
2301 Market Street - S15-2
Philadelphia, PA 19103

Mark C. Morrow, Esquire
UGI Utilities, Inc. - Gas Division
P. O. Box 858
Valley Forge, PA 19482-0858

Jane L. Quin, Esquire
Consolidated Edison Company of NY
4 Irving Place
New York, NY 10003

Marjorie Johnson, VP/Treasurer
Valley Energy
523 S. Keystone Avenue
P. O. Box 340
Syare, PA 18840

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Thomas Niesen, Esquire
Thomas, Thomas, Armstrong & Niesen
212 Locust Street - #500
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Harrisburg, PA 17108-9500

Harry Kingerski, Reg. Affairs Manager
Shell Energy Services, LLC
910 Louisiana Street - Room 4100
Houston, TX 77002

William R. Deter, VP Corporate
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90 Beaver Drive - #110B
P. O. Drawer J
Dubois, PA 15801-0297

Susan G. George, Esquire
Dominion Resources
625 Liberty Avenue
Pittsburgh, PA 15222

Jay W. Dawson, Esquire
Robert M. Hovanec, Esquire
T. W. Phillips Gas & Oil Co.
205 North Main Street
Butler, PA 16001

Alyssa D. Weinberger
Katherine M. Edini
Amerada Hess Corp.
1 Hess Plaza
Woodbridge, NJ 07095-0961

Irwin A. Popowsky
Consumer Advocate
Office of Consumer Advocate
555 Walnut Street - 5th Floor
Harrisburg, PA 17101-1923

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Hawke McKeon Sniscak & Kennard
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juperry@state.pa.us

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Conservation, Economics, & Energy Plan.
Pennsylvania Public Utility Commission
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Paul E. Russell, Esquire
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Two North Ninth Street
Allentown, PA 18101-1179

Tim Merrill, GM & VP
NRG
111 South Commons
Pittsburgh, PA 15212

Christopher M. Trejchel, Esquire
National Fuel Gas Distribution Corp.
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Erie, PA 16512
(814) 871-8035
trejchelc@natfuel.com

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Fixed Utility Services
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Duke Energy Gas Transmission
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(717) 231-4501 (fax)
jmelia@klngr.com

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Director of Operations
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Wayne Williams, Director
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Harrisburg, PA 17105-3265
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(717) 787-2545
waywilliam@state.pa.us

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(713) 989-3190 (fax)
sslindberg@duke-energy.com

Doreen F. Wrick
Duke Energy Gas Transmission, LLC
890 Winter Street - #300
Waltham, MA 02451
(617) 560-1536
(617) 560-1581 (fax)
dfwrick@duke-energy.com

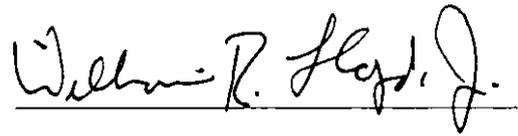
Thomas Charles, Manager
Office of Communications
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-9504
(717) 787-4193 (fax)
thcharles@state.pa.us

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Pennsylvania Public Utility Commission
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(717) 783-6324 (fax)

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Timothy Wallick, Esquire
Charles T. Weakley, Esquire
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josimms@state.pa.us
twallick@state.pa.us
cweakley@state.pa.us

Paul J. Metro
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Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-1063
(717) 772-1931
pmetro@state.pa.us

Dated: February 10, 2006



William R. Lloyd, Jr.
Small Business Advocate



AGWAY ENERGY SERVICES, PO BOX 4819, SYRACUSE, NY 13221-4819

ORIGINAL

February 13, 2006

PA PUC Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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FEB 13 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Docket No. I-00040103 F0002

Agway Energy Services, LLC (Agway) would like to participate in the Stakeholders "Working Group" relating to the Natural Gas Stakeholders Working Group prescribed as an outcome of the Natural Gas Choice and Competition Act review process Docket No. I-00040103 F0002

Agway, Terence X. McNerney and Mark J. Pitonzo would like to participate in the Customer Interface (CI) Subgroup.

Contact Information is as follows:

Agway Energy Services, LLC
Terence X. McNerney
Director of Sales
315-385-4454
tmcinerney@suburbanenergy.com
5793 Widewaters Parkway
Syracuse, New York 13214

Customer Interface (CI) Subgroup

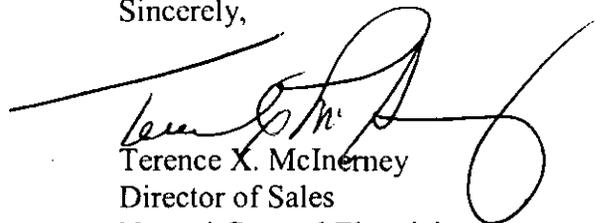
Agway Energy Services, LLC
Mark J. Pitonzo
315-385-4464
Director of Business Development
mpitonzo@suburbanenergy.com
5793 Widewaters Parkway
Syracuse, New York 13214

Customer Interface (CI) Subgroup

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Please direct any questions to Terence X. McInerney, 315-385-4454.

Sincerely,

A handwritten signature in black ink, appearing to read 'Terence X. McInerney', written over a horizontal line.

Terence X. McInerney
Director of Sales
Natural Gas and Electricity
Agway Energy Services, LLC

Enclosed: 3 copies . E-mailed electronically to Assistant Counsel Patricia Krise Burket
2.13.06.



McNees Wallace & Nurick LLC
attorneys at law

ORIGINAL

CHARIS MINCAVAGE
DIRECT DIAL: (717) 237-5437
E-MAIL ADDRESS: CMINCAVAGE@MWN.COM

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February 14, 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

DOCUMENT
FOLDER

VIA HAND DELIVERY

Re: Natural Gas Stakeholders Working Group Natural Gas Choice and Competition Act; Docket No. I-00040103 F0002

Dear Secretary McNulty:

Enclosed for filing with the Commission are an original and three (3) copies of the Joint Notice to Participate of the Industrial Energy Consumers of Pennsylvania, the Columbia Industrial Intervenors, the Philadelphia Area Industrial Energy Users Group, the Philadelphia Industrial and Commercial Gas Users Group, and the UGI Industrial Intervenors, concerning the above-referenced proceeding.

If you have any questions, please contact us. Please date stamp the extra copy of this transmittal letter and kindly return it to us for our filing purposes. Thank you.

Very truly yours,

McNEES WALLACE & NURICK LLC

By 
Charis Mincavage

Counsel to the Industrial Energy Consumers of Pennsylvania, the Columbia Industrial Intervenors, the Philadelphia Area Industrial Energy Users Group, the Philadelphia Industrial and Commercial Gas Users Group, and the UGI Industrial Intervenors

CM:lhi

Enclosures

c: Patricia Krise Burket, Esq., Law Bureau (via E-mail Only)

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

SECRETARY'S BUREAU

2006 FEB 14 PM 2:23

PROCEEDING

Natural Gas Stakeholders Working Group :
Natural Gas Choice and Competition Act : Docket No. I-00040103 F0002

**JOINT NOTICE TO PARTICIPATE OF THE
INDUSTRIAL ENERGY CONSUMERS OF PENNSYLVANIA,
THE COLUMBIA INDUSTRIAL INTERVENORS,
THE PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP,
THE PHILADELPHIA INDUSTRIAL AND COMMERCIAL GAS USERS GROUP, AND
THE UGI INDUSTRIAL INTERVENORS**

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to Secretarial Letter dated January 20, 2006, the Industrial Energy Consumers of Pennsylvania ("IECPA"), the Columbia Industrial Intervenors ("CII"), the Philadelphia Area Industrial Energy Users Group ("PAIEUG"), the Philadelphia Industrial and Commercial Gas Users Group ("PICGUG"), and the UGI Industrial Intervenors ("UGIII") (hereinafter, collectively "IECPA, et al.") hereby file with the Pennsylvania Public Utility Commission ("PUC" or "Commission") this Joint Notice to Participate in the above-captioned proceeding. In support of the Joint Notice to Participate, IECPA, et al., submits the following:

1. For purposes of this proceeding, the composition of the Stakeholders is individually listed in Appendix "A."
2. During this investigation, IECPA, et al., plans to volunteer to participate in each of the following sub-groups: the Inter-Company Activity ("IA") Subgroup; the Customer Interface ("IC") Subgroup; and the Cost of Service ("CS") Subgroup.

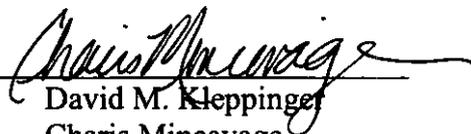
3. IECPA, et al., will be represented at these meetings by the following attorneys:

David M. Kleppinger
Charis Mincavage
Adam L. Benshoff
McNEES WALLACE & NURICK LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: (717) 232-8000
Fax: (717) 237-5300
Email: dkleppin@mwn.com
Email: cmincava@mwn.com
Email: abenshof@mwn.com

4. Pursuant to the PUC's request, Appendix "B" contains a list of any pending Commission proceedings involving the Stakeholders, as well as any pending proceeding in any court or administrative agency in which both the Stakeholder and the Commission are parties.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By 

David M. Kleppinger
Charis Mincavage
Adam L. Benshoff
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Phone: (717) 232-8000
Fax: (717) 237-5300

Counsel to the Industrial Energy Consumers of Pennsylvania, the Columbia Industrial Intervenors, the Philadelphia Area Industrial Energy Users Group, the Philadelphia Industrial and Commercial Gas Users Group, and the UGI Industrial Intervenors

Dated: February 14, 2006

APPENDIX A

INDUSTRIAL ENERGY CONSUMERS OF PENNSYLVANIA

Air Liquide Industrial U.S. LP
Air Products and Chemicals, Inc.
BOC Gases
Carbone of America
Carpenter Technology Corporation
CertainTeed Corporation
Ervin Industries, Inc.
Glen-Gery Corporation
Hershey Foods Corporation
Knouse Foods Cooperative, Inc.
LWB Refractories
NRG Energy Center - Pittsburgh
PPG Industries, Inc.
Praxair, Inc.
Procter & Gamble Paper Products Co., The
Rohm and Haas Company
Standard Steel
United States Steel Corporation
World Kitchen Inc.

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COLUMBIA INDUSTRIAL INTERVENORS

Glen-Gery Corporation
Harley-Davidson Motor Company
Knouse Foods Cooperative, Inc.
World Kitchen, Inc.

PHILADELPHIA AREA INDUSTRIAL ENERGY USERS GROUP

The Boeing Company
Buckeye Pipe Line Company, L.P.
GlaxoSmithKline
Kimberly-Clark Corporation
Merck & Co., Inc.
Rohm and Haas Company
Thomas Jefferson/Jefferson Health System

PHILADELPHIA INDUSTRIAL AND COMMERCIAL GAS USERS GROUP

Building Owners' and Managers'
Association of Philadelphia
Temple University
Thomas Jefferson University/Jefferson Health System

UGI INDUSTRIAL INTERVENORS

East Penn Manufacturing
Carpenter Technology Corporation
Mount Joy Wire Corporation
The Hershey Company

APPENDIX B

- The Industrial Energy Consumers of Pennsylvania are currently participating in the following proceedings:
 - *Customer Assistance Program Funding Levels and Cost Recovery Mechanisms*; Docket No. M-00051923
 - *Alternative Energy Portfolio Standards Act Implementation*; Docket No. M-00051865
 - *Rulemaking Re Electric Distribution Companies Obligation to Serve Retail Customers at the Conclusion of the Transition Period Pursuant to 66 Pa. C.S. § 2807(e)(2)*; Docket No. L-00040169
 - *Petition of Pennsylvania Power Company for Approval of Interim POLR Supply Plan*; Docket No. P-00052188

- The Columbia Industrial Intervenors are currently participating in the following proceedings:
 - *Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.*; Docket No. R-00049783

- The Philadelphia Area Industrial Energy Users Group are currently participating in the following proceedings:
 - *Joint Application of PECO Energy Company and Public Service Electric and Gas Company for Approval of the Merger of Public Service Enterprise Group Incorporated with and into Exelon Corporation*; Docket No. A-11050F0160

- The Philadelphia Industrial and Commercial Gas Users Group are currently participating in the following proceedings:
 - *Philadelphia Gas Works et al. v. Pennsylvania Public Utility Commission*; Docket No. 1673 C.D. 2005

- UGI Industrial Intervenors is not currently participating in proceedings involving the PUC.

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3333 K Street, NW, Suite 110
Washington, D.C. 20007
Tel: 202-333-3288
Fax: 202-333-3266

February 14, 2006

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James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd floor
Harrisburg, PA 17120

FEB 14 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: **Docket No. I-00040103 F0002**
Notice to Participate

DOCUMENT
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Dear Secretary McNulty:

Please accept this letter as a Notice to Participate on behalf of the National Energy Marketers Association (NEM) for the Working Group to be formed in the above-referenced proceeding. NEM wishes to participate in all three subgroups, the Inter-Company Activity Subgroup, the Customer Interface Subgroup and the Cost of Service Subgroup.

Please include the following in the Working Group roster in this proceeding:

Craig G. Goodman
Stacey Rantala
National Energy Marketers Association
3333 K Street, NW, Suite 110
Washington, DC 20007
Email: cgoodman@energymarketers.com:
srantala@energymarketers.com
Tel: 202-333-3288
Fax: 202-333-3266

The Commission has identified a number of issues that merit consideration by the Working Group to reduce barriers to entry encountered by competitive suppliers. NEM would urge that to the extent practicable that subgroup meetings not be scheduled concurrently to permit parties with limited resources to attend and participate in all meetings. NEM further requests, to the extent possible, that meetings be conducted via conference call to permit enhanced participation by the various stakeholders.

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NEM also recommends that the Commission provide the Working Group and the Subgroups with procedural deadlines for the filing of consensus recommendations when possible or, when consensus cannot be achieved, the filing of individual stakeholder comments. If the parties are aware in advance of a timeline within which discussions must occur and recommendations must be made to the Commission, it should better facilitate a timely and expeditious resolution.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Craig Goodman". The signature is written in black ink and is positioned above the printed name and title.

Craig G. Goodman
President

cc: Patricia Krise Burket (via email)

ORIGINAL



10010 Junction Drive, Suite 104-S
Annapolis Junction, MD 20701-1180
Tel: 240 456 0505
Fax: 240 456 0510
www.mxenergy.com

February 15, 2006

James McNulty, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

RE: MXenergy Notice of Participation
Natural Gas Stakeholders Working Group
Docket No. I-00040103 F0002

This letter will serve as MXenergy's notice of its intent to participate in the Natural Gas Stakeholders Working Group, Docket No. I-00040103 F0002.

Participants:

Name: Robert Blake
Subgroups: All
Stakeholder: MXenergy
Contact Information: MXenergy
10010 Junction Drive
Suite 104-S
Annapolis Junction, MD 20701
Email: rblake@mxenergy.com
Phone: 240-456-0505 x5513

MXenergy would like to reserve the right to submit additional participants depending upon the final organization of the Subgroups, and throughout the process as its personal resources change.

Per the Notice, Request for Comments and Call for Volunteers, MXenergy list the following pending Commission proceedings that it is currently involved in:

- Docket No. R-00049783, Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.

Thank you for the opportunity to participate in the important process.

Sincerely,

Robert Blake
VP Regulatory Affairs

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PA P.U.C.
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56

Scott J. Rubin
Attorney ♦ Consultant

3 Lost Creek Drive ♦ Selinsgrove, PA 17870 ♦ (570)743-2233 ♦ Fax: (570)743-8145 ♦ scott@publicutilityhome.com

February 15, 2006

James McNulty, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg PA 17105-3265

DOCUMENT
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ORIGINAL

Re: Natural Gas Stakeholders Working Group
Docket No. I-00040103F0002

Dear Secretary McNulty:

Enclosed for filing please find an original and three copies of the Notice to Participate of Pennsylvania AFL-CIO Utility Caucus in the above-referenced matter.

As requested by the Commission, I also have served an electronic copy on Patricia Krise Burket.

I also have enclosed an extra copy of the document that I would appreciate having time-stamped and returned in the enclosed envelope.

Sincerely,


Scott J. Rubin

Enclosure

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SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Stakeholders Working Group : Docket No. I-00040103F0002

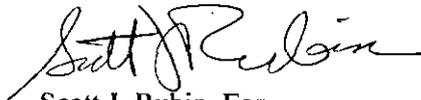
NOTICE TO PARTICIPATE
OF
PENNSYLVANIA AFL-CIO UTILITY CAUCUS

In compliance with the Secretarial Letter and Notice issued by the Pennsylvania Public Utility Commission (Commission) in the above-captioned proceeding, the Pennsylvania AFL-CIO Utility Caucus (AFL-CIO) hereby gives notice of its intent to participate as a stakeholder in the Working Group. Following is the specific information requested in the Commission's Notice of January 20, 2006:

Stakeholder Name:	Pennsylvania AFL-CIO Utility Caucus
Participant Name and Contact Information:	Scott J. Rubin, Esq. 3 Lost Creek Drive Selinsgrove, PA 17870-9357 voice: 570-743-2233 fax: 570-743-8145 email: scott@publicutilityhome.com
Subgroup:	Customer Interface (CI) Subgroup
Other Proceedings:	The AFL-CIO Utility Caucus is not a party to any proceedings currently pending before the Commission, or involving the Commission in any other forum.

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Respectfully submitted,



Scott J. Rubin, Esq.
PA Supreme Court ID: 34536
3 Lost Creek Drive
Selinsgrove, PA 17870

Counsel for:
Pennsylvania AFL-CIO Utility Caucus

Dated: February 15, 2006

Gary A. Jeffries
Senior Counsel

Dominion Retail, Inc.
1201 Pitt Street, Pittsburgh, PA 15221
Phone: 412-473-4129 Fax: 412-473-4170
Email: gjeffries@dom.com



Dominion™

ORIGINAL

February 15, 2006

By Overnight Mail

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

DOCUMENT
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FEB 15 2006

Re: Natural Gas Stakeholders Working Group
Natural Gas Choice and Competition Act
Docket No. I-00040103 F0002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**DOMINION RETAIL, INC.'S NOTICE TO PARTICIPATE IN THE WORKING GROUP
AND TO VOLUNTEER FOR EACH OF THE THREE SUBGROUPS**

Dear Secretary McNulty:

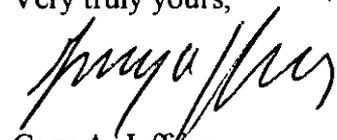
Pursuant to the January 20, 2006, notice issued by the Pennsylvania Public Utility Commission ("Commission") in the above-captioned proceeding, Dominion Retail, Inc. ("Dominion Retail") hereby submits an original and three (3) copies of its notice to participate in the Working Group in this proceeding. Further, Dominion Retail also volunteers to serve on each of the three subgroups. Dominion Retail's representative on each of the subgroups shall be:

William Barkas
Dominion Retail, Inc.
1201 Pitt Street
Pittsburgh, PA 15221
Phone: (412) 690-1033 or (412) 473-4142
Fax: (412) 473-4170
E-mail: William_L._Barkas@dom.com

Should you have any questions or need additional information, please do not hesitate to contact me.

18

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary A. Jeffries". The signature is written in a cursive style with a large, sweeping initial "G".

Gary A. Jeffries
Senior Counsel

Enclosures

cc: Patricia Krise Burket (via e-mail to pburket@state.pa.us)

Mark R. Kempic
Senior Attorney
Legal Department

ORIGINAL

Southpointe Industrial Park
501 Technology Drive
Canonsburg, PA 15317
724.416.6328
Fax: 724.416.6384
mkempic@nisource.com

VIA OVERNIGHT MAIL

February 15, 2006

Mr. James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17210-3265

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FEB 15 2006

**RE: Docket No. I-00040103F0002
Natural Gas Stakeholders Working Groups
Natural Gas Choice and Competition Act**

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Secretary McNulty:

On January 20, 2006, the Pennsylvania Public Utility Commission ("Commission") issued a letter requesting that parties were to notify the Commission of their intention to participate in the Commission Natural Gas Stakeholders Working Group, and to identify the name of the person who will represent the Stakeholder, along with an identification of the subgroups for which each person is volunteering.

Columbia Gas of Pennsylvania, Inc. ("Columbia Gas") hereby notifies the Commission that it plans to participate in the Stakeholders Working Group meetings. Please file the original and three copies of this document and date stamp and return the extra copy to me. Generally, Columbia will be represented in each of the proposed subgroups by the person(s) identified below; however, Columbia reserves the right to change these assignments or add additional representatives based on the final allocation of issues between the subgroups and the need for additional expertise.

As recognized in the Commission's letter, some of the issues assigned to the proposed subgroups overlap. Because of this overlap, Columbia requests that none of the subgroups ever meet at the same time because the same representative may be required to attend both subgroup meetings.

Participant's NameSubgroup(s)

David Haddad
Columbia Gas of Pennsylvania, Inc.
Southpointe Industrial Park
501 Technology Drive
Canonsburg, PA 15317
dhaddad@nisource.com
724.416.6326 (p)
724.416.6383 (f)

Inter-Company Activity
Cost of Service Group
Miscellaneous

109

Michael Anderson
NiSource Corporate Services Company
200 Civic Center Drive
Columbus, OH 43215
mdanderson@nisource.com
614.460.4890 (p)
614.460.6442 (f)

Inter-Company Activity
Cost of Service Group

Heather Bauer
NiSource Corporate Services Company
200 Civic Center Drive
Columbus, OH 43215
Hbauer@nisource.com
614.460.5554 (p)
614.460.4291 (f)

Customer Interface Subgroup
Cost of Service Subgroup

Mark Kempic
NiSource Corporate Services Company
Southpointe Industrial Park
501 Technology Drive
Canonsburg, PA 15318
mkempic@nisource.com
724.416.6328 (p)
724.416.6384 (f)

Inter-Company Activity
Customer Interface
Miscellaneous

The Commission's January 20, 2006 correspondence also asked parties to list any pending Commission proceedings involving the Stakeholder and any pending proceedings in any court or administrative agency in which both the Stakeholder and the Commission are parties. A list showing all such pending proceedings follows:

Columbia Gas of Pennsylvania, Inc.
Active Cases Before the Commission

Docket Case Name

Major Proceedings:

- | | | |
|------------|---|---|
| R-00049784 | - | Price Protection Service and Optional Sales Service Tariff Proposals (Supplement Number 60). |
| P-00062200 | - | Petition and Notification by Columbia Gas of Pennsylvania, Inc. Concerning a Change in Purchased Gas Costs. |
| M-00051923 | - | Customer Assistance Programs Funding Levels and Cost Recovery Mechanisms |

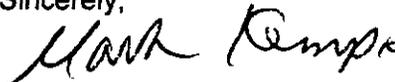
M-00041843 - National Fuel Gas Distribution Corporation Universal Service and Energy Conservation Plan Submission Pursuant to 52 Pa. Code §62.4

Customer Complaint Cases:

C-20054566 Barson t/a Barson Dev. Co. v. Columbia Gas of Pennsylvania, Inc.
C-20042618 Hale, David v. Columbia Gas of Pennsylvania, Inc.
C-20054682 Herbert, Ronald v. Columbia Gas of Pennsylvania, Inc.
C-20055408 Steinmeyer, Charles v. Columbia Gas of Pennsylvania, Inc.
C-20065830 Lucas, Lori v. Columbia Gas of Pennsylvania, Inc.
F-02005665 Grim, Nadine v. Columbia Gas of Pennsylvania, Inc.
C-20065782 Xaloy v. Columbia Gas of Pennsylvania, Inc.
F-01945734 Hofmann, Melanie v. Columbia Gas of Pennsylvania, Inc.
C-20055351 Heeter v. Columbia Gas of Pennsylvania, Inc.
C-20055232 Blymire v. Columbia Gas of Pennsylvania, Inc.
C-20055495 Garda v Columbia Gas of Pennsylvania, Inc.
F-01917973 Snyder v. Columbia Gas of Pennsylvania, Inc.
C-20055487 Spinnenweber v. Columbia Gas of Pennsylvania, Inc.
F-02006873 Baker v. Columbia Gas of Pennsylvania, Inc.
C-20065781 Duttera v. Columbia Gas of Pennsylvania, Inc.
C-20055644 Goulding v. Columbia Gas of Pennsylvania, Inc.
C-20055645 Muransky v. Columbia Gas of Pennsylvania, Inc.
C-20055646 Norton v. Columbia Gas of Pennsylvania, Inc.
C-20065766 Orme v. Columbia Gas of Pennsylvania, Inc.
C-20054902 Parker v. Columbia Gas of Pennsylvania, Inc.
F-01996291 Scott v. Columbia Gas of Pennsylvania, Inc.
C-20054781 Seindenstricker v. Columbia Gas of Pennsylvania, Inc.
C-20065757 Stephens v. Columbia Gas of Pennsylvania, Inc.
F-01982486 Wolf v. Columbia Gas of Pennsylvania, Inc.

As always, if you have any questions please call me at 724.416.6328 or e-mail me at mkempic@nisource.com.

Sincerely,


Mark Kempic

cc: Pburket@state.pa.us

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February 16, 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ORIGINAL

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
PO Box 3265
Harrisburg, PA 17105-3265

RE: Notice to Participate in the Natural Gas Stakeholders Working Group Docket No. I-00040103 F0002 by PG Energy, a Division of Southern Union Company

Dear Mr. McNulty:

PG Energy, a Division of Southern Union Company ("PG Energy") hereby notifies the Pennsylvania Public Utility Commission that the following PG Energy personnel will participate in the Natural Gas Stakeholders Working Group:

Bruce Davis
Vice President, Marketing & Gas Supply
PG Energy
One PEI Center
Wilkes-Barre, Pa 18702
bdavis@pgenergy.com
(570) 829-8881

Ann Blaskiewicz
Manager, Outreach Services
PG Energy
One PEI Center
Wilkes-Barre, Pa 18702
ablaskiewicz@pgenergy.com
(570) 829-8659

William Eckert
Director, Energy Management
PG Energy
One PEI Center
Wilkes-Barre, Pa 18702
eckert@pgenergy.com
(570) 829-8715

Lee Zielen
IT Project Manager
PG Energy
One PEI Center
Wilkes-Barre, Pa 18702
zielen@pgenergy.com
(570) 829-8748

PG Energy appreciates the opportunity to participate in these proceedings and looks forward to further discussion with the Commission and its staff on the various subgroup topics.

Sincerely,

Bruce Davis
Vice President -
Marketing & Gas Supply

c: Assistant Counsel Patricia Krise Burket

DOCKET NO.
I-00040103 F0002

NOTICE TO PARTICIPATE IN
NATURAL GAS STAKEHOLDERS
WORKING GROUP

NAME	SUBGROUP	STAKEHOLDER	COMPANY NAME	ADDRESS	CITY	STATE	ZIPCODE	PHONE	EMAIL
Frank J. Ross	InterCompany Activity	Producer/Marketer	T & F Exploration, LP	2559 Washington Road - Suite 511	Upper St. Clair	PA	15241	412-854-5108	rossf@tandfexploration.com
Thomas M. Bartos	InterCompany Activity	Producer	ABARTA Oil & Gas Co., Inc.	1000 RIDC Plaza	Pittsburgh	PA	15238	412-963-6443	tbartos@abarta.com
Louis D. D'Amico	Customer Interface	Producer/Marketer	IOGA of Pennsylvania	115 VIP Drive - Suite 110	Wexford	PA	15090	724-933-7306	lou@iogapa.org
Curtis Tipton	Customer Interface	Producer	Linn Energy, LLC	650 Washington Road - 8th Floor	Pittsburgh	PA	15228	412-440-1400	clt@linnenergy.com
*IOGA Current Involvement at Commission Peoples Independents Producers Group V Dominion Peoples C- 20054393 PUC et al V Columbia Gas of PA, Inc. R- 00049783 ETAL									

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FEB 15 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCKET NO. I-00040103 F0002

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mxenergy

10010 Junction Drive, Suite 104-S
Annapolis Junction, MD 20701-1180
Tel: 240 456 0505
Fax: 240 456 0510
www.mxenergy.com

February 16, 2006

ORIGINAL

James McNulty, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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FEB 16 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: MXenergy Notice of Participation
Natural Gas Stakeholders Working Group
Docket No. I-00040103 F0002

This letter will serve as MXenergy's notice of its intent to participate in the Natural Gas Stakeholders Working Group, Docket No. I-00040103 F0002.

Participants:

Name: Robert Blake
Subgroups: All
Stakeholder: MXenergy
Contact Information: MXenergy
10010 Junction Drive
Suite 104-S
Annapolis Junction, MD 20701
Email: rblake@mxenergy.com
Phone: 240-456-0505 x5513

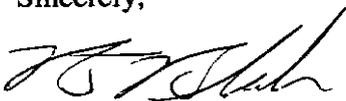
MXenergy would like to reserve the right to submit additional participants depending upon the final organization of the Subgroups, and throughout the process as its personal resources change.

Per the Notice, Request for Comments and Call for Volunteers, MXenergy list the following pending Commission proceedings that it is currently involved in:

- Docket No. R-00049783, Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.

Thank you for the opportunity to participate in the important process.

Sincerely,



Robert Blake
VP Regulatory Affairs

76

AMERADA HESS CORPORATION

KATHERINE M. GUERRY
Regulatory Affairs Specialist
732-750-6414
732-750-6670 (FAX)
kguerry@hess.com

1 HESS PLAZA
WOODBIDGE, NJ 07095-0961

VIA Overnight Mail

February 16, 2006

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17105-3265

ORIGINAL

Re: Amerada Hess Corporation – Comments and Notice to Participate
Natural Gas Stakeholder Working Group
Docket No. I-00040103 F0002

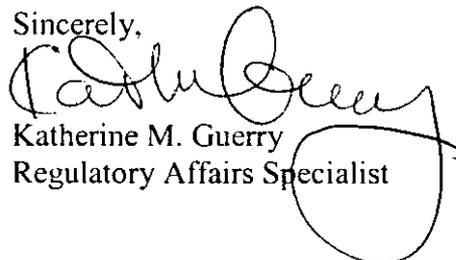
To Mr. McNulty:

Enclosed for filing are an original and three copies of the Comments and Notice of Participation of Amerada Hess Corporation as required by the Notice issued by the Pennsylvania Public Utility Commission January 20, 2006 ("Notice") in the above referenced Docket. An electronic version has also been sent to Assistant Counsel Patricia Krise Burket as requested in the Notice.

Thank you in advance for your attention to this matter. Should you have any questions or need any assistance please don't hesitate to contact to me at (732) 750-6414.

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Sincerely,


Katherine M. Guerry
Regulatory Affairs Specialist

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FEB 16 2006

PENNSYLVANIA PUBLIC UTILITY COMMISSION

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ORIGINAL

**Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Natural Gas Stakeholders Working Group
Docket Number I-00040103 F0002**

**DOCUMENT
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**Notice to Participate
And
Comments on Tentative Subgroups**

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PENNSYLVANIA PUBLIC UTILITY COMMISSION
STATE HOUSE BUILDING

Katherine M. Guerry
Regulatory Affairs Specialist
Amerada Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095
Phone: (732) 750-6414
Fax: (732) 750-6670
kguerry@hess.com

February 16, 2006

Introduction

Amerada Hess Corporation (“Hess”) submits these comments in response to the Notice issued by the Pennsylvania Public Utility Commission (“Commission” or “PUC”) in this proceeding on January 20, 2006. Pursuant to the Commission’s requests set forth in the Notice, Hess hereby submits comments on the proposed working groups and issue assignments for the Natural Gas Competition Stakeholder Collaborative scheduled to begin on March 30, 2006. In addition, Hess submits notice of its intent to participate in this Collaborative.

Hess recognizes the Commission devoted considerable time and thought considering the most efficient means of addressing and resolving the problems with a workable Pennsylvania competitive natural gas market identified in the “Report to the General Assembly” issued by the Commission October 6, 2005 (“Report”). In view of that, Hess appreciates this opportunity, prior to the commencement of these meetings, to provide input enabling the Commission to fine-tune the process. These are serious topics the Commission and stakeholders have been charged with resolving. It is therefore imperative to address all relevant issues in an environment and process which is the most conducive to achieving positive resolution with tangible and measurable results. Therefore, Hess provides these comments on what additions, clarifications and changes to the Commission’s proposal are necessary to foster a productive stakeholder collaborative process and to ensure satisfaction of the Commission’s duty and obligation under the Natural Gas Choice and Competition Act (the “Competition Act”)¹ to make recommendations to increase competition in Pennsylvania.

¹ 66 Pa. C.S. §2201, *et al.*

Comments

1. Goals and Objectives of the Collaborative Process

In the Report's conclusion, the Commission declared "a need to convene the Stakeholders to consider an integrated solution to enhance competition in the statewide retail natural gas supply services market," and that Stakeholders were to examine the problematic issues identified by the Commission in order to make recommendations for changes to the "market's structure and operation to encourage increased participation by NGSs and customers." *See Report at p.67.* While Hess strongly concurs with this conclusion, specific direction and structure is necessary in order for this process to be successful.

First and foremost, participants in the working subgroups proposed by the Commission need to be more narrowly focused on the task to which the Commission is charging. The Competition Act specifically sets forth that "(s)hould the Commission conclude that effective competition does not exist, the Commission shall reconvene the stakeholders in the natural gas industry in this Commonwealth to explore avenues, including legislative, for *encouraging increased competition in this Commonwealth.*"² The subgroups must be given a clear directive that discussion and resolution of the issues assigned to them have to be approached from the ultimate overriding goal of fostering competition. Calling for recommendations for "increased participation by NGSs and customers." *See Report at p.67,* does not impose this legislative directed obligation on the subgroups with sufficient clarity. The Commission must assert this directive with unwavering resolve because all stakeholders who volunteer for participation in the subgroups must be willing to commit to supporting the development of competition in the Commonwealth.

² 66Pa. C.S. §2204(g), emphasis added.

Moreover, while it is beneficial for the collaborative to address the general topics listed in the Report and Notice, there must be assurances the subgroups will address the specifics of each individual NGDC's rules and tariffs in this collaborative process. For example, the sixth item listed under Subgroup I sets forth "uniform supplier tariff rules" as a topic to be addressed. While consistency and uniformity of rules across the state would be beneficial and can lower some barriers to entry, complete uniformity may not be realistic. Particularly with operational rules, given the varying physical and operational constraints on different NGDCs, complete consistency of rules applicable to NGSs on each system may not provide the greatest benefit to the market and consumers.

In addition to clarifying the overarching goal of these working groups, an expected work product, and timeframe within which to work, must be set. The Commission must be more specific as to the "recommendations" it seeks from the stakeholders. It is certainly beneficial to have all market stakeholders discuss and vet out the topics listed for each subgroup; however, there needs to be specific, measurable and identifiable goals for each subgroup and benchmarks for achieving each identified goal. Stakeholder confidence that the Commission will not only address, but implement, the changes necessary to ensure the directive of the Legislature in achieving a workably competitive market is a driving factor for effective participation and contribution in this process. That confidence will come from the creation of defined and expected results for each subgroup. Discussion for the sake of discussion can lead to filibusters that fundamentally undermine the stakeholder collaborative process, but the Commission can mitigate this danger by implementing defined and expected results for each subgroup.

Finally, to foster a productive working environment with specific tasks and goals, and to aid in setting an effective and realistic timeline, Hess requests agendas be set in advance and distributed for meetings of each subgroup. For instance Subgroup I has been charged with addressing eight diverse issues; a realistic division of those issues across meetings will logically occur. Given the limited resources available to many of the stakeholders, sufficient advanced notice of when each topic will be addressed will allow all to appropriately assign resources. For example, while it may be appropriate for one representative of an organization to attend when discussing Security, it may not be applicable for the same individual to attend when addressing Switching Restrictions.

2. Suggestions for Substantive Clarifications and Changes to Proposed Subgroups

Hess also has some suggestions for clarification and changes to the structure of, and topics covered by, the subgroups. First, Hess believes the three issues identified under section IV in the Notice (“Code of Conduct,” “Sustained Commission Leadership in Competitive Markets” and “NGDC Promotion of Competition”) should actually be given their own separate subgroup (*i.e.*, Subgroup IV). These issues, like the other 17 issues identified in the Report, have a profound impact on the workability of Pennsylvania’s competitive market. Neglecting to address them in an assigned subgroup would not only be a disservice to Pennsylvania consumers and the Stakeholders devoting resources to this collaborative process, but would also ensure the ultimate goal of the Competition Act, achieving a workably competitive natural gas market, is not achieved.

Second, the topic of “Nomination and Delivery Requirements,” assigned to Subgroup I, should be clarified and expanded from the description currently provided. Specifically,

consideration of these requirements should include consideration of the imbalance rules of each NGDC. While, on the surface, imbalance rules may appear to be a discreet issue, the onerous imbalance rules imposed by several NGDCs have a profound impact on the ability of NGSs to operate efficiently in Pennsylvania, thereby creating a barrier to participation in the Pennsylvania competitive market. Nomination and delivery requirements cannot be considered in a vacuum to the exclusion of imbalance rules.

In addition, consideration of the imbalance rules should include discussion of accountability for errors causing economic impact. Simple errors or delays in the transmission of data can translate to adverse economic impact on NGSs, negating their efforts to adhere to NGDC rules. Therefore, any discussion of nomination and delivery rules should include appropriate accountability for errors in the timely and accurate communication of information.

Furthermore, Hess strongly recommends the Commission make available to all working group participants the NAESB recommended business practices suggested for consideration of Subgroup I topics. Not all stakeholders have access to this document, and the Commission should therefore distribute these standards prior to commencement of meetings so the collaborative may appropriately consider their applicability..

Finally, a general overarching concern of Hess with the proposed subgroups, and division of issues, is the incorporation of the concerns of commercial and industrial customers and their NGSs. A workably competitive market must address the needs of all classes of customers, and in the Report the Commission took care to address issues applicable to all classes of customers. Hess simply wants the same to carry through in implementation of the

subgroups. Therefore, Hess proposes when considering changes to the market, the subgroups should devote equal attention to the needs of all classes of customers.

Notice to Participate and Volunteer

Hess hereby notifies the Commission of its intent to participate in each of the subgroups. Given the possibility changes can still be made to the structure and process of the Natural Gas Stakeholder Working Groups, and given the resources available to Hess, we must at this time provide a list of potential representatives who are authorized to participate on behalf of Hess. Throughout the working group meetings at least one of these authorized Hess representatives will participate. Hess reserves the right to amend this list of authorized representatives to participate, with appropriate notice to the Commission, at any time:

Katherine M. Guerry
Regulatory Affairs Specialist
Amerada Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095
Tel: (732) 750-6414
E-Mail: kguerry@hess.com

Alyssa D. Weinberger
Manager C&I Gas Operations – Metro/Mid-Atlantic Region
Amerada Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095
Tel: (732) 750-6024
E-Mail: aweinberger@hess.com

Jodi L. Lutz
Manager C&I Gas Operations – Ohio Valley Region
Amerada Hess Corporation
381 Mansfield Avenue, Suite 131
Pittsburgh, PA 15220
Tel: (412) 920-4000, ext. 23
E-Mail: jlutz@hess.com

Randy Magnani
Director C&I Gas Operations
Amerada Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095
Tel: (732) 750-6589
E-Mail: rmagnani@hess.com

Jay L. Kooper
Director of Regulatory Affairs
Amerada Hess Corporation
One Hess Plaza
Woodbridge, NJ 07095
Tel: (732) 750-7048
E-Mail: jkooper@hess.com

Conclusion

Hess again thanks the Commission for this opportunity to provide input on the structuring of the Natural Gas Stakeholder Working Groups. We look forward to openly addressing with all stakeholders necessary changes to achieve the Competition Act's directive of a workably competitive Pennsylvania natural gas market.

Respectfully Submitted,


Katherine M. Guerry
Regulatory Affairs Specialist
Amerada Hess Corporation



National Fuel Resources, Inc.

A National Fuel Gas System Company

February 16, 2006
Via Overnight Mail

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Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

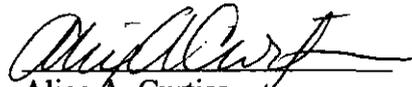
ORIGINAL

Attn: James J. McNulty
Secretary

Re: Investigation into Competition in the Natural Gas Supply Market
Docket No. I-00040103 F0002

To the Commission:

Enclosed pursuant to the Notice of the Pennsylvania Public Utility Commission ("Commission") on January 20, 2005, are an original and three copies of National Fuel Resources, Inc.'s Notice to Participate in the Working Groups.


Alice A. Curtiss
Deputy General Counsel

Enclosures (3)
cc: D. L. DeCarolis

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Investigation into the Natural Gas : Docket No. I-00040103 F0002
Supply Market: Report to the General :
Assembly On Competition In Pennsylvania's :
Retail Natural Gas Supply Market :

Notice of National Fuel Resources, Inc. regarding
Intent to Participate in the Working Groups

ORIGINAL

The Pennsylvania Public Utility Commission ("PAPUC" or "Commission"), by its Notice of January 20, 2006, provided a list of issues that are tentatively to be explored by stakeholder working groups in this proceeding. The Commission in its Notice requests notice of parties intent to participate in the working group and identify its representative as well as any Commission proceedings in which it is currently active.

National Fuel Resources, Inc. ("NFR") provides notice it intends to participate in the stakeholder groups, focussing on Groups II and III. NFR is not involved in any proceedings at the Commission as of this date. NFR's representative will be:

Alice A. Curtiss
Deputy General Counsel
National Fuel Resources, Inc.
Suite 120
165 Lawrence Bell Drive
Williamsville, NY 14221
(716) 630-6796
acurtiss@nfrinc.com

Respectfully submitted,


Alice A. Curtiss

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

ORIGINAL

February 16, 2006

James McNulty, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: MXenergy Comments
Natural Gas Stakeholders Working Group
Docket No. I-00040103 F0002

Introduction:

MXenergy is a Natural Gas Supplier licensed in the State of Pennsylvania. MXenergy applauds the Commission for its initiation of the Natural Gas Stakeholders groups and its vision of convening the various stakeholders with the explicit goal of developing solutions to various issues that are holding back a competitive natural gas retail market from flourishing in Pennsylvania. Per the Commission's request, MXenergy respectfully submits its comments on the proposed subgroups and issue assignments. MXenergy also submits additional competitive gas market issues for consideration of the Stakeholder Group as well as some procedural suggestions.

Subgroups and Issue Assignment:

MXenergy recommends realigning the subgroups to mirror how Natural Gas Suppliers (NGSs) and Natural Gas Distribution Companies (NGDCs) are functionally organized:

- I. Marketing/Customer Issues
- II. Gas Operational Issues
- III. Financial Issues
- IV. Regulatory Issues

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This recommended subgrouping of the issues will allow NGSs and NGDCs to better target their use of specific personnel with expertise in those functional areas. The current organization of issues, presented in the Commission's 1/20/2006 Notice, requires a broad range of expertise within each subgroup making it difficult for some stakeholders to efficiently utilize their resources.

Using the above recommended subgroups, MXenergy proposes the following issue assignments:

- I. Marketing/Customer Issues
 - (i) Market Information
 - (ii) Switching Restrictions
 - (iii) Pricing Information and Consumer Educations
 - (iv) Seamless Moves
 - (v) NGDC Consolidated Billing
 - (vi) NGDC Promotion of Competition

- II. Gas Operational Issues
 - (i) Mandatory Capacity Assignments
 - (ii) Nominations and Delivery Requirements
 - (iii) Penalties for Non-delivery

- III. Financial Issues
 - (i) Security
 - (ii) Receivable for Mass Markets Customers
 - (iii) NGDC Negotiated Supply Contracts
 - (iv) Service to Low Income Consumers
 - (v) Costs of Retail Supply Service
 - (vi) Acquisition Cost for Mass Markets

- IV. Regulatory Issues
 - (i) Supplier Tariff Requirements
 - (ii) Supplier Consolidated Billing
 - (iii) Consumer Protection Rules
 - (iv) Sustained Commission Leadership in Competitive Markets
 - (v) Code of Conduct

Additional Competitive Issues:

Since the goal of the Working Group is to resolve issues in order to increase the competitiveness of the retail natural gas market in Pennsylvania, then MXenergy recommends adding the following issues to the discussions of the Working Group:

1. Change the GCR mechanism to have the GCR better reflect the natural gas market,
2. Pro-rata assignment of all utility assets that are required to serve customers,
3. Eliminate customers' switching fees and minimum stay requirements,
4. Real-time availability of customer usage and billing history,
5. Consistency in all NGDCs' tariffs and
6. Increase NGSS' billing flexibility in Rate-Ready NGDC Consolidated billing models.

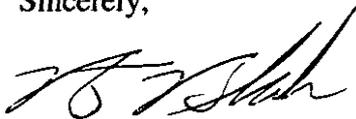
Procedural Recommendations:

To increase the effectiveness and maximize shareholder participation MXenergy recommends the following procedural considerations for the Working Group:

1. The Subgroup meetings should not be held in concurrent sessions. Each subgroup contains a number of important issues and MXenergy wishes to contribute to all areas. Many stakeholders, including MXenergy, will generally have only one person who will be able to participate at any given time. Many stakeholders will not be able to fully contribute if the subgroup meetings are held concurrently.
2. Teleconferencing should be used for all meetings to allow maximum participation.
3. Meetings should be focused in a specific functional area, with specific agendas and goals set in advance, so that Stakeholders can dedicate the appropriate resource(s) for each meeting.
4. Meeting notes should be kept and circulated to all stakeholders in order to help prepare a record that will form the basis of recommendations and/or actions to be taken as a result of the meetings.
5. An email list (list serve) of all participants should be established in order to facilitate communication among stakeholders.
6. A chairperson should be assigned to each subgroup to help facilitate discussion and consensus building.

Thank you for the opportunity to submit comments on the subgroups and issue assignments, as well as consideration of the additional issues and procedural recommendations.

Sincerely,



Robert Blake
VP Regulatory Affairs
MXenergy



VECTREN

ORIGINAL

Vectren Source
P.O. Box 3037
Evansville, Indiana 47730-3037

February 17, 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

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SECRETARY'S OFFICE

2006 FEB 17 10:13:12

**Re: Natural Gas Stakeholder Working Group
Docket No. I-00040103 F0002
NOTICE TO PARTICIPATE**

Dear Mr. McNulty,

Pursuant to the Commission's Notice of January 20, 2006 in the above-referenced matter, Vectren Retail, LLC hereby submits this Notice to Participate.

Vectren Retail, LLC ("Vectren") is a Natural Gas Supplier licensed by the Public Utility Commission under Docket No. A-125123. Vectren will be represented in the Working Group by Lawrence Friedeman, Vice President of Regulatory Affairs for Vectren. Mr. Friedeman's contact information is as follows:

Lawrence Friedeman
Vectren Retail, LLC
One Vectren Square
Evansville, IN 47708
(812) 491-4282
lfriedeman@vectren.com

Vectren is not aware of any pending matter involving Vectren and the Commission either currently being heard at the Commission or in any other forum. Vectren will make a good faith effort to update this information throughout the Working Group process if necessary.

Please contact the undersigned if you have any questions or concerns.

Sincerely,

Lawrence Friedeman

cc: Patricia Krise Burket
(via electronic mail at pburket@state.pa.us)

80



South Jersey Energy

Where we put all of our energy®

Joseph M. Scheufele

Assistant Vice President,
Business Development

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2006 FEB 23 3:09:18
PA P.U.C
SECRETARY'S BUREAU

February 17, 2006

Secretary, PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 171105-3265

DOCUMENT
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Re: Docket No. I-00040103F0002

Please be advised that South Jersey Energy Company would like to participate in the proposed Natural gas Competition Stakeholders Meeting.

Stakeholder information is as follows:

- ↓ Joseph Scheufele
- ↓ Subgroup – “other miscellaneous issues”
- ↓ South Jersey Energy Company
1 South Jersey Plaza
Folsom, NJ 08037
- ↓ jscheufele@sjindustries.com
- ↓ 609-561-9000 ext 4345
609-561-8225 fax

South Jersey Energy is not involved in any proceeding involving the Commission or any court or administrative agency in which the stakeholder and the Commission are parties.

Regards,



February 17, 2006

ORIGINAL

UGI Utilities, Inc.
460 North Gulph Road
King of Prussia, PA 19406

Post Office Box 858
Valley Forge, PA 19482-0858

(610) 337-1000 Telephone
(610) 992-3259 Fax

VIA EXPRESS MAIL

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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FEB 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**Re: Natural Gas Stakeholders Working Group – Natural Gas Choice
and Competition Act, Docket No. I-00040103F0002**

Dear Secretary McNulty:

Enclosed for filing please find an original and three copies of the comments of UGI Utilities, Inc. – Gas Division (“UGI”) and the notices to participate of UGI representatives. A copy of this document has also been provided via electronic mail to Assistant Counsel Patricia Krise Burket at pburket@state.pa.us.

If you have any questions concerning this filing, please feel free to contact me.

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Very truly yours,

Mark C. Morrow

Counsel for UGI Utilities, Inc. –
Gas Division

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

NATURAL GAS STAKEHOLDERS :
WORKING GROUP - NATURAL :
GAS CHOICE AND COMPETITION :
ACT :

Docket No. I-00040103F0002

**COMMENTS OF UGI UTILITIES, INC. -
GAS DIVISION**

UGI Utilities, Inc. - Gas Division ("UGI") appreciates this opportunity to submit comments on the tentative subgroup assignments proposed in the Commission's January 20, 2006 notice in the above-captioned matter.

**THE DECISION TO ESTABLISH
SUBGROUPS SHOULD BE DEFERRED**

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UGI believes the establishment of sub-groups should be deferred until the natural Gas Stakeholders Group has a chance to form, discuss pertinent issues, assess the need or desire of participants to form subgroups, and define subgroup roles and responsibilities. UGI believes the meaningful discussions associated with subgroup management can and will be helpful in establishing stakeholder ownership of the process and will set the tone for all stakeholder meetings thereafter.

Reasons for forming subgroups will vary and might include such activities as the gathering of pertinent information, drafting proposed language to reflect agreements reached by the larger group or the development of proposals on specific topics for the larger group to consider. Such needs may or may not develop as a result of stakeholder

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discussions, and could reasonably be expected to change or evolve over time as discussions evolve.

UGI also believes that the Commission and the stakeholders group should, to the extent practicable, be mindful that the creation of subgroups for the purpose of discussing substantive issues independent of the larger stakeholder group could be counterproductive. This approach could result in separate subgroups take differing approaches to interrelated issues, thereby resulting in the need for the full stakeholders group to “take one step back” to revisit and resolve differences among subgroups. By involving the entire stakeholders group, pertinent matters can be addressed on a holistic rather than piecemeal basis, and consensus on any ultimate recommendations can be fostered.

In addition, the operation of multiple subgroups addressing substantive issues could cause scheduling, logistical and resource difficulties. UGI suspects that many stakeholders will not have the resources to participate in multiple subgroups at the same time. However, where subgroup meeting schedules are established by the full stakeholders group, coordination and resource limitation issues can be appropriately considered. Accordingly, the decision to form subgroups should be deferred at this time.

DISCUSSION TOPICS

While UGI recognizes that wording for many of the topics listed for discussion originated in the Commission’s *Report to the General assembly on Competition in Pennsylvania’s Retail Natural gas Supply market, Investigation into the Natural gas Supply Market*, Docket No. I-00040113, October 6, 2005, some of the topics state conclusions rather than questions. UGI believes there should be a full airing of the topics

listed and believes that the stakeholders group should have the ability to consider all pertinent facts and suggestions.

The Commission should also be aware that many of the listed topics involve or impact the supplier of last resort obligations of natural gas distribution companies. UGI anticipates that such obligations will necessary be a significant focus of discussion.

UGI also believes that any reexamination of the Act should consider how the costs of regulating natural gas suppliers should be recovered. Currently, natural gas distribution companies are required to pay all Commission and public party assessments, even though the Commission and other public parties spend a portion of their time regulating natural gas suppliers and addressing natural gas supplier issues.

CONCLUSION

UGI, which has more Customer Choice customers than all of the other natural gas distribution companies in the eastern part of Pennsylvania combined, and which operates a natural gas distribution system where well over fifty percent of throughput is transportation volumes, looks forward to working with the Commission and other stakeholders as the work of the Natural Gas Stakeholders Group progresses.

Respectfully submitted,



Mark C. Morrow

Counsel for UGI Utilities, Inc. –
Gas Division

Dated: February 17, 2006

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

NATURAL GAS STAKEHOLDERS :
WORKING GROUP – NATURAL :
GAS CHOICE AND COMPETITION : Docket No. I-00040103F0002
ACT :

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FEB 24 2006

NOTICE TO PARTICIPATE

DOCUMENT
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Please be advised that the following individuals are designated to participate on behalf of UGI Utilities, Inc. – Gas Division (“UGI”) in the Natural Gas Stakeholders Group and any subgroups established under this docket:

Paul J. Szykman
Director, Rates & Gas Supply
UGI Utilities, Inc. - Gas Division
100 Kachel Blvd, Suite 400
PO Box 12677
Reading, PA 19612-2677
Phone: 610-796-3470
Fax: 610-796-3559
pszykman@ugi.com

Mark C. Morrow
Senior Counsel
UGI Corporation
460 North Gulph Road
King of Prussia, PA 19406
Phone: 610-768-3628
Fax: 610-992-3258
morrowm@ugicorp.com

Volunteer for main and all subgroups -
UGI Utilities, Inc. – Gas Division

Volunteer for main and all subgroups -
UGI Utilities, Inc. – Gas Division

A list of pending Commission proceedings involving UGI, and any pending proceedings in any court or administrative agency in which both UGI and the

Commission are parties, is attached as Appendix A.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark C. Morrow". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Mark C. Morrow

Counsel for UGI Utilities, Inc. –
Gas Division

Dated: February 17, 2006

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

APPENDIX A

Pending UGI Commission Proceedings as of February 15, 2006

Application of UGI Utilities, Inc. for approval to render natural gas distribution service to the public in portions of North Coventry and East Coventry Townships, Chester County, Pennsylvania, Docket No. A – 123100F0035

Petition for Expedited Relief and Notification of a Significant Change in Natural Gas Costs of UGI Utilities, Inc. – Gas Division, Docket No. P-00062201

Christian v. UGI Utilities, Inc., Docket No. F-02023791

Bishop v. UGI Utilities, Inc., Docket No. C-20065821

Horney v. UGI Utilities, Inc., Docket No. C-20065825

Mitchell v. UGI Utilities, Inc., Docket No. C-20065810

Watts v. UGI Utilities, Inc., Docket No. C-20065758

Schabikowski v. UGI Utilities, Inc., Docket No. F-02018101

Appiah v. UGI Utilities, Inc., Docket No. C-20055723

Backensto v. UGI Utilities, Inc., Docket No. Z-01790894

Nuding v. UGI Utilities, Inc., Docket No. C-20055670

Holmes v. UGI Utilities, Inc., Docket No. F-01892535

Alvarez v. UGI Utilities, Inc., F-01860485

Moore v. UGI Utilities, Inc., F-01947986

Vogelsang v. UGI Utilities, Inc., Z-20039206

Pending Court or Administrative Proceedings where UGI and the Commission are Parties as of February 15, 2006

None.

Philadelphia Gas Works

Gregory J. Stunder
Senior Attorney



800 W. Montgomery Avenue, Philadelphia, PA 19122
Telephone: (215) 684-6878 – Fax (215) 684-6798
Email: greg.stunder@pgworks.com

February 17, 2006

VIA EXPRESS MAIL

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FEB 17 2006

James J. McNulty - Secretary
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: **Natural Gas Choice and Competition Act: Initial Stakeholders' Meeting – Notice to Participate and Comment of Philadelphia Gas Works; Docket No. I-00040103 F0002**

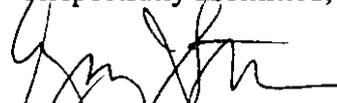
Dear Secretary McNulty:

Enclosed for filing are an original and three (3) copies of Philadelphia Gas Works' Notice to Participate and Comment in the above-referenced matter.

If you have any questions, please contact me.

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Respectfully submitted,


Gregory J. Stunder

Enclosure

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Natural Gas Choice and
Competition Act:
Initial Stakeholders' Meeting

:
:
:
:
:

Docket No. I-00040103 F0002

NOTICE to PARTICIPATE and COMMENT of
PHILADELPHIA GAS WORKS

On October 6, 2005, the Pennsylvania Public Utility Commission ("PUC" or "Commission") issued a "Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas Supply Market" concluding its investigation of competition in Pennsylvania's retail natural gas supply services market. The Commission determined that there is not effective competition on a statewide basis and convened a Natural Gas Stakeholders' Working Group to explore ways to increase competition.

By a Notice dated January 20, 2006, the Commission set the date of the first Stakeholders' meeting for March 30, 2006. The Commission staff outlined the issues identified by the Report and assigned those issues to one of three subgroups tentatively established by the Notice. The Notice further sought feedback from Interested Parties on the issues assigned to each subgroup and provided a manner for participation in the Stakeholders' process.

Philadelphia Gas Works designates Gregory J. Stunder as its participant in the Working Group and the Customer Interface Subgroup. Contact information is as follows:

Gregory J. Stunder
Senior Attorney
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122
greg.stunder@pgworks.com
(215) 684-6878

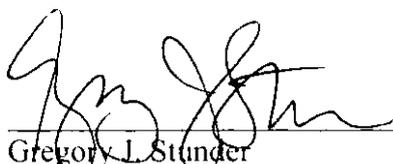
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Pursuant to the Notice issued January 20, 2006, stakeholders will be required to sign a waiver agreement at the Initial Stakeholders' Meeting scheduled for March 30, 2006. PGW joins EAPA in requesting that the waiver agreement be forwarded to identified participants in the stakeholder process in advance of the initial meeting and suggests that the agreement be provided no later than March 15, 2006, along with the second notice referenced in the January 20, 2006 Notice. This would enable all involved to review the waiver agreement in advance of its required execution and to raise any questions regarding its content in advance with Commission staff. PGW believes that providing a copy of the waiver agreement in advance of the Initial Stakeholders' Meeting will streamline the meeting and help assure maximum participation among all interested parties from the beginning of the process.

Philadelphia Gas Works is currently involved in its 2006-2007 GCR Proceeding - the Docket Number is R-00061296.

In conclusion, PGW has identified its participant and seeks an advance copy of the waiver agreement for all interested parties on or before March 15, 2006.



Gregory L. Stunder
Philadelphia Gas Works

2/17/06
Date

ORIGINAL

Hawke

McKeon

Sniscak &

Kennard LLP

ATTORNEYS AT LAW

William T. Hawke
Kevin J. McKeon
Thomas J. Sniscak
Norman James Kennard
Lillian Smith Harris
Scott T. Wyland
Todd S. Stewart

Craig R. Burgraff
Steven D. Snyder
Janet L. Miller
Steven K. Haas
William E. Lehman
Rikardo J. Hull
Katherine E. Lovette

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

February 17, 2006

VIA HAND DELIVERY

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street – Filing Room (2nd Floor)
P.O. Box 3265
Harrisburg, PA 17105-3265

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2006 FEB 17 PM 3:55
SECRETARY'S BUREAU

RE: Natural Gas Stakeholders Working Group; Natural Gas Choice and Competition Act; Docket No. I-00040103 F0002; **NOTICE TO PARTICIPATE AND COMMENTS ON PROPOSED SUBGROUPS AND ISSUE ASSIGNMENTS OF THE PEOPLES NATURAL GAS COMPANY d/b/a DOMINION PEOPLES**

Dear Mr. McNulty:

Enclosed, for filing with the Commission, are the original and three (3) copies of The Peoples Natural Gas Company d/b/a Dominion Peoples Notice to Participate and Comments on Proposed Subgroups and Issue Assignments in the above-captioned matter. As required by the Commission's January 20, 2006 Notice in this matter, a copy of this document has been sent electronically to Assistant Counsel Patricia Krise Burket at pburket@state.pa.us.

Please direct any questions regarding this filing to me. Thank you for your attention to this matter.

Very truly yours,

William T. Hawke
Lillian S. Harris
Counsel for The Peoples Natural Gas Company
d/b/a Dominion Peoples

LSH/kml

Enclosures

cc: Patricia Krise Burket (via electronic mail)

MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Stakeholders Working Group :
Natural Gas Choice and Competition Act : Docket No. I-00040103 F0002

NOTICE TO PARTICIPATE AND COMMENTS
ON PROPOSED SUBGROUPS AND ISSUE ASSIGNMENTS
OF THE PEOPLES NATURAL GAS COMPANY
D/B/A DOMINION PEOPLES

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NOTICE TO PARTICIPATE

Pursuant to the Notice issued by the Pennsylvania Public Utility Commission ("Commission") on January 20, 2006 in this docket, the Peoples Natural Gas Company d/b/a Dominion Peoples ("Dominion Peoples"), hereby gives notice of its intent to participate in the Stakeholder Working Group meetings. Dominion Peoples designates the following persons who will participate in the Stakeholders Working Group meetings:

1. William E. McKeown
Director, Pricing and Regulatory Affairs, Dominion Peoples
The Peoples Natural Gas Company
625 Liberty Avenue, 19th Floor
Pittsburgh, PA 15222
Email: william_e_mckeown@dom.com
Phone: (412) 497-6840
2. Joseph A. Gregorini
Manager, Pricing and Regulatory Affairs
The Peoples Natural Gas Company
625 Liberty Avenue, 19th Floor
Pittsburgh, PA 15222
Email: joseph_a_gregorini@dom.com
Phone: (412) 497-6851

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FEB 24 2006

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2006 FEB 17 PM 3:55
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3. William T. Hawke¹
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105
Email: wthawke@hmsk-law.com
Phone: (717) 236-1300

In accordance with the Commission's request in the January 20 Notice, Dominion Peoples identifies the following pending Commission proceedings involving Dominion Peoples:

1. Pennsylvania Public Utility Commission v. The Peoples Natural Gas Company d/b/a Dominion Peoples; Docket No. R-00051093 (Dominion Peoples' Customer Assistance Program filing);
2. Pennsylvania Public Utility Commission v. The Peoples Natural Gas Company d/b/a Dominion Peoples; Docket No. R-00050267, *et al.* (2005 - 1307(f) proceeding);
3. Pennsylvania Public Utility Commission v. The Peoples Natural Gas Company d/b/a Dominion Peoples; Docket No. R-00061301 (2006 - 1307(f) proceeding);
4. Petition of The Peoples Natural Gas Company d/b/a Dominion Peoples to use a Portion of its Commercial Boiler Fuel Rider Fund to Expand Heating Benefits to Energy Eligible Residential Customers; Docket No. P-00052196;
5. Peoples Independent Producers Group v. The Peoples Natural Gas Company d/b/a Dominion Peoples; Docket Nos. C-20054393 and P-00052162;
6. Equitable Gas Company v. The Peoples Natural Gas Company d/b/a Dominion Peoples; Docket No. C-20031128; and
7. Various customer complaints that have been docketed at Formal Complaint docket numbers.

Dominion Peoples has no appeals pending in any court or other administrative agency proceedings in which both Dominion Peoples and the Commission are parties.

¹ Dominion Peoples reserves the right to substitute any or all of its representatives at the Stakeholders Working Group meetings or add more representatives in order to accommodate staffing constraints.

COMMENTS ON WORKING GROUP STRUCTURE, SUBGROUPS AND SUBGROUP ISSUE ASSIGNMENTS

In its January 20, 2006 Notice, the Commission advises that an initial Stakeholders Working Group meeting will be held on Thursday, March 30, 2006. In addition to this “plenary” session, the Notice indicates that various subgroups of stakeholders will begin to meet on the afternoon of the same day. The Commission has tentatively identified three subgroups and has tentatively assigned issues from its October 6, 2005 Report to the General Assembly to each of the identified subgroups. It is paramount to Dominion Peoples that it be able to participate fully in this proceeding in order to be fully heard on the identified issues. The current structure proposed by the Commission, where subgroups will be meeting simultaneously, makes this difficult, if not impossible due to staffing constraints. The Commission should strongly consider the use of a single working group to streamline the process and make it more manageable from a staffing perspective for not only NGDCs, but also for the various public advocates and natural gas suppliers. The Commission should carefully safeguard each stakeholder’s opportunity to participate in all aspects of this process.

Even though many issues have been earmarked for discussion in this proceeding, the list is far shorter than the host of issues that the stakeholders dealt with in the initial restructuring process after the Choice Act became law. It is fair to say that this proceeding will involve fine tuning as opposed to restructuring of the framework for natural gas supply competition. While the Commission used subgroups in the initial restructuring process, Dominion Peoples suggests that the use of a single working group is a better idea in this fine tuning process.

The use of a single working group would minimize the need for coordination among and between the various subgroups. The Commission has acknowledged that there is overlap between issues tentatively assigned to subgroups. If the Commission proceeds with the working

groups as presently structured, there most certainly will be a need to have the initial Stakeholders Working Group come together regularly to reconcile competing results reached in the subgroups, address issues that have not been contemplated at the beginning of the process, and for the stakeholders to attempt to reach consensus on issues that have been particularly contentious. Dominion Peoples respectfully submits that using a single working group process from beginning to end would better serve this purpose and be more efficient for all stakeholders and the Commission.

Finally, the Commission's Notice indicates that stakeholders will be required to execute a waiver agreement whereby they will waive objections to the subsequent deliberation and vote on any issues, subsequent petitions, settlements or any further proceedings that result from the Stakeholder Working Group process by the participation of specific Commissioners and Commission staff members participating in the Working Group process. The Notice also indicates that Stakeholders will be asked to sign a copy of this waiver agreement at the Initial Stakeholders Meeting. Dominion Peoples respectfully requests that the Commission provide an advance copy of the waiver agreement to the Stakeholders before the March 30, 2006 meeting so that all of the Stakeholders may review the waiver agreement and to make inquiries or raise questions concerning its content with Commission Staff. By providing the agreement in advance, the Commission will avoid taking up valuable meeting time for review and discussion of the waiver. It will also aid in ensuring that the greatest number of parties interested in this process participate.

Dominion Peoples looks forward to participating in this process and respectfully requests

that the Commission consider these comments in further developing the structure and workings of the Stakeholders Working Group.

Respectfully submitted,



Lillian S. Harris
William T. Hawke
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105

Counsel for The Peoples Natural Gas
Company d/b/a Dominion Peoples

DATED: February 17, 2006



800 North Third Street, Suite 301, Harrisburg, Pennsylvania 17102
Telephone (717) 901-0600 • Fax (717) 901-0611 • www.energypa.org

February 17, 2006

ORIGINAL

James J. McNulty, Esquire, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265

**RE: NATURAL GAS CHOICE and COMPETITION ACT
INITIAL STAKEHOLDERS' MEETING
DOCKET NO. I-00040103 F0002**

DOCUMENT
FOLDER

Dear Mr. McNulty:

Enclosed for filing please find the original and three (3) copies of the Comments of the Energy Association of Pennsylvania on the Notice to Participate and Tentative Subgroup Issue Assignments. A copy of this document has been provided via electronic mail to Assistant Counsel Patricia Krise Burket.

Please do not hesitate to contact the undersigned with any questions.

Cordially,

Donna M. J. Clark
Vice President and General Counsel

CC: Wendell F. Holland, Chairman
James H. Cawley, Vice Chairman
Bill Shane, Commissioner
Kim Pizzingrilli, Commissioner
Terrance J. Fitzpatrick, Commissioner
Patricia Krise Burket (by electronic mail)

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Natural Gas Choice and
Competition Act:
Initial Stakeholders' Meeting

Docket No. I-00040103 F0002

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SECRETARY'S OFFICE

2006 FEB 17 PM 1:00

**NOTICE to PARTICIPATE and COMMENTS to
TENTATIVE SUBGROUP ISSUE ASSIGNMENTS
of the ENERGY ASSOCIATION of PENNSYLVANIA**

On October 6, 2005, the Pennsylvania Public Utility Commission ("PUC" or "Commission") issued a "Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas Supply Market" concluding its investigation of competition in Pennsylvania's retail natural gas supply services market. The Commission concluded that effective competition did not exist on a statewide basis and convened a Natural Gas Stakeholders' Working Group to ascertain ways to increase competition.

By a Notice dated January 20, 2006, the Commission set the date of the first Stakeholders' meeting for March 30, 2006. The Commission staff outlined the issues identified by the Report and assigned those issues to one of three subgroups tentatively established by the Notice. The Notice further sought feedback from Interested Parties on the issues assigned to each subgroup and provided a manner for participation in the Stakeholders' process.

The Energy Association of Pennsylvania ("EAPA") welcomes the opportunity to participate in the Natural Gas Stakeholders' Working Group and offers the following comments on the structure of the working group/subgroups and the identified issues. Initially, EAPA

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FEB 24 2006

designates J. Michael Love, Donna M. J. Clark, and David O. Epple as participants in the Working Group on behalf of its member natural gas distribution companies,¹ recognizing that a number of those companies will also designate participants.

Contact information for each of EAPA's participants is as follows:

J. Michael Love
President and CEO
Energy Association of Pennsylvania
800 North Third Street, Suite 301
Harrisburg, PA 17102-2025
mlove@energypa.org
(717) 901-0603

David O. Epple
Vice President, Regulatory
Energy Association of Pennsylvania
800 North Third Street, Suite 301
Harrisburg, PA 17102-2025
depple@energypa.org
(717) 901-0605

Donna M. J. Clark
Vice President and General Counsel
Energy Association of Pennsylvania
800 North Third Street, Suite 301
Harrisburg, PA 17102-2025
dclark@energypa.org
(717) 901-0631

Pursuant to the Notice issued January 20, 2006, stakeholders will be required to sign a waiver agreement at the Initial Stakeholders' Meeting scheduled for March 30, 2006. EAPA requests that the waiver agreement be forwarded to identified participants in the stakeholder process in advance of the initial meeting and suggests that the agreement be provided no later than March 15, 2006, along with the second notice referenced in the January 20, 2006 Notice.

¹ Chartiers Natural Gas Co., Columbia Gas of PA, Dominion Peoples, Equitable Gas Co., Gasco Distribution Systems, Inc., National Fuel Gas Distribution Corp., PECO Energy Company, PG Energy, Philadelphia Gas Works, PPL Gas Utilities Corporation, UGI Utilities, Inc.—Gas Division, and Valley Energy, Inc.

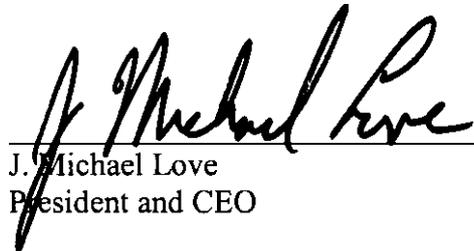
This would enable all involved to review the waiver agreement in advance of its required execution and to raise any questions regarding its content in advance with Commission staff. EAPA believes that providing a copy of the waiver agreement in advance of the Initial Stakeholders' Meeting will streamline the meeting and help assure maximum participation among all interested parties from the beginning of the process.

Additionally, EAPA submits that the primary Working Group, which is slated to meet at 9:00 a.m. on Thursday, March 30, 2006 should participate in the final decision relating to the number of subgroups, the issues which would be discussed by each subgroup, and the assignment of issues to those subgroups. First, multiple subgroups meeting simultaneously may eliminate some interested parties from participating in the stakeholder process for lack of sufficient personnel. Second, as recognized in the January 20, 2006 Notice, there appears to be an overlap of issues. In particular, two of the issues included in Subgroup III are also identified, one each, in Subgroup I and II, respectively. A discussion at the Initial Stakeholders' Meeting could result in a reduction of the number of subgroups needed for this process and assure that any interested party can participate fully in all aspects of the stakeholder process. Third, a number of the issues listed do not appear to be choice-related, but rather deal more specifically with the cost of service, which is not appropriately dealt with in a working group setting. EAPA contends it is imperative that the primary Working Group continue to meet beyond the March 30, 2006 date so that any recommendations or conclusions reached at the subgroup level will be presented to all stakeholders in an open forum for discussion and final resolution.

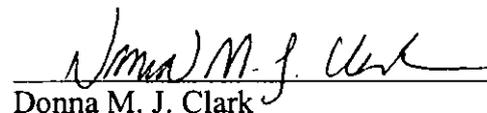
Finally, EAPA supports the stakeholder process and maintains that it should be used to encourage open discussion and creative solutions. In this light, EAPA is concerned that the issues, as presented in the Notice, are conclusive in nature, and may not frame the discussion so

as to address the underlying question of whether the current statutory scheme presents an appropriate model for competition in Pennsylvania's natural gas supply market. The issues, as framed, may not invite compromise and creativity between participants – a goal of any stakeholder process. For this reason, as well as those stated above, EAPA supports an initial meeting where the primary Working Group can discuss the report, the Commission's goals in this proceeding, and reach a consensus on the need for subgroups and the issues to be assigned to each subgroup.

In conclusion, EAPA has identified its individual participants; seeks an advance copy of the waiver agreement for all interested parties on or before March 15, 2006; and requests that the number of subgroups, the issues assigned to each subgroup, and the scope of these issues be discussed and decided by the primary working group set to meet on March 30, 2006 at 9:00 a.m.



J. Michael Love
President and CEO



Donna M. J. Clark
Vice President and General Counsel

2/17/06
Date

ORIGINAL

CERTIFICATE of SERVICE

I hereby certify that I have served a copy of the foregoing "***Comments of the Energy Association of Pennsylvania on the Notice to Participate and Tentative Subgroup Issue Assignments***" relating to Docket No. I-00040103 F0002, The Natural Gas Choice and Competition Act: Initial Stakeholders' Meeting, on the persons listed below, by means of hand-delivery, first-class mail or electronic mail, as indicated:

By Hand-Delivery:

Hon. Wendell F. Holland, Chairman
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Hon. James H. Cawley, Vice Chairman
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Hon. Bill Shane, Commissioner
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Hon. Kim Pizzingrilli, Commissioner
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Hon. Terrance J. Fitzpatrick, Commissioner
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

By First-Class Mail Delivery:

Irwin A. Popowsky
Office of the Consumer Advocate
555 Walnut Street
Forum Place, Fifth Floor
Harrisburg, PA 17101-1923

William R. Lloyd, Jr., Esquire
Small Business Advocate
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Electronic Mail:

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Assistant Counsel, Law Bureau
Pennsylvania Public Utility Commission
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Harrisburg, PA 17105-3265
pburket@state.pa.us

SECRETARY'S BUREAU
2006 FEB 17 PM 1:08

2/17/06
Date

Donna M. J. Clark
Donna M. J. Clark
Vice President and General Counsel

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CHARLES E. THOMAS
(1913 - 1998)

February 17, 2006

SECRETARY'S OFFICE
2006 FEB 17 PM 2:01

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

DOCUMENT
FOLDER

In re: ~~I-00040103~~ and I-00040103F0002
Investigation into the Natural Gas Supply Market

Dear Secretary McNulty:

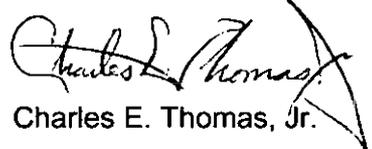
We are counsel to the Equitable Gas Company Division ("Equitable" or "Company") of Equitable Resources, Inc. in the above matter. In accordance with the Commission's Notice of January 20, 2006 ("January 20 Notice"), please find enclosed the original and three (3) copies of the Company's Notice to Participate, Pending Proceedings and Comments ("Notice to Participate, etc.") in connection with the Working Subgroup Meetings of Stakeholders scheduled in the matter for March 30, 2006.

An electronic copy of Equitable's Notice to Participate, etc. is being sent to Commission Assistant Counsel Patricia Krise Burket as requested by the January 20 Notice. Equitable is also prepared to submit copies of its Notice to Participate, etc. to other persons or entities as directed by the Commission. In the meantime, if the Commission requires any additional information concerning the Company's participation, please let us know. Equitable welcomes the opportunity to work with the other Stakeholders and the Commission.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

Encl.

- cc: Certificate of Service
- Daniel L. Frutchey (w/encl.)
- Stephen C. Rafferty (w/encl.)
- John M. Quinn (w/encl.)
- William Glunt (w/encl.)

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● ORIGINAL ●

SECRETARY'S OFFICE
2006 FEB 17 PM 2:31

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into the Natural Gas :
Supply Market: Report on the : Docket Nos. ~~I-00040103~~
General Assembly On Competition : I-00040103F0002
in Pennsylvania's Retail Natural Gas :
Supply Market :

DOCKETED
FEB 24 2006

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EQUITABLE GAS COMPANY'S
NOTICE TO PARTICIPATE, PENDING PROCEEDINGS
AND COMMENTS

I. Background

We are counsel to the Equitable Gas Company Division ("Equitable") of Equitable Resources, Inc. in connection with the above matter. By Order entered October 6, 2005, the Pennsylvania Public Utility Commission ("Commission") issued its "Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas Supply Market" ("Report"). As part of its extensive Report, the Commission's "ultimate conclusion" was that "there is a lack of 'effective competition' in Pennsylvania's retail natural gas supply market at this time." Report at 67. In light of this conclusion, the Commission determined that "there is a need to convene the Stakeholders to consider an integrated solution to enhance competition in the statewide retail natural gas supply market," including the examination, *inter alia*, of the issues listed in the Report. Report at 67-69.

By Secretarial Letter, dated December 30, 2005, the Commission indicated its intention to utilize a Stakeholder Working Group to address such issues, established a tentative date for the Stakeholder Working Group's initial meeting and previewed its plan to organize the Working Group into Subgroups that would address related issues raised in the Report. Thereafter by Notice To All Interested Parties, dated January 20,

2006, the Commission advised that the date of the first meeting of the Stakeholder Working Group had been changed to March 30, 2006, identified the Working Subgroups and the issues tentatively assigned to each and requested that Stakeholders, desiring to participate in the Working Subgroups, file with the Commission (1) a notice to participate identifying their representatives and the Working Subgroups for which they were volunteering, (2) a list of any pending Commission proceedings involving the Stakeholders and any pending proceedings in any court or administrative agency in which both the Stakeholder and the Commission are parties, and (3) any comments regarding the tentative subgroup issue assignments. By Press Release, dated February 7, 2006, the Commission again identified the Working Subgroups, the issues assigned to each and the requirements for participation.

Equitable welcomes the opportunity to participate and submits the following information in response to the Commission's Notice of January 20, 2006 and Press Release of February 7, 2006.

II. Notice of Intention to Participate

Equitable hereby formally notifies the Commission that it intends to participate as a Stakeholder at the meeting scheduled for March 30, 2006 and at any meetings scheduled thereafter. Equitable's representatives and the Working Subgroups for which they are volunteering are as follows:

A. Inter-Company Activity (IA) Subgroup

Stephen C. Rafferty
Vice President, Utility Asset Management
Equitable Gas Company
225 North Shore Drive
Pittsburgh, PA 15212-5861
srafferty@egt.com
412-395-3268

B. Customer Interface (CI) Subgroup

William "Chip" Glunt
Director, Commercial Deal Structure
Equitable Gas Company
225 North Shore Drive
Pittsburgh, PA 15212-5861
wglunt@eqt.com
412-395-2633

C. Cost of Service (CS) Subgroup

John M. Quinn
Director of Rates
Equitable Gas Company
225 North Shore Drive
Pittsburgh, PA 15212-5861
jquinn@eqt.com
412-395-2515

D. Other Miscellaneous Issues Per Press Release of February 7, 2006

Equitable will identify any other representatives upon determination of the specific miscellaneous issues. Equitable also reserves the right to propose the participation of other representatives, if necessary, depending upon the matters raised during the Working Subgroup Meetings.

In addition, Equitable requests that its Senior Vice President and General Counsel, Daniel L. Frutchey, be permitted to participate as needed and as his schedule permits in each of the Working Subgroups. Mr. Frutchey's contact information is as follows:

Daniel L. Frutchey
Senior Vice President and General Counsel
Equitable Gas Company
225 North Shore Drive
Pittsburgh, PA 15212-5861
dfrutchey@eqt.com
412-395-3202

III. Pending Proceedings

A. Open Proceedings Before the Commission

Excluding individual customer complaint proceedings, Equitable believes that its open proceedings before the Commission are as follows:

<u>Docket No.</u>	<u>Subject</u>
R-00050272	2005 Section 1307(f) Filing
R-00061295	2006 Section 1307(f) Filing
C-20031128	Complaint against Dominion Peoples
C-Various	Customer Billing Complaints

B. Court and Administrative Agency Proceedings in Which Equitable and the Commission Are Parties

Excluding generic investigations and rulemakings, Equitable believes that it is participating in the following proceedings in which the Commission is also a party:

<u>Docket No.</u>	<u>Subject</u>
C-20065790	Prosecutory Staff Complaint re Jacks Run Road Explosion

IV. Comments

A. Subgroup Issue Assignments and Need for General Meeting

In its Notice of January 20, 2006, the Commission recognized that some overlap of issues may occur. Equitable also believes that there will be overlap with respect to certain issues and that the Working Subgroups should be combined for their consideration of those issues. At the very least, there should be at least one general meeting of all Subgroups following the individual Subgroup Meetings before any final report is issued to the Commission. Consolidation into one group with an opportunity for all Stakeholders to comment is advisable and recommended.

B. Waiver of Objections to Participation

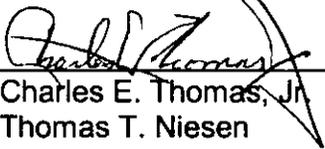
As for the matter of the waiver of "objections to the subsequent deliberation and vote on any issues, subsequent petitions, settlements or any further proceedings that result from the Stakeholders Group process by the participation of specific Commissioners and Commission Staff members participating in the Working Group process," Equitable must reserve judgment until it has had an opportunity to review any waiver that is to be signed. At the same time, Equitable appreciates the need for a waiver and is familiar with their use in previous Commission proceedings. The circulation of the proposed waiver on March 15, 2006 in advance of the Working Subgroup Meetings should provide sufficient time for its review and comment.

Equitable looks forward to participating with the other Stakeholders and the Commission.

Respectfully submitted,

EQUITABLE GAS COMPANY

By _____


Charles E. Thomas, Jr.
Thomas T. Niesen
Daniel L. Frutchey

Attorneys for
Equitable Gas Company

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225 North Shore Drive
Pittsburgh, PA 15212-5861
412.395.3202

DATE: February 17, 2006

F:\CLIENTS\UTILITY\EGC\11-000401031060217-Notice to Participate, Pending Proceedings and Comments.wpd

ORIGINAL

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation into the Natural Gas :
Supply Market: Report on the : Docket Nos. I-00040103
General Assembly On Competition : I-00040103F0002
in Pennsylvania's Retail Natural Gas :
Supply Market :

CERTIFICATE OF SERVICE

I hereby certify that I have this 17th day of February, 2006, served a true and correct copy of Equitable Gas Company's Notice to Participate, Pending Proceedings and Comments in the above matter, upon the persons and in the manner indicated below:

SECRETARY'S BUREAU
2006 FEB 17 PM 2:51

BY EMAIL AND HAND DELIVERY

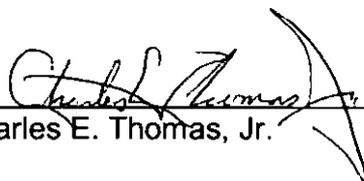
Patricia Krise Burket, Assistant Counsel
Law Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

BY FIRST CLASS MAIL, POSTAGE PREPAID

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Office of Consumer Advocate
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Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Office of Small Business Advocate
Suite 1102, Commerce Building
300 North Second Street
Harrisburg, PA 17101



Charles E. Thomas, Jr.

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Hawke

McKeon

Sniscak &

Kennard LLP

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Thomas J. Sniscak
Norman James Kennard
Lillian Smith Harris
Scott T. Wyland
Todd S. Stewart

Craig R. Burgraff
Steven D. Snyder
Janet L. Miller
Steven K. Haas
William E. Lehman
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Katherine E. Lovette

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

February 17, 2006

VIA HAND DELIVERY

James J. McNulty, Secretary
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Commonwealth Keystone Building
400 North Street – Filing Room (2 North)
P.O. Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

SECRETARY'S OFFICE
2006 FEB 17 PM 09:20

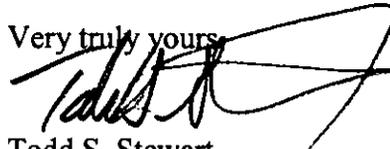
RE: Investigation into the Natural Gas Supply Market: Report to the General Assembly On Competition in Pennsylvania's Retail Natural Gas Supply Market: Docket Nos. ~~I-00040103~~, I-00040103 F0002, *et seq.*; **RESPONSE OF DIRECT ENERGY SERVICES, LLC AND INTERSTATE GAS SUPPLY TO NOTICE REGARDING STAKEHOLDERS WORKING GROUP**

Dear Secretary McNulty:

Enclosed for filing with the Commission are the original and three (3) copies of the Response of Direct Energy Services, LLC and Interstate Gas Supply to Notice Regarding Stakeholders Working Group, in the above-captioned matter. As indicated by the attached Certificate of Service, all parties to the proceeding have been served with a copy of this Response.

If you have any questions regarding this submission, please do not hesitate to contact me.

Very truly yours,



Todd S. Stewart
Counsel for the Natural Gas Suppliers

TSS/smk

cc: Patricia Krise Burket, Assistant Counsel (via electronic mail)
Eric Stephens
Vincent Parisi

MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

84

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2006 FEB 17 11:38:50
SECRETARY'S OFFICE

Investigation into the Natural Gas Supply :
Market: Report to the General Assembly On :
Competition in Pennsylvania's Retail Natural :
Gas Supply Market :

Docket Nos. ~~I-00040T03~~
I-00040103 F0002

DOCUMENT
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RESPONSE OF
DIRECT ENERGY SERVICES, LLC AND INTERSTATE GAS SUPPLY
TO NOTICE REGARDING STAKEHOLDERS WORKING GROUP,
DATED JANUARY 20, 2006

Direct Energy Services, LLC ("Direct Energy" or "DES") and Interstate Gas Supply ("IGS")(referred to collectively herein as "Suppliers"), respectfully respond to the Pennsylvania Public Utility Commission's ("Commission") Notice re: Date Change, Request for Comments, and Call for Volunteers for the Natural Gas Stakeholders Working Group, dated January 20, 2006 ("Notice").

DOCKETED
FEB 24 2006

Introduction

The Suppliers wish to commend the Commission for convening the Natural Gas Stakeholders Working Group ("Working Group") and look forward to working with all stakeholders to improve the competitive natural gas choice programs in the Commonwealth and to assist the Commission in promoting natural gas competition in Pennsylvania. Even though it is obvious that a number of issues will necessarily be addressed in the collaborative process, the Suppliers believe that there are three or four key changes that, if implemented, will make a significant difference in creating a competitive natural gas market in Pennsylvania. With these

key changes in the market, Pennsylvania consumers will be able to enjoy the benefits of a vibrant and competitive natural gas market, like those in the neighboring states of Ohio and New York.

It is no secret that this winter's volatile energy markets have negatively impacted all participants in the marketplace. The suppliers submit that the type of competitive tools that they advocate will help mitigate against such volatile movements in the market, and will help to retain our business and workers, who otherwise would be likely to migrate across our borders to those states where competitive markets allow them to manage their energy costs proactively. Over the long term, such migration would mean fewer jobs, less tax revenue, and economic disadvantage to Pennsylvania. Accordingly, the Suppliers believe that the Commission's Notice is not only timely, but that fulfilling the mandate of working groups to promote competitive markets is an economic imperative.

Response to Request for Subgroup Volunteers and Notification of Intent to Participate

The Commission's Notice tentatively identifies three subgroups of issues on which the Commission is seeking input in an attempt to re-invigorate the competitive retail natural gas market in Pennsylvania:

- (1) Inter-company activity;
- (2) Customer interface; and
- (3) Cost of service.

The Commission requested that interested stakeholders make known their intent to participate in these groups by February 17, 2006. Direct Energy and IGS hereby notify the Commission of their interest in volunteering for each subgroup. The responsible persons are:

For Direct Energy :

Eric Stephens
Director Government and Regulatory Affairs
5400 Frantz Road, Suite 250
Dublin, Ohio 43016
Phone: 614-799-4902
Cell: 614-506-2374
e-mail: eric.stephens@directenergy.com

For IGS :

Vincent Parisi
Interstate Gas Supply, Inc.
5020 Bradenton Ave.
Dublin OH 43017
(614) 734-2649
(614) 325-9175 (cell)
e-mail: vparisi@igsenergy.com

Comments to Subgroups and Issue Assignments

The Suppliers recommend realigning the subgroups to better reflect the ways in which both natural gas suppliers and natural gas distribution companies are functionally organized. The current grouping of the issues would require a broader range of expertise within each subgroup, a range that may require the participation of several staff persons, instead of just one. The Suppliers believe that their proposed division of the issues will allow all stakeholders to make more efficient use of resources, in the form of specific personnel with expertise in particular functional areas, and should allow the process to proceed with fewer scheduling conflicts. The Suppliers propose to re-group the issues into the following categories:

- I. Marketing/Customer Issues
- II. Gas Operational Issues
- III. Financial Issues
- IV. Regulatory Issues

The Suppliers propose to group the issues into these categories as follows:

- I. Marketing/Customer Issues
 - (i) Market Information
 - (ii) Switching Restrictions
 - (iii) Pricing Information and Consumer Educations
 - (iv) Seamless Moves
 - (v) NGDC Consolidated Billing
 - (vi) NGDC Promotion of Competition

- II. Gas Operational Issues
 - (i) Mandatory Capacity Assignments
 - (ii) Nominations and Delivery Requirements
 - (iii) Penalties for Non-delivery

- III. Financial Issues
 - (i) Security
 - (ii) Receivables for Mass Markets Customers
 - (iii) NGDC Negotiated Supply Contracts
 - (iv) Service to Low Income Consumers
 - (v) Costs of Retail Supply Service
 - (vi) Acquisition Cost for Mass Markets

- IV. Regulatory Issues
 - (i) Supplier Tariff Requirements
 - (ii) Supplier Consolidated Billing
 - (iii) Consumer Protection Rules
 - (iv) Sustained Commission Leadership in Competitive Markets
 - (v) Code of Conduct

The Suppliers agree that the list of issue identified in the Notice must be addressed in order to promote a healthy competitive market throughout the state. However, the Suppliers wish to add and/or emphasize the following:

(1) Under the topic of “Pricing information and consumer education,” the Suppliers believe that specific consideration must be given to Gas Cost Rate (“GCR”) reform. A monthly GCR mechanism along the lines of those used in New York, Ohio and Illinois, the purpose of which is to provide a more market-based default rate, will allow for a competitive market where customers will receive real price signals that will enable them make more accurate shopping

comparisons while encouraging energy conservation. Market based pricing, updated monthly, also will reduce the under- or over-collections, inherent in the GCR, that mask or distort the actual current price of gas. Under a market-based pricing regime, it is much more likely that consumers will see competition flourish. In addition to reforming the frequency of the GCR adjustment, reform is needed to ensure that costs are properly allocated to the GCR, with the following goals:

- a. Allocate all costs associated with commodity service to the GCR, while removing such costs from base rates so that customers who choose to purchase commodity from an alternative supplier are not penalized with redundant costs and expenses;
- b. Elimination of all subsidization of the GCR by Choice customers, and subsidization of Choice by GCR. This goal includes but is not limited to, the proper allocation of: bad debt expense, working capital costs of gas in storage, and off-system sales revenue, which currently is credited only to GCR customers. In addition, the costs associated with capacity, storage, and all other related assets which are recovered in base rates, must be re-allocated to the GCR so that only those customers that purchase commodity service from the utility pay for such assets.

(2) Under the topic of purchase of "Receivables for mass market customers," in addition to addressing the need for some form of bad debt tracker, there should be a discussion of the discount rate for the purchase of receivables, if any, and whether there should be a cap that defines the maximum usage level at which purchase of receivables will occur. In Ohio for example, Vectren Energy Delivery purchases receivables at a zero percent discount, but stops purchasing receivables once a customer exceeds 15,000 ccf of annual usage. By way of comparison, Dominion East Ohio also has filed an agreement to purchase receivables at a zero

percent discount, but has no limit on the level at which a receivable is purchased. The Suppliers agree that other economic considerations may dictate whether large users should participate in a mass market, purchase of receivables model.

(3) In a related topic, choice customers whose NGDCs purchase their receivables and who are in a no-pay/slow-pay situation, should be treated the same as sales customers. That is, while ensuring adequate consumer notice and protection is critical, NGDCs that purchase receivables should apply a single set of rules for customer service disconnections, to ensure that customers are not permitted to take advantage of the system and avoid paying commodity charges simply by choosing an alternative supplier. This notion is related to the need for a bad debt tracker as well.

(4) Under the topic of "Mandatory capacity assignment," consideration should be given to a system much like that used in Dominion East Ohio where the supplier essentially receives a pro-rata share of all utility assets needed to serve its customers, since such assets are paid for through base rates. Alternatively, the issue should be addressed under (1) herein, (removal of all such costs from base rates or a corresponding credit for such base rate fees for customers that do not purchase commodity service from the utility can be considered). Either approach prevents customers of competitive suppliers from subsidizing default service customers.

(5) Under the topic of "Switching restrictions," there should be discussion regarding fees or minimum stay requirements associated with switching. In Direct Energy's experience these kinds of restrictions can substantially dampen shopping, much to the detriment of consumers and competition. Permitting early termination fees that are market based tends to permit customers to make economically informed decisions regarding changing marketers mid-

contract, while permitting such a switch and still providing marketers with some recovery for such mid-contract switching.

(6) Under the topic “Market information,” consideration should be given to the availability of customer contact and usage information as well as billing and payment histories, especially if the utility does not purchase receivables. Such information should be provided in an electronic and instantaneous fashion. Restrictions on access to this kind of information significantly increase marketing and fulfillment costs, which discourages competition.

(7) Under the topic of “Seamless move,” consideration should be given to the process implemented by Dominion East Ohio which allows for quick and cost-free contract portability for suppliers and customers.

(8) Under the topic of “Consumer protection rules,” consideration should be given to the concept of automatic renewals. A renewal provision that permits a supplier to provide notice at the end of each term of the pricing for the upcoming term, and that requires no action on the part of the customer in order to renew the agreement before automatic renewal occurs, provides customers with the greatest amount of flexibility at the lowest possible cost. Requiring affirmative consent for renewal significantly increases costs and limits products available upon renewal. This is an issue that should be addressed in conjunction with the renewal notice requirements. Each notice sent to the customer has a negative impact on the supplier in terms of out of pocket expense and customer churn. Requiring two notices doubles mailing expenses and creates retention issues for suppliers. Other unwritten rules associated with customer renewals—such as the requirement that the renewal price be under the then-current GCR in order to use the automatic renewal option without affirmative consent— further impede the development of the

competitive market. Discussion around these and other similar items is essential since they are significant impediments to competition.

(9) The Notice properly identifies clear tariffs and consumer protection rules as necessities for a vibrant competitive market. Consistent statewide policies in both regards will decrease suppliers' cost to serve customers and make it more likely that suppliers will enter Pennsylvania and/or conduct large-scale marketing campaigns.

(10) On the topic of "NGCD consolidated billing," discussion must turn to the importance of rate ready consolidated billing provided by the utility and access to the bill for purposes of offering the customer additional services. For instance, bills should have 2-3 additional line items such as a "senior citizen discount" that allow suppliers to reflect costs for value-added products they want to provide to consumers. After all, in a competitive market, suppliers must consistently seek to offer innovative products that consumers want in order to win their business.

Procedural Issues

The Commission has set forth an ambitious agenda for the Stakeholder group. It must be careful, however, to recognize that many participants have limited financial and human resources. Therefore, the scheduling of meetings and the ability to conduct meetings via teleconference will be critical in gaining the greatest stakeholder participation possible. In this regard, the Suppliers suggest that:

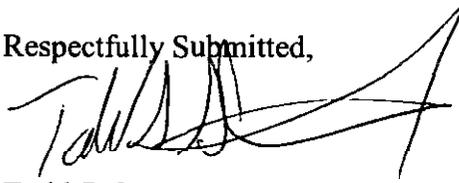
- (1) Meetings be scheduled Tuesday through Thursday to allow those stakeholders that must travel the greatest opportunity to be present for meetings without having to travel on weekends;

- (2) Teleconferencing should be available for all meetings (teleconferencing equipment should be adequate so that all parties on the line are able to hear the discussion at the meeting), to allow stakeholders whose budgets do not allow for extensive travel the opportunity to participate;
- (3) Meetings should not be scheduled simultaneously, since many stakeholders have limited numbers of staff;
- (4) Meetings should be highly focused, with specific agendas and goals set in advance of each meeting in order to make the best use of all stakeholders' time;
- (5) Meeting notes should be kept and should be circulated to all stakeholders in order to help prepare a record that will form the basis of recommendations and/or actions to be taken as a result of the meetings;
- (6) An e-mail list of all participants should be established in order to facilitate communications between and among the stakeholders; and
- (7) A nominee from each group should be assigned responsibility for chairing group meetings, facilitating group discussion and building consensus.

Conclusion

The Commission has the opportunity to make substantive improvements in the Pennsylvania natural gas market through the Working Groups. Direct Energy and Interstate Gas Supply look forward to participating in the Working groups and addressing the topics, with the additional issues suggested here, in a collaborative process in an effort to establish "effective competition" throughout Pennsylvania.

Respectfully Submitted,



Todd S. Stewart
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100 North Tenth Street
P.O. Box 1778
Harrisburg, PA 17105
Attorney ID # 75556
tsstewart@hmsk-law.com

Counsel for:
Direct Energy Services, LLC, and
Interstate Gas Supply

ORIGINAL

CERTIFICATE OF SERVICE

I certify that I am serving copies of the foregoing document on behalf of Direct Energy Services, LLC and Interstate Gas Supply, by e-mail and first class mail upon the persons addressed below:

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800 North Third Street, Suite 301
Harrisburg, PA 17102

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Pittsburg, PA 15228-2703

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Daniel L. Frutchey, Sr. VP & Gen. Counsel
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Small Business Advocate
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Mixenergy
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Stamford, CT 06901

Frank Rainey, Director Energy Utilization
Bruce Davis, VP, Gas Supply/Mktg.
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Wilkes-Barre, PA 18711-0601

Nancy Nielsen, Controller
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Erie, PA 16505

Ralph E. Dennis, Director Regul. Affairs
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Constellation Newenergy - Gas Division
Louisville, KY 40223

SECRET

2006 FEB 17 PM 5:00

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PECO Energy Services
1300 North 17th Street - #1600
Arlington, VA 22209

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Interstate Gas Supply, Inc.
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Alice A. Curtiss, Esquire
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Stephen J. Sickafuse, Treasurer
T.W. Phillips Energy Corp.
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Warrendale, PA 15086

Curtis D. Clifford, VP of Natl. Gas Svc.
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Brian D. Crowe, Dir. Rates & Reg. Affairs
PECO Energy Company
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Philadelphia, PA 19103

Mark C. Morrow, Esquire
UGI Utilities, Inc. – Gas Division
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Valley Forge, PA 19482-0858

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Thomas Niesen, Esquire
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Harrisburg, PA 17108-9500

Harry Kingerski, Reg. Affairs Manager
Shell Energy Services, LLC
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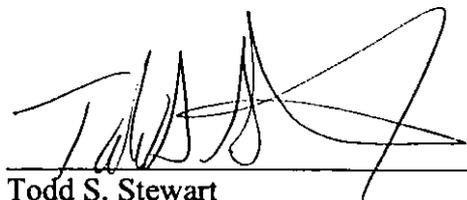
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Dated: February 17, 2006

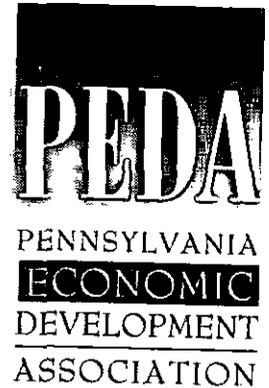
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Todd S. Stewart

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SECRETARY'S BUREAU



February 17, 2006

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

ORIGINAL

Re: Docket No. I-00040103F0002

Dear Secretary:

I am filing notice on behalf of the Pennsylvania Economic Development Association expressing our intent to participate in the proceedings surrounding Natural Gas Stakeholders meeting. We would like to participate on the "Customer Interface Subgroup" and the "Other miscellaneous Issues" subgroup.

My contact information is as follows:

Duane C. Feagley
Pennsylvania Economic Development Association
908 North Second Street
Harrisburg, PA 17102
Telephone: 717-441-6047
Fax: 717-236-2046
E-Mail: dfeagley@peda.org

DOCUMENT
FOLDER

Thank you for your time and attention to this request.

Sincerely yours,

Duane C. Feagley

Duane C. Feagley
Executive Director

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ORIGINAL

Hawke

McKeon

Sniscak &

Kennard LLP

ATTORNEYS AT LAW

William T. Hawke
Kevin J. McKeon
Thomas J. Sniscak
Norman James Kennard
Lillian Smith Harris
Scott T. Wyland
Todd S. Stewart

Craig R. Burgraff
Steven D. Snyder
Janet L. Miller
Steven K. Haas
William E. Lehman
Rikardo J. Hull
Katherine E. Lovette

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

February 17, 2006

DOCUMENT FOLDER

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street -- Filing Room (2 North)
Harrisburg, PA 17105-3265

Re: Investigation into the Natural Gas & Supply Market; Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas & Supply Market; Docket Nos. I-00040103, I-00040103 F0002

Dear Secretary McNulty:

The purpose of this letter is to respond the Commission's Notice dated January 20, 2006 concerning date changes, request for comments, and call for volunteers for the Natural Gas Stakeholder's Working Group. Shipley Energy currently intends to participate in the working group and particularly in the Inter-Company Activity ("IA") subgroup. Shipley reserves the right to participate other subgroups in the event that the issues are realigned or if the issues addressed by any particular subgroup change unexpectedly.

The person who will participate on behalf of Shipley will be:

Matthew Sommer
Manager
Natural Gas and Government Relations
Shipley Energy
550 East King Street
P.O. Box 946
York, PA 17405
msommer@shipleyenergy.com
717.771.1877 (phone)

SECRETARY'S OFFICE
2006 FEB 17 11:03 AM

MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

78

James J. McNulty, Secretary
February 17, 2006
Page 2

Shipley has no immediate comment on the Commission's notice. If you have any questions regarding this document, please do not hesitate to contact the undersigned or Mr. Sommer.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Todd S. Stewart', written over a horizontal line.

Todd S. Stewart
Counsel for Shipley Energy Company

TSS/smk
Enclosures

cc: Patricia Krise Burket, Assistant Counsel (via electronic mail)
Matthew Sommer

ORIGINAL

CERTIFICATE OF SERVICE

I certify that I am serving copies of the foregoing document on behalf of Shipley Energy

Company, by first class mail upon the persons addressed below:

Donna Clark, Esquire
Energy Association of Pennsylvania
800 North Third Street, Suite 301
Harrisburg, PA 17102

Gregory J. Stunder, Esquire
Philadelphia Gas Works
800 West Montgomery Avenue
Philadelphia, PA 19122

Louis D. D'Amico, Executive Director
Independent Oil & Gas Association of PA
North Ridge Office Plaza II
115 VIP Drive – Suite 110
Wexford, PA 15090-7906

Industrial Energy Consumers of PA
240 North Third Street, Suite 403
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Mark T. Ward, VIP Regulatory Affairs
Rockwood Building, Suite 110
1077 Celestial Street
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Susan K. Jackson, Esquire
Mixenergy
20 Summer Street
Stamford, CT 06901

Nancy Nielsen, Controller
Mid American Natural Resources, Inc.
2005 West 8th Street
Erie, PA 16505

Mark R. Kempic, Esquire
Columbia Gas of Pennsylvania
650 Washington Road - #520
Pittsburg, PA 15228-2703

Daniel L. Frutchey, Sr. VP & Gen. Counsel
Equitable Gas Company
200 Allegheny Center Mall
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Scott R. McCorry, Vice President
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Pittsburgh, PA 15221

William R. Lloyd, Jr.,
Small Business Advocate
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300 North Second Street
Harrisburg, PA 17101

Frank Rainey, Director Energy Utilization
Bruce Davis, VP, Gas Supply/Mktg.
PG Energy, Inc.
One PEI Center
Wilkes-Barre, PA 18711-0601

Ralph E. Dennis, Director Regul. Affairs
9960 Corporate Campus Drive - #200
Constellation Newenergy – Gas Division
Louisville, KY 40223

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Alice A. Curtiss, Esquire
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Warrendale, PA 15086

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Wyomissing, PA 19610

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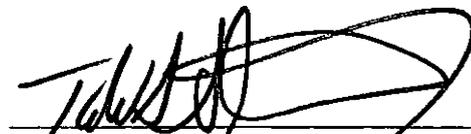
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**Constellation
NewEnergy™**
Gas Division

DOCUMENT
FOUNDER

February 17, 2006

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Secretary
Pennsylvania Public Utilities Commission
Keystone Commonwealth Building
400 North Street
Harrisburg, Pennsylvania 17120

Re: Docket Nos. I-00040103 F0002 - Natural Gas Stakeholders Working Group

Dear Secretary:

In its January 20, 2006 Notice the Pennsylvania Public Utilities Commission (Commission) established the date for the first meeting of the Natural Gas Stakeholders Working Group (Working Group). The Commission's Notice also asked Stakeholders who intended to participate in the Working Group to file notice by February 17, 2006, as well as include any comments on the list of issues and Subgroups presented and whether the Stakeholder wished to volunteer to work in a specific Subgroup.

Enclosed are an original and three copies of the Notice of Constellation NewEnergy-Gas Division, LLC (CNE-Gas) that it intends to participate in the Working Group. This Notice incorporates our wish to volunteer to work in Subgroups and also includes preliminary comments concerning the process to be followed by the Working Group.

CNE-Gas recognizes that by sending the Notice via overnight mail on this date, delivery to the Commission will not occur until Tuesday, February 21 (due to the intervening weekend and President's Day federal holiday on Monday, February 20). However, CNE-Gas has discussed this issue with Assistant Counsel Patricia Krise Burket, who said it was acceptable to her to receive the Notice on February 21. Concurrent with this submission CNE-Gas is also sending electronically a copy of this Notice to Assistant Counsel Burket.

CNE-Gas respectfully requests that the Commission accept the enclosed Notice.

Sincerely,

Ralph E. Dennis
Director, Regulatory Affairs
502-214-6378

Enclosure

9960 Corporate Campus Drive
Suite 2000
Louisville, Kentucky 40223
502-426-4500

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FEB 17 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION
SECRETARIAT'S BUREAU

Investigation into the Natural Gas Supply
Market: Report to the General Assembly
On Competition in Pennsylvania's Retail
Natural Gas Supply Market

Docket Nos. I-00040103
I-00040103 F0002

Response of Constellation NewEnergy-Gas Division, LLC
in Response to the January 20, 2006 Notice Regarding the
Natural Gas Stakeholders Working Group

I. INTRODUCTION

On October 6, 2005 the Pennsylvania Public Utility Commission ("Commission") issued its Report to the General Assembly ("Report") regarding competition in the retail natural gas supply market. As a result of its conclusion that "effective competition" does not exist statewide the Commission elected to reconvene the Natural Gas Stakeholders group ("Working Group"). The Commission's December 30, 2005 Secretarial Letter asked Stakeholders to examine the issues in the Report, develop recommendations for changes that should be made to market structure and operation, the Public Utility Code and Commission regulations to enhance statewide competition.

In its January 20, 2006 Notice ("Notice"), the Commission established the date for the first meeting of the Stakeholders. The Notice also included the issues from the Commission's Report, which Commission Staff assigned to three Subgroups. In response to the Notice, Stakeholders were requested to provide the following information: by notice, indicate whether the Stakeholder intends to participate in the

Working Group; provide feedback on the issues tentatively assigned to each Subgroup, including any suggested changes to how issues are assigned; indicate whether the respondent is volunteering to participate in any of the Subgroup discussion; and, if choosing to participate list any pending Commission proceedings involving the Stakeholder, and any pending proceedings in any Court or administrative agency in which both the Stakeholder and the Commission are parties.

II. Background

Constellation NewEnergy-Gas Division, LLC (“CNE-Gas”) is a wholly owned subsidiary of Constellation Energy Group, Inc. (“Constellation”), a Baltimore-based Fortune 500 company that traces its history through almost two centuries. Constellation is a family of companies whose members include: Constellation Energy Commodities Group, Inc. (wholesale sales and risk management); Constellation New Energy, Inc. (“CNE”), competitive retail sales of electricity); Constellation Generation Group, LLC (generation owner, developer, and operator); and, Baltimore Gas and Electric Company (regulated natural gas and electricity utility in central Maryland).

In Pennsylvania, CNE is a licensed electricity generation supplier that provides customized energy solutions and comprehensive energy services to commercial and industrial customers. CNE has served electricity customers in the Duquesne, Penn Power, PECO, Penelec, Metropolitan Edison, and PPL service territories in Pennsylvania. CNE is also licensed as a competitive retail supplier in each state and Canadian province that allows retail choice to customers for electricity supply, and operates out of 10 regional offices.

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FEB 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CNE-Gas is a licensed natural gas supplier in Pennsylvania and serves commercial and industrial customers in the Columbia Gas of Pennsylvania (“Columbia”), UGI, National Fuel, and Peoples service territories in Pennsylvania. In addition to its customers in the Pennsylvania markets, CNE-Gas supplies natural gas and related services to over 2,800 accounts located in 36 states, 5 Canadian provinces, and Mexico, including industrial customers, municipalities, local distribution companies, and cogeneration facilities. CNE-Gas has provided gas supply to customers for over 14 years. In an average month CNE-Gas transports between 28 and 30 Bcf of natural gas, and on any given day CNE-Gas ships gas through more than 25 interstate pipelines and more than 70 local gas distribution utilities. CNE-Gas operates out of its headquarters in Louisville, Kentucky and 10 regional offices.

CNE-Gas offers the following Response in accordance with the Commission’s January 20, 2006 Notice.

III. Pending and Anticipated Proceedings

CNE-Gas is currently participating as one of nine complainants, collectively referred to as the Natural Gas Supplier Group, in R-00049783C001-C007. This proceeding is a complaint against Columbia concerning proposed tariff changes wherein Columbia requests Commission approval to offer two new fixed-rate sales service riders: Rider PPS-Price Protection Service, a firm sales service option for residential and small commercial customers and; Rider OSS-Optional Sales Service, a firm or interruptible sales service for customers with annual usage of 600 Mcf or greater.

CNE-Gas does not presently anticipate entering other proceedings before the Commission. If a subsequent case comes before the Commission during the Working

Group process in which CNE-Gas intends to participate, it will notice the Commission and Commission Staff assigned to the Working Group.

IV. Participation in the Working Group and Subgroups

Through this Response, CNE-Gas respectfully provides notice to the Commission that CNE-Gas intends to participate in the Working Group in Docket No. I-00040103 F0002 and volunteers to participate in the Subgroups designated below. CNE-Gas requests Commission approval to designate the following two company representatives as participants in the Working Group, and who wish to participate in the Subgroup listed:

- A.** Ralph E. Dennis
Director, Regulatory Affairs
Constellation NewEnergy-Gas Division
9960 Corporate Campus Drive, Suite 2000
Louisville, Kentucky 40223
502-214-6378 (T)
502-426-7673 (F)
ralph.dennis@constellation.com

Subgroup - Other Miscellaneous Issues

- B.** Jonathan Freedman
Regional Director, Sales
Constellation NewEnergy-Gas Division
111 Market Place, 7th Floor
Baltimore, Maryland 21202
410-230-4783 (T)
jon.freedman@constellation.com

Subgroup – Inter-Company Activity

CNE-Gas respectfully requests the right to propose additional company representatives during the course of the Working Group process.

V. Additional Comments

At this time, CNE-Gas has no comments to submit regarding the list of Subgroups or the issues assigned to each. However, this should not be construed to mean that CNE-Gas does not believe there are changes that can be made that would help produce effective competition in Pennsylvania's gas supply market. CNE-Gas intends to actively participate in the Working Group and offer constructive comments on issues when warranted, and it will provide substantive recommendations as the discussions unfold.

CNE-Gas does, however, respectfully provide the following suggestion to the Commission and Commission Staff assigned to the Working Group. The Commission's January 20, 2006 Notice provided a date for the first meeting and indicated that in the afternoon of that day the Subgroups would begin their discussions. However, the Commission's Notice did not provide a point in time when it expects the Working Group to complete its work and present its recommendations. In its December 30, 2005 Secretarial Letter reconvening the Working Group, the Commission expressed the notion that a plan should be developed to proceed with the discussions, and the Commission indicated a desire for the work to be completed in an orderly manner. CNE-Gas respectfully suggests that during the first meeting a timeframe be identified which includes a specific date for the Working Group's recommendations to be submitted to the Commission.

VI. Conclusion

CNE-Gas appreciates the opportunity to participate in the Working Group and looks forward to the discussion with other Stakeholders to identify constructive actions

that can be taken to produce effective competition in Pennsylvania's natural gas supply market.

CNE-Gas has sent electronically a copy of this Response to the Commission's Assistant Counsel Patricia Krise Burket.

Respectfully Submitted,



Ralph E. Dennis
Director, Regulatory Affairs
Constellation NewEnergy-Gas Division
9960 Corporate Campus Drive, Suite 2000
Louisville, Kentucky 40223
502-214-6378
ralph.dennis@constellation.com

February 17, 2006



National Fuel

ORIGINAL

February 17, 2006

Christopher M. Trejchel
Senior Attorney

James J. McNulty, Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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PA PUBLIC UTILITY COMMISSION
REGULATORY DIVISION

DO NOT
FOLD

Re: Natural Gas Stakeholders Working Group
Docket No. I-00040103 F0002

Dear Secretary McNulty:

The purpose of this letter is to notify the Commission that National Fuel Gas Distribution Corporation will be an active participant in the Working Group established pursuant to the above-referenced proceeding. As requested in the Notice issued by the Commission on January 20, 2006, National Fuel hereby submits the following list of Company representatives who will participate in each subgroup:

I. Inter-company Activity Subgroup

Carl M. Carlotti, National Fuel, P.O. Box 2081, Erie, PA 16512, 814-871-8236,
carlottic@natfuel.com
Anna Marie Cellino, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-7858, cellinoa@natfuel.com
Jeffery F. Hart, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-6977, hartj@natfuel.com
John J. Polka, Jr., National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-7063, polkaj@natfuel.com
Michael W. Reville, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-7313, revillem@natfuel.com
Christopher M. Trejchel, National Fuel, P.O. Box 2081, Erie, PA 16512, 814-871-8035, trejchelc@natfuel.com

II. Customer Interface Subgroup

Carl M. Carlotti, National Fuel, P.O. Box 2081, Erie, PA 16512, 814-871-8236,
carlottic@natfuel.com
Paula M. Ciprich, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-7548, dominiakb@natfuel.com
Kenneth M. Gossel, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-7325, gosselk@natfuel.com
Jonathan R. Gruchala, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-7492, gruchalaj@natfuel.com

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James J. McNulty, Secretary
Page 2
February 17, 2006

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Michael M. Rose, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-857-
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Christopher M. Trejchel, National Fuel, P.O. Box 2081, Erie, PA 16512, 814-871-8035,
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III. Cost of Service Subgroup

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IV. Other Miscellaneous Issues

Michael W. Reville, National Fuel, 6363 Main Street, Williamsville, NY 14221, 716-
857-7313, revillem@natfuel.com
Christopher M. Trejchel, National Fuel, P.O. Box 2081, Erie, PA 16512, 814-871-8035,
trejchelc@natfuel.com

In accordance with the January 20, 2006, Notice, we have also attached a list of National Fuel's pending proceedings before the Commission and a list of proceedings before other courts and administrative agencies in which both National Fuel and the Commission are parties. This list will be periodically updated.

If you have any questions, regarding the information provided herein, please feel free to contact me.

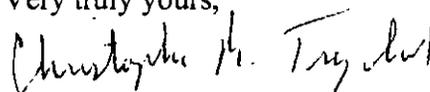
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FEB 17 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

CMT/cjc
Attachment

Very truly yours,



Christopher M. Trejchel

**NATIONAL FUEL GAS DISTRIBUTION CORPORATION
DOCKET NO. I-00040103 F0002**

PENDING COMMISSION PROCEEDINGS	
Name	Docket No.
Ace, Amanda L. v. NFGDC	C-20065779
Dime, Deanna v. NFGDC	C-20065855
Hermitage Municipal Authority v. NFGDC	C-20055721
Rose, Linda M. v. NFGDC	C-20065793
Wheeler, Jeremiah A. v. NFGDC	C-20054743
LaFlame, Mary Ann v. NFGDC	C-20054786
Beers, Robbie L. v. NFGDC	C-20055025
NFGDC 1307(f) Filing	R-00061246
Petition of NFGDC for Approval Under 66 Pa. C.S. §2204(e)(4) Regarding Interstate Pipeline Storage Capacity & Local Production Gas Supply Contracts	P-00052183
Bureau of Fixed Utility Services Report on the Quarterly Earnings of Jurisdictional Utilities for the Period Ended September 30, 2005	M-00061932
NFGDC's Temporary Operational Takeover of Nido's Ltd., Inc. t/d/b/a Kaylor Gas Distribution	M-00031781
Customer Assistance Programs: Funding Levels and Cost Recovery Mechanisms	M-00051923
Application for Approval of Abandonment of Service by NFGDC for Nine (9) Natural Gas Service Customers Located in Canal Township, Venango County, Pennsylvania	A-121850F2037
Implementation of Chapter 14	M-00041802

NON-COMMISSION PROCEEDINGS		
Name	Agency/Court	Docket No.
NFGDC v. Pa. P.U.C.	Commonwealth Court	61 C.D. 2006

Dated: February 17, 2006

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PA PUBLIC UTILITY COMMISSION
Executive Office Building

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

DOCKETED
2005 FEB 17 AM 12:03
SECRETARY'S BUREAU

COMMENTS OF
NRG Energy Center Pittsburgh LLC and NRG Energy Center Harrisburg LLC
&
NOTICE of Participation

Docket No. ~~I-00040103F0002~~
I-00040103F0002

DOCUMENT
FOLDER

Please include the following person in the list of participants in the March 30, 2006 Stakeholder meeting and to the Customer Stakeholder group.

Tim Merrill
General Manager
NRG Energy Center Pittsburgh
111 South Commons
Pittsburgh, PA 15212
412-231-0439
tim.merrill@nrgenergy.com

DOCKETED
MAR 10 2005

ORIGINAL

Were the Commission to accede to the request made in the comments below, Mr. Merrill would like to participate in a 4th subgroup. In the event there are but three subgroups, he would like to participate in the Inter-Company Activity Subgroup.

In its "Report to the General Assembly on Competition in Pennsylvania's Retail Natural Gas Supply Market," the Commission did a masterful job in capturing the state of competition in the natural gas industry in Pennsylvania. The Commission's analysis showing the declining number of marketers and buyers, the barriers to marketer entry and participation and the barriers to customer participation is comprehensive and accurate. Its creation of three subgroups to examine the issues (i) involved in marketer and utility interactions, (ii) increased customer participation, and (iii) the costs of service is therefore quite appropriate.

However, it appears that at least two if not all three of the "other miscellaneous issues" plus one more issue are the central or core issues that must be resolved before competition will be able to grow and develop in the Commonwealth. It has been argued that the "successful" competition models, natural gas in Georgia and electricity in Texas, have one thing in common: the incumbent utility is out of the merchant function. At this point in Pennsylvania, the incumbent utilities will likely remain in the merchant function until there is a workable SOLR model. It is not logical for the NGDCs to promote competition if they believe it won't, in the end, work. And it will be hard for the

“sustained Commission leadership in competitive markets to occur” unless or until 400 or so staff at the Commission are convinced that markets will take care of customers better than will regulation. In short, central to the future of competition is finding a replacement for the utility’s Obligation to Serve. If that obligation is to be assumed by an unregulated entity, there must be assurance in the opinion of the Commission that safe and reliable natural gas service will be continued.

Thus, it seems that there should be a “policy” subgroup that would just focus on coming up with a SOLR model that is believed by all the stakeholders to be fair and workable. In doing so, the POLR models in Georgia and Texas should be studied and analyzed, as should be the NY PSC M-0504 Docket, and the very current and ongoing efforts of East Ohio Gas to exit the merchant function. If the stakeholders can agree on a workable model, then the other miscellaneous issues can be addressed by the policy subgroup.

It is arguable that the SOLR issue is the keystone to gas competition in Pennsylvania (other than those issues outside the control of Pennsylvania such as the development of a pipeline capacity market). Absent resolution of this matter, the rest may be academic.



ORIGINAL

OFFICE OF CONSUMER ADVOCATE

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IRWINA. POPOWSKY
Consumer Advocate

FAX (717) 783-7152
consumer@paoca.org

February 17, 2006

DOCUMENT
FOLDER

SECRET

2006 FEB 17 11:54 AM

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17105-3265

Re: Meeting
Natural Gas Stakeholders Working Group
Natural Gas Choice and Competition Act
Docket No. I-00040103F0002.

Dear Secretary McNulty:

In response to the Notice issued January 20, 2006 in the above-referenced proceeding, please be advised that the Office of Consumer Advocate ("OCA") will participate in the Stakeholder Working Group established by the Commission. The OCA will participate in each of the three subgroups established. All communications about the Stakeholder Working Group and subgroups should be addressed to:

Stephen J. Keene
Senior Assistant Consumer Advocate
Office of Consumer Advocate
555 Walnut Street, 5th Floor
Harrisburg, PA 17101-1923
Phone: 717-783-5048
Email: skcene@paoca.org

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A list of the NGDC-related matters currently pending before the Commission that the OCA is involved in is attached hereto.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "S. J. Keene". The signature is fluid and cursive, with the first name "S" and last name "Keene" being the most prominent parts.

Stephen J. Keene
Senior Assistant Consumer Advocate

Enclosure

cc: Parties of Record

**NGDC-RELATED MATTERS THAT THE OCA IS INVOLVED IN
THAT ARE CURRENTLY PENDING BEFORE THE COMMISSION**

Peoples Independent Producers Group v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Docket No. C-20054393 [Producer Complaint Proceeding].

Petition and Notification by Columbia Gas of Pennsylvania, Inc. Concerning A Change In Purchased Gas Costs, Docket No. P-00062200 [Interim Adjustment to PGC Rate].

Petition Concerning a Change in Purchased Gas Costs of UGI Utilities, Inc., Docket No. P-00062201 [Interim Adjustment to PGC Rate].

Petition and Notification by PG Energy, a Division of Southern Union Co., Concerning a Change in Purchased Gas Costs, Docket No. P-00062202 [Interim Adjustment to PGC Rate].

Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc., Docket No. R-00049783 [Columbia PPS/OSS Proceeding].

Pennsylvania Public Utility Commission v. Equitable Gas Co., Docket No. R-00050272 [2005 1307(f) Proceeding].

Pennsylvania Public Utility Commission v. The Peoples Natural Gas Company d/b/a Dominion Peoples, Docket No. R-00050267 [2005 1307(f) Proceeding].

Pennsylvania Public Utility Commission v. The Peoples Natural Gas Company d/b/a Dominion Peoples, Docket No. R-00051093 [Dominion Peoples CAP Tariff Filing].

Pennsylvania Public Utility Commission v. T.W. Phillips Gas and Oil Co., Docket No. R-0051134 [2006 1307(f) Proceeding].

Pennsylvania Public Utility Commission v. T.W. Phillips Gas and Oil Co., Docket No. R-0051178 [Base Rate Proceeding].

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P. 11

Pennsylvania Public Utility Commission v. National Fuel Gas Distribution Corp., Docket No. R-00061246 [2006 1307(f) Proceeding].

Pennsylvania Public Utility Commission v. Philadelphia Gas Works, Docket No. R-00061296 [2006 1307(f) Proceeding].

The OCA will also be an active party in the following 2006 1307(f) proceedings that will be filed at a later date:

The Peoples Natural Gas Co. d/b/a Dominion Peoples
Columbia Gas of Pennsylvania, Inc.
Equitable Gas Co.
PPL Gas Utilities Corp.
PECO Energy Co. - Gas Division
PG Energy, Inc.
UGI Utilities, Inc. - Gas Division

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ORIGINAL

CERTIFICATE OF SERVICE

2006 FEB 17 PM 3:10
SECRET

Investigation into Competition : Docket No. I-00040103
in the Natural Gas Supply Market :

I hereby certify that I have this day served a true copy of the foregoing Office of Consumer Advocate's letter, upon parties of record in this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant), in the manner and upon the persons listed below:

Dated this 17th day of February 2006.

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Aron J. Beatty
Christy A. Appleby
Assistant Consumer Advocates

Counsel for
Office of Consumer Advocate
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Brian D. Crowe
Director
Rates & Regulatory Affairs

Telephone 215.841.5316
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Mail To: P.O. Box 8699
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February 20, 2006

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FEB 20 2006

FedEx Priority & Fax 717-787-0974

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
Harrisburg, PA 17105-3265

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Investigation into the Natural Gas Supply Market:
Report to the General Assembly on Competition in
Pennsylvania's Retail Natural Gas Supply Market
Docket Nos. I-00040103 and I-00040103F0002

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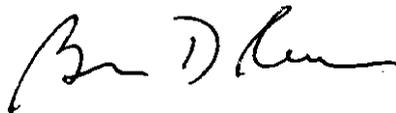
Dear Secretary McNulty:

On Friday, February 17, 2006, PECO Energy served its Response and Notice of Intent to Participate in the Natural Gas Stakeholder Working Group in the above docket. Due to clerical errors, the cover letter and certificate of service attached to that Response noted that it was being served on behalf of the Office of Small Business Advocate. That was erroneous as it was being served on behalf of PECO Energy Company.

Enclosed are an original and three copies of the revised documents.

I apologize for any inconvenience this may have caused, please do not hesitate to contact me directly at: 215-841-5316 should you have questions regarding this matter.

Sincerely,



BDC/mtg

cc: Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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FEB 20 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Natural Gas Choice and Competition Act:
Initial Stakeholders' Meeting

Docket No. I-00040103 F0002

PECO ENERGY COMPANY'S RESPONSE AND NOTICE
OF INTENT TO PARTICIPATE IN NATURAL GAS
STAKEHOLDER WORKING GROUP

I. INTRODUCTION

On October 6, 2005, the Pennsylvania Public Utility Commission ("PUC") issued its "Report to the General Assembly" ("Report"), regarding competition in Pennsylvania's retail natural gas supply services market. After review of the record, the Commission determined that there is not effective competition in the retail natural gas supply market on a statewide basis at this time. As required by the law, the Commission must therefore convene the Natural Gas Stakeholders ("Stakeholders") to explore avenues to increase competition.

By notice dated January 20, 2006, Commission Staff set the date for the first Stakeholders Working Group meeting on Thursday, March 30, 2006. The Staff also identified three subgroups to which it assigned twenty-two issues to be studied and discussed. Also, by this notice, Commission Staff requested volunteers to participate in the subgroups, and to provide feedback on the issues assigned.

II. NOTICE OF INTENT TO PARTICIPATE

PECO Energy ("PECO") welcomes the opportunity to participate in the Stakeholders' Working Group and offers the following comments on the structure of the working group/subgroups and the identified issues. PECO Energy recommends that instead of starting with a predetermined number of subgroups, that the Staff allow the primary Working Group, already slated to meet at 9:00 a.m. on Thursday, March 30, 2006, to discuss what, if any, subgroups are needed and to provide a subgroup list to the Commission. This decision should

be determined based on the preference of the group as a whole. Having three subgroups may be difficult from a staffing perspective for many companies and could prohibit full and robust participation from some segments of the industry.

Additionally, the primary Working Group should also be charged with discussing which issues are assigned to which subgroups, assuming subgroups are created and providing an issue list to the Commission. As noted in the Commission notice, there is overlap between many of the issues. The determination of which issues should be discussed together may actually determine the need for subgroups in the first instance. Accordingly, the creation of subgroups and issue assignment go hand-in-hand and should both be determined by the primary Working Group.

As requested in the notice, PECO designates the following as participants in the Working Group:

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Director, Rates & Regulatory Affairs
PECO Energy Company
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Philadelphia, PA 19103
brian.crowe@exeloncorp.com
(215) 841-5316

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PECO Energy Company
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Carlo L. Ciabattoni (or his designee)
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(215) 841-4941

III. PENDING COMMISSION, STATE and ADMINISTRATIVE AGENCY PROCEEDINGS

PECO is in the process of compiling a list of the adversarial proceeding information requested and will provide such information to the Commission and all parties on the service list no later than one week prior to the initial meeting.

IV. WAIVER AGREEMENT

Finally, since none of the participants have seen the waiver agreement they will be required to sign, PECO respectfully requests that the agreement be forwarded to all identified volunteers before the initial meeting, specifically by March 15, 2006 – the date of the second proposed notice. This will enable all involved to review the waiver agreement in advance of the required execution and to raise any questions concerning its content in advance with Commission staff.

In conclusion, PECO has identified its individual participants; seeks an advance copy of the waiver agreement for all interested parties on or before March 15, 2006; and requests that the number of subgroups and the issues assigned to each be discussed and decided by the primary Working Group set to meet on March 30, 2006, at 9:00 a.m.

Respectfully submitted,



Brian D. Crowe
Director, Rates and Regulatory Affairs
PECO Energy Company
2301 Market Street; S15-2
Philadelphia, PA 19103
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Dated: February 17, 2006

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

FEB 20 2006

Investigation into the Natural Gas Supply :
Market: Report to the General Assembly : Docket Nos. I-00040103
On Competition in Pennsylvania's Retail : I-00040103F0002
Natural Gas Supply Market :

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I certify that I am serving copies of the foregoing document, on behalf of PECO Energy Company by first class mail upon the persons addressed below:

Service by Federal Express, postage prepaid, addressed as follows:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd floor
Harrisburg, PA 17120

Service by First Class Mail, postage prepaid, addressed as follows:

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Industrial Energy Consumers of PA
240 North Third Street – Suite 403
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Rockwood Bldg. – Suite 110
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Thomas Niesen, Esquire
Thomas, Thomas, Armstrong & Niesen
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Warrendale, PA 15086

Harry Kingerski, Reg. Affairs Manager
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VP of National Gas Svc.
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Robert M. Hovanec, Esquire
T.W. Phillips Gas & Oil Co.
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Todd S. Stewart, Esquire
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Tim Merrill, GM & VP
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srejchelc@natfuel.com



Brian D. Crowe
Director, Rates and Regulatory Affairs
PECO Energy Company
2301 Market Street; S15-2
Philadelphia, PA 19103
(215) 841-5316
brian.crowe@exeloncorp.com

Dated: February 17, 2006



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signature AVE

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February 17, 2006

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FEB 16 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: Docket No. I-00040103F0002

Dear Secretary McNulty:

Attached please find an original and three copies of Pepco Energy Services' Notice of Participation in the above noted Docket. A courtesy copy has been provided to the PUC Assistant Counsel, Patricia Krise Burket. Please contact me if you have any questions concerning our filing.

Sincerely,

Sandra Minch Guthorn

Sandra Minch Guthorn
Manager, Energy Policy

43

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17105**

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FEB 16 2006

IN THE MATTER OF

INVESTIGATION INTO
ENHANCEMENT OF COMPETITION
IN THE NATURAL GAS SUPPLY
MARKET

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCKET NO: I-00040103F0002

NOTICE OF PARTICIPATION

1. Pepco Energy Services, Inc. ("PES") hereby files Notice that it intends to participate in Pennsylvania Public Service Commission Docket No. I-00040103F0002.

Please address all correspondence to:

Pepco Energy Services, Inc.
Sanda Minch Guthorn, Esq.
Manager, Energy Policy
1300 North 17th Street
Suite 1600
Arlington, VA 22209

sguthorn@pepcoenergy.com
1-703-253-1702 or
1-410-375-3506

2. PES is a licensed competitive supplier of natural gas and electricity in Pennsylvania, as well as New York, New Jersey, Maryland, Virginia, and in the District of Columbia. PES also provides natural gas to retail customers in Ohio, Delaware, and North Carolina where licensing is not required. PES has been supplying natural gas to retail customers in Pennsylvania since approximately 1999.

3. PES is volunteering to participate in all of the subgroups, but is particularly interested in:

- Mandatory Capacity Assignments;
- Penalties for Non-Delivery;
- Price to Compare;
- Receivables for Mass Market Customers;
- Supplier Tariff Requirements; and,
- NGDC Promotion of Competition.

4. PES is not involved in any pending Commission proceedings or any court proceedings involving the Pennsylvania Public Utility Commission.

Respectfully Submitted
PEPCO ENERGY SERVICES, INC.

Sandra Minch Guthorn
Manager, Energy Policy

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice of Participation of Pepco Energy Services, Inc., was served this 17th day of February 2006 to James J. McNulty, P.O. Box 3265, Harrisburg, PA 17105.


Sandra Minch Guthorn
Manager, Energy Policy

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FEB 16 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



February 21, 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

ORIGINAL

RE: Docket No. I-00040103F0002

Dear Secretary McNulty:

Attached please find an original and three copies of Pepco Energy Services' Notice of Participation in the above noted Docket. A courtesy copy has been provided to the PUC Assistant Counsel, Patricia Krise Burket. Please contact me if you have any questions concerning our filing.

Sincerely,

A handwritten signature in black ink that reads "Sandra Minch Guthorn".

Sandra Minch Guthorn
Manager, Energy Policy

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FEB 16 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Handwritten initials in black ink, possibly "J.M." or similar, located in the bottom right corner of the page.

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17105**

ORIGINAL

IN THE MATTER OF

INVESTIGATION INTO
ENHANCEMENT OF COMPETITION
IN THE NATURAL GAS SUPPLY
MARKET

DOCKET NO: I-00040103F0002

NOTICE OF PARTICIPATION

1. Pepco Energy Services, Inc. ("PES") hereby files Notice that it intends to participate in Pennsylvania Public Service Commission Docket No. I-00040103F0002.

DOCUMENT
FOLDER

Please address all correspondence to:

Pepco Energy Services, Inc.
Sanda Minch Guthorn, Esq.
Manager, Energy Policy
1300 North 17th Street
Suite 1600
Arlington, VA 22209

sguthorn@pepcoenergy.com
1-703-253-1702 or
1-410-375-3506

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FEB 16 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

2. PES is a licensed competitive supplier of natural gas and electricity in Pennsylvania, as well as New York, New Jersey, Maryland, Virginia, and in the District of Columbia. PES also provides natural gas to retail customers in Ohio, Delaware, and North Carolina where licensing is not required. PES has been supplying natural gas to retail customers in Pennsylvania since approximately 1999.

DOCKETED
FEB 27 2006

3. PES is volunteering to participate in all of the subgroups, but is particularly interested in:

- Mandatory Capacity Assignments;
- Penalties for Non-Delivery;
- Price to Compare;
- Receivables for Mass Market Customers;
- Supplier Tariff Requirements; and,
- NGDC Promotion of Competition.

4. PES is not involved in any pending Commission proceedings or any court proceedings involving the Pennsylvania Public Utility Commission.

Respectfully Submitted
PEPCO ENERGY SERVICES, INC.



Sandra Minch Guthorn
Manager, Energy Policy

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice of Participation of Pepco Energy Services, Inc., was served this 21st day of February 2006 to James J. McNulty, Secretary, Pennsylvania Public Utility Commission.

Sandra Minch Guthorn

Sandra Minch Guthorn
Manager, Energy Policy

ORIGINAL

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FEB 16 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



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

IN REPLY PLEASE
REFER TO OUR FILE

Date: March 16, 2006

To: ALL INTERESTED PARTIES

Re: March 30, 2006 Meeting
Natural Gas Stakeholders Working Group
Natural Gas Choice and Competition Act
Docket No. I-00040103 F0002

DOCUMENT
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On October 6, 2005, the Pennsylvania Public Utility Commission issued its "Report to the General Assembly" ("Report"), regarding competition in Pennsylvania's retail natural gas supply services market. After review of the record, the Commission determined that there is not "effective competition" in the retail natural gas supply market on a statewide basis at this time. *Investigation into the Natural Gas Supply Market: Investigatory Order and Report to the General Assembly*, order entered October 6, 2005 at Docket No. I-00040103, p. 4. As required by the law, the Commission must convene the Natural Gas Stakeholders ("Stakeholders") to explore avenues, including legislative, to increase competition. See 66 Pa. C.S. § 2204(g).

The purpose of this notice is to confirm that the initial meeting of the Stakeholders Group will be held Thursday, March 30, 2006, starting at 9:00 a.m. The meeting will be held in Hearing Room 1 in the Commonwealth Keystone Building at 400 North Street, Harrisburg, PA. A tentative agenda for the general morning session is attached to this notice.

Four subgroups have been established to study related issues:

- I. INTER-COMPANY ACTIVITY (IA) SUBGROUP
- II. CUSTOMER INTERFACE (CI) SUBGROUP
- III. COST OF SERVICE GROUP (CS) SUBGROUP
- IV. COMPETITION MONITORING (CM) SUBGROUP¹

¹ Issues assigned to Subgroup CM were formerly designated as "Other Miscellaneous Issues" in the Commission's February 20, 2006 Notice at this docket.

A list of the subgroups with their assigned issues and the Commission staff members selected to lead/facilitate each subgroup is attached. Organizational meetings for each subgroup will be held during the afternoon session. Subgroups I and II will meet at 1:00 p.m. and Subgroups III and IV will meet at 2:00 p.m. Meeting room locations will be announced in the morning session.

Please note that while multiple representatives of a Stakeholder are permitted to participate in a single subgroup, a chief representative must be designated to serve as the spokesperson and the contact for all subgroup's correspondence.

In order to participate in the Working Group Stakeholders must sign a waiver agreement to address the potential participation of the Commissioners and their advisors in the Working Group. By signing this agreement, Stakeholders will waive objections to individual Commissioners participating in the Working Group and subsequently voting on all issues, subsequent petitions or further proceedings that result from the Stakeholder Working Group process. A copy of the agreement is attached.

Please direct any questions regarding this notice to Assistant Counsel Burket at (717) 787-3464.

Attachments

cc: Karen Oill Moury, Director of Operations
Bohdan R. Pankiw, Chief Counsel
Robert F. Young, Deputy Chief Counsel
Patricia Krise Burket, Assistant Counsel
Lawrence F. Barth, Assistant Counsel
Joseph K. Witmer, Assistant Counsel
Robert A. Rosenthal, Director, Fixed Utility Services
H. Edwin Rodrock, Supervisor, Fixed Utility Services
Mitchell Miller, Director, Bureau of Consumer Services
Lenora Best, Division Chief -Policy, Bureau of Consumer Services
Daniel Mumford, Bureau of Consumer Services
Wayne Williams, Director, Conservation, Economics and Energy Planning
Thomas Charles, Manager, Office of Communications
Kirk House, Senior Attorney, Office of Special Assistants
J. Edward Simms, Director, Office of Trial Staff

Timothy Wallick, Deputy Director, Office of Trial Staff
Charles T. Weakley, Office of Trial Staff
Paul J. Metro, Gas Safety Supervisor, Bureau of Transportation and Safety
John C. Miller, Jr., Conservation, Economics and Energy Planning
Cindi Muriceak, Fixed Utility Services
James R. Shurskis, Fixed Utility Services
Annunciata E. Marino, Fixed Utility Services
June Perry, Director, Office of Legislative Liaison

TENTATIVE AGENDA

Natural Gas Stakeholders Working Group

9 a.m. Thursday, March 30, 2006

Hearing Room 1

Commonwealth Keystone Building
400 North Street, Harrisburg, PA

- 9:00 a.m. Opening Remarks/Preliminary Matters**
Karen Moury, Director of Operations
Organizational Structure
Process and Timeline
- 9:30 a.m. General Discussion**
Stakeholders' Opportunity to Raise Broad Issues
- 10 a.m. to Noon Open Discussions on Issues and Priorities of Stakeholders**
Led by Subgroup Leaders
- 10 a.m. Subgroup on Inter-Company Activity
Robert A. Rosenthal, Director of Bureau of Fixed Utility Services
- 10:30 a.m. Subgroup on Customer Interface
Daniel Mumford, Bureau of Consumer Services
- 11 a.m. Subgroup on Cost of Service
Lawrence F. Barth, Assistant Counsel, Law Bureau
- 11:30 a.m. Subgroup on Competition Monitoring
Wayne Williams, Director,
Bureau of Conservation, Economics and Energy Planning
- 1 p.m. to 3 p.m. Breakout Sessions for Subgroups for Specific Discussions**
- 1p.m. Subgroup on Inter-Company Activity Meeting
Location TBD
- Subgroup on Customer Interface Meeting
Location TBD
- 2 p.m. Subgroup on Cost of Service Meeting
Location TBD
- Subgroup on Competition Monitoring Meeting
Location TBD

NATURAL GAS STAKEHOLDERS WORKING GROUP SUBGROUPS AND STAFF AND ISSUE ASSIGNMENTS

I. **INTER-COMPANY ACTIVITY (IA) SUBGROUP**

FUS¹ (Rosenthal, Rodrock, Marino, Muriceak, Shurskis), OSA (House), OTS (TBD), GSD (Metro); Law (Witmer).

- **A.**² **SECURITY.** Excessive security and restrictive forms of security accepted by NGDCs and lack of uniformity of security requirements hinder supplier entry and market participation.
- **MANDATORY CAPACITY ASSIGNMENTS.** Mandatory capacity assignment acts as a market barrier.
- **NOMINATION AND DELIVERY REQUIREMENTS.** Restrictive nomination and delivery requirements that varied among NGDCs discourage supplier participation in the market.
- **PENALTIES FOR NON-DELIVERY.** Excessive penalties and lack of uniformity relating to balancing rules and penalties between NGDC systems act as barriers to supplier participation in the statewide retail market.
- **RECEIVABLES FOR MASS MARKET CUSTOMERS.** Institution of a reasonably priced NGDC “purchase of receivables” policy as an interim mechanism to promote choice for customers. Use of a “bad debt tracker” to ensure NGDC recovery of bad debt expense in conjunction with purchase of receivables.
- **SUPPLIER TARIFF REQUIREMENTS:** Uniform supplier tariff rules, including those provisions related to customer enrollment, to encourage supplier participation statewide.
- **MARKET INFORMATION:** The cost for daily consumption information and data accuracy issues and availability of daily customer usage or utility operating and transportation discount information create barriers for NGS participation.

¹ The Commission bureau that will lead each Subgroup is listed first in bold type. Other PUC bureaus and staff members assigned to each Subgroup are listed next. The following abbreviations are used for PUC Bureaus: Bureau of Fixed Utility Services (FUS); Law Bureau (LAW). Office of Special Assistants (OSA). Bureau of Transportation and Safety, Gas Safety Division (GSD); Office of Trial Staff (OTS). Bureau of Consumer Services (BCS), Office of Communications (COM), Bureau of Conservation, Economics and Energy Planning (CEEP) and Director of Operations (DIR).

² Issues for study are those identified in the Commission’s *Report to the General Assembly on Competition in Pennsylvania’s Retail Natural Gas Supply Market (Report)*. Docket No. I-00040103. October 6, 2005, pp. 67-69 as modified by comments received to the January 20, 2006 Notice issued at Docket No. I-00040103 F0002.

- **SWITCHING RESTRICTIONS:** Lag in NGDCs implementation of customer switching suppliers.

For a number of these issues, it is suggested that the IA Subgroup should initially focus on conforming practices to North American Energy Standards Boards (NAESB) recommended business practices. It is also suggested that the Subgroup be familiar with the NAESB Gas-Electric Interdependency Committee (GEIC) Report to the FERC (Docket No. RM-05-28-000, relating to reliability).

II. CUSTOMER INTERFACE (CI) SUBGROUP

BCS (Mumford), COM (Charles); LAW (Burket).

- **PRICING INFORMATION AND CONSUMER EDUCATION.** Lack of timely price signals act as a barrier to customer participation. Price to Compare. Additional consumer education may be needed in light of changes that may be made to the market.
- **SEAMLESS MOVE:** Lack of portability of competitive supply service for a retail customer moving from one location to another within the same service territory discourages customer participation.
- **ACQUISITION COSTS FOR MASS MARKET:** Use of Opt-Out Municipal Aggregation, increased availability of customer lists and customer assignment programs to lessen the high cost to NGSs of acquiring mass market customers.
- **SUPPLIER CONSOLIDATED BILLING:** Availability of Supplier Consolidated Billing as an important tool for advancing NGS-customer relationships.
- **CONSUMER PROTECTION RULES.** Revision of some requirements, particularly customer notice requirements, that create additional costs for NGSs.
- **BARRIERS TO CUSTOMER PARTICIPATION:** Revision of rules related to switching fees and minimum customer stay periods that interfere with customer choice.
- **NGDC CONSOLIDATED BILLING:** Exclusive NGDC consolidated billing limitations restrictions NGSs in their ability to communicate effectively with consumers.
- **NGDC NEGOTIATED SUPPLY CONTRACTS:** Possible elimination of special negotiated contracts or agency agreements between customers and NGDCs.

- **SERVICE TO LOW INCOME CONSUMERS.** Remove of obstacles to provide competitive retail service to low income customers.

It is suggested that the CI Subgroup also examine the reform of the natural distribution company's Fixed Price option versus the present quarterly adjustment practice or potential monthly adjustment practice.

III. COST OF SERVICE GROUP (CS) SUBGROUP

LAW (Barth), OTS (TBD), CEEP (Miller), GSD (Metro)

The CS Subgroup will review and develop recommendations identifying the costs to be collected and the mechanisms that will be used to recover the costs.

- **COSTS OF RETAIL SUPPLY SERVICE.** Inclusion of all costs related to natural gas supply procurement as a means of increasing supplier participation in the statewide retail market.
- **FINANCIAL INCENTIVES FOR ENERGY EFFICIENCY.** De-coupling natural gas sales from rate of return/revenue requirements and establishing innovative financial incentives should be examined as a means to encourage natural gas competition.
- **RECEIVABLES FOR MASS MARKET CUSTOMERS** (as issue relates to bad debt tracker and Chapter 14 interaction). Institution of a reasonably priced NGDC "purchase of receivables" policy as an interim mechanism to promote choice for customers. Use of a "bad debt tracker" to ensure NGDC recovery of bad debt expense in conjunction with purchase of receivables.
- **ACQUISITION COSTS FOR MASS MARKET** (as issue relates to cost impacts/discounts): Use of Opt-Out Municipal Aggregation, increased availability of customer lists and customer assignment programs to lessen the high cost to NGSs of acquiring mass market customers.

IV. COMPETITIVE MONITORING (CM) SUBGROUP

CEEP (Williams, Miller), **FUS** (TBD), **LAW** (Burket), **OSA** (House), **DIR** (Moury); **COM** (Charles)

- **NGDC PROMOTION OF COMPETITION:** Use of NGDC incentives to promote competition with a corresponding ban on the marketing of SOLR service by NGDC.
- **SUSTAINED COMMISSION LEADERSHIP IN COMPETITIVE MARKETS:** The need for a supplier Ombudsman to increase Commission responsiveness to supplier issues.
- **CODE OF CONDUCT:** Lack of reporting, auditing or enforcement of the Code of Conduct, especially in regard to certain communications between an NGDC and its unregulated affiliates.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Natural Gas Stakeholders Working Group

Docket No. I-00040103 F0002

PRE-WORKING GROUP AGREEMENT

This Pre-Working Group Agreement sets forth the terms and conditions under which the undersigned parties hereby agree to participate in a Working Group sponsored by the Pennsylvania Public Utility Commission ("PUC" or "Commission") in an effort to explore avenues including legislative, for encouraging increased competition in the Commonwealth. In order to facilitate the work of the Working Group, the parties have determined to enter into this Pre-Working Group Agreement to assure that no legal or other issues are created as a result of the participation of any Public Utility Commissioners or their advisors in such Working Group discussions.

Therefore, in consideration of the mutual provisions contained herein, intending to be legally bound hereby, and as a condition for their participation in the Working Group, the undersigned Stakeholders (hereinafter "the Stakeholders") agree as follows:

1. The Stakeholders hereby agree to waive any objections to having Chairman Wendell F. Holland, Vice Chairman James H. Cawley, Commissioner Bill Shane, Commissioner Kim Pizzingrilli, and Commissioner Terrence J. Fitzpatrick, participate in the Working Group and to subsequently vote on any further proceedings regarding this matter.

2. If any Stakeholder raises a challenge not otherwise waived to the participation of Chairman, Vice Chairman, the other Commissioners or their advisors in the Working Group, the Working Group shall terminate.

3. The Stakeholders agree to a continuing obligation to list all pending Commission proceedings involving the Stakeholder, and all pending proceedings in each court or administrative agency in which both the Stakeholder and the Commission are parties. Stakeholders will be expected to make a good faith effort to update this list during the Working Group process as is necessary to avoid inadvertent ex parte communications prohibited by 66 Pa. C.S. § 334(c).

4. This Pre-Working Group Agreement is effective at the time of its execution by all Stakeholders electing to participate and shall continue in full force and effect even if discussions terminate.

5. No Stakeholder shall use the existence of the Working Group, the fact that Working Group discussions are ongoing, the substance of the discussions or the participation of Chairman, Vice Chairman or the other Commissioners or their advisors as grounds for challenging the validity of any order issued by the Commission, or as a basis

for claiming or retaining jurisdiction or review by a court in any appellate or other proceeding or seeking to advance any other position (including delay, unless all parties agree) in any appellate or other proceeding.

6. By signing this agreement, Stakeholders will waive objections to the subsequent deliberation and vote on any issues, subsequent petitions, or any further proceedings that result from the Stakeholder Working Group process due to the participation of specific Commissioners and their advisors in the Working Group process.

7. A Stakeholder may withdraw from this Working Group upon written notice to the Commission and the other Stakeholders for any reason and at any time.¹

Withdrawal by a Stakeholder does not relieve it, or other Stakeholders from the agreements, obligations or waivers, otherwise agreed to pursuant to this Pre-Working Group Agreement.

8. The Stakeholders agree that this Pre-Working Group Agreement may be executed in one or more counterparts each of which shall be deemed an original and all which taken together shall constitute one and the same agreement.

For:

For:

For:

For:

¹ A Stakeholder's non-participation in the Working Group shall not constitute a withdrawal unless the Stakeholder provides notice of withdrawal to the Commission pursuant to this paragraph.

For:

Gary A. Jeffries
Senior Counsel

Dominion Retail, Inc.
1201 Pitt Street, Pittsburgh, PA 15221
Phone: 412-473-4129 Fax: 412-473-4176
Email: gjeffries@dom.com

ORIGINAL



Dominion

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FOLDER

March 21, 2006

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MAR 21 2006

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VIA FACSIMILE TO 717-783-9526 AND OVERNIGHT MAIL

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Natural Stakeholder's Working Group, Natural Gas Choice and
Competition Act; Docket No. I-00040103F002; **NOTIFICATION
OF PENDING MATTERS**

I-00040103 F0002

Dear Secretary McNulty:

Dominion Retail, Inc. ("Dominion Retail") has previously provided to the Commission notice of its intention to participate in the Commission's collaborative process concerning the Natural Gas Choice and Competition Act. However, that notice neglected to indicate the cases in which Dominion Retail currently is participating before the Commission. The purpose of this letter is to provide that information to the Commission.

Dominion Retail currently is participating in the following litigated matters before the Commission:

1. *Pennsylvania Public Utility Commission et. al. v. Columbia Gas of Pennsylvania Inc.*; Docket No. R-00049783.
2. *Petition of Dominion Retail, Inc. for Declaratory Order*; Docket No. P-00052151.
3. *Petition of Pennsylvania Power Company for Approval of Interim POLR Supply Plan*; Docket No. P-00052188.
4. *Petition of Dominion Retail, Inc. for Refund of Assessments Paid to the Public Utility Commission*; Docket No. M-00061940.

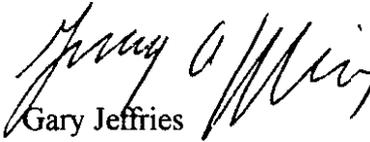
James J. McNulty, Esquire

Page 2

March 21, 2006

To the best of Dominion Retail's knowledge, these are the only cases in which Dominion Retail currently is participating before the Pennsylvania Public Utility Commission .

Very truly yours,



Gary Jeffries
Senior Counsel

cc: Karen Moury, Esquire, Director of Operations (via e-mail and U.S. Mail)



Kirkpatrick & Lockhart Nicholson Graham LLP

North Second Street, 18th Floor
Harrisburg, PA 17101-1507
717.231.4500
Fax 717.231.4501
www.klmg.com

March 24, 2006

Via Hand Delivery

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Bldg., 2nd Floor
400 North Street
Harrisburg, PA 17120

James P. Melia
717.231.5842
Fax: 717.231.4501
jmelia@klmg.com

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ORIGINAL

Re: Natural Gas Stakeholders Working Group Regarding Natural Gas Choice and Competition Act
Docket No. I-00040103F0002

Dear Secretary McNulty:

On January 20, 2006, the Pennsylvania Public Utility Commission ("Commission") issued a letter requesting that parties were to notify the Commission of their intention to participate in the Natural Gas Stakeholders Working Group and to identify the name of the person who would represent each participant along with an identification of the subgroups for which each person is volunteering.

Duke Energy Gas Transmission ("Duke Energy") hereby notifies the Commission of its plans to participate in the Stakeholders Working Group Meetings. Duke Energy will be represented by the following participants:

Doreen F. Wrick
Project Director, Marketing
Duke Energy Gas Transmission, LLC
Waltham Woods Corporate Center
890 Winter Street, Suite 300
Waltham, MA 02451
(617) 560-1536
(617) 560-1581 (Fax)
dfwrick@duke-energy.com

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Kirkpatrick & Lockhart Nicholson Graham LLP

James J. McNulty, Secretary
March 24, 2006
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At this juncture, Duke Energy would most likely participate in the Intercompany Activity Subgroup. Duke Energy's principal areas of interest in this Working Group initiative relate to issues of mandatory capacity assignments and nomination and delivery requirements which will be addressed by the Intercompany Activity Subgroup. Duke Energy reserves the right to designate different or additional subgroups for participation.

The Commission's January 20, 2006 correspondence also asks parties to list any pending Commission proceedings involving the stakeholder in any pending proceedings and the court or administrative agency in which both the stakeholder and the Commission are parties. There are no proceedings in which Duke Energy is currently involved and in which the Commission is also involved.

The January 20, 2006 order also notified the stakeholders that they would be required to review and sign a waiver agreement which would waive all parties' objections to participation by the individual Commissioners or their staff. Recently, the Commission has distributed a pre-working group agreement for review. Duke Energy is currently reviewing this agreement and will be in a position to respond shortly.

Duke Energy appreciates the opportunity to participate in the Natural Gas Stakeholders Working Group and looks forward to meeting with the other parties on March 30, 2006.



Kirkpatrick & Lockhart Nicholson Graham LLP

James J. McNulty, Secretary

March 24, 2006

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Very truly yours,

A handwritten signature in black ink that reads "JPMelia". The signature is written in a cursive, flowing style.

James P. Melia
Counsel for Duke Energy Gas Transmission

JPM/cem

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Natural Gas Stakeholders Working :
Group Regarding Natural Gas Choice : Docket No. I-00040103F0002
and Competition Act. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served true and correct copies of the foregoing document upon the individuals listed, in accordance with the requirements of Section 1.54 (relating to service by a participant).

Via First Class Mail

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Respectfully submitted,


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Dated: March 24, 2006

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCUMENT
HOLDER

Natural Gas Stakeholders Working Group

Docket No. I-00040103 F0002

2006 MAY 15 4:59:02
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PRE-WORKING GROUP AGREEMENT

ORIGINAL

This Pre-Working Group Agreement sets forth the terms and conditions under which the undersigned parties hereby agree to participate in a Working Group sponsored by the Pennsylvania Public Utility Commission ("PUC" or "Commission") in an effort to explore avenues including legislative, for encouraging increased competition in the Commonwealth. In order to facilitate the work of the Working Group, the parties have determined to enter into this Pre-Working Group Agreement to assure that no legal or other issues are created as a result of the participation of any Public Utility Commissioners or their advisors in such Working Group discussions.

Therefore, in consideration of the mutual provisions contained herein, intending to be legally bound hereby, and as a condition for their participation in the Working Group, the undersigned Stakeholders (hereinafter "the Stakeholders") agree as follows:

1. The Stakeholders hereby agree to waive any objections to having Chairman Wendell F. Holland, Vice Chairman James H. Cawley, Commissioner Bill Shane, Commissioner Kim Pizzingrilli, and Commissioner Terrence J. Fitzpatrick, participate in the Working Group and to subsequently vote on any further proceedings regarding this matter.

2. If any Stakeholder raises a challenge not otherwise waived to the participation of Chairman, Vice Chairman, the other Commissioners or their advisors in the Working Group, the Working Group shall terminate.

3. The Stakeholders agree to a continuing obligation to list all pending Commission proceedings involving the Stakeholder, and all pending proceedings in each court or administrative agency in which both the Stakeholder and the Commission are parties. Stakeholders will be expected to make a good faith effort to update this list during the Working Group process as is necessary to avoid inadvertent ex parte communications prohibited by 66 Pa. C.S. § 334(c).

4. This Pre-Working Group Agreement is effective at the time of its execution by all Stakeholders electing to participate and shall continue in full force and effect even if discussions terminate.

5. No Stakeholder shall use the existence of the Working Group, the fact that Working Group discussions are ongoing, the substance of the discussions or the participation of Chairman, Vice Chairman or the other Commissioners or their advisors as grounds for challenging the validity of any order issued by the Commission, or as a basis

for claiming or retaining jurisdiction or review by a court in any appellate or other proceeding or seeking to advance any other position (including delay, unless all parties agree) in any appellate or other proceeding.

6. By signing this agreement, Stakeholders will waive objections to the subsequent deliberation and vote on any issues, subsequent petitions, or any further proceedings that result from the Stakeholder Working Group process due to the participation of specific Commissioners and their advisors in the Working Group process.

7. A Stakeholder may withdraw from this Working Group upon written notice to the Commission and the other Stakeholders for any reason and at any time.¹

Withdrawal by a Stakeholder does not relieve it, or other Stakeholders from the agreements, obligations or waivers, otherwise agreed to pursuant to this Pre-Working Group Agreement.

8. By signing this Pre-Working Group Agreement, individual Stakeholders:

- (a) are not bound by any consensus that may be reached in the Stakeholder Working Group process; and
- (b) are not waiving or otherwise limiting their right to raise issues or take positions in other subsequent proceedings.

¹ A Stakeholder's non-participation in the Working Group shall not constitute a withdrawal unless the Stakeholder provides notice of withdrawal to the Commission pursuant to this paragraph.

9. The Stakeholders agree that this Pre-Working Group Agreement may be executed in one or more counterparts each of which shall be deemed an original and all which taken together shall constitute one and the same agreement.

5/2/06 SCMC

Ullie Fogel

For: *Small Business
Market Coalition*

For:

For: