

FILE

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June 5, 2009

Via Hand Delivery

Public Utilities Commission of Ohio
Docketing Division
180 E. Broad Street
Columbus, Ohio 43215

Re: Case No. 08-1344-GA-EXM; *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of a General Exemption of Certain Natural Gas Commodity Sales Services or Ancillary Services from Chapters 4905, 4909, and 4935, et al.*

Dear Sir or Madam:

Enclosed are one original and ten copies of the Motion for Admission *Pro Hac Vice* of David M. Perlman in the above-referenced matter, and proposed Order.

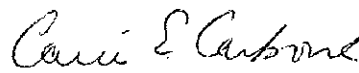
Also enclosed are one original and ten copies of a Motion for Intervention and Memorandum in Support of J.P. Morgan Ventures Energy Corporation.

Please return a file-marked copy of each of the two enclosed Motions with the waiting courier, and send me a copy of the signed Order in the enclosed, self-addressed envelope.

You may call me at 214-758-1045 if you have any questions. Thank you for your assistance in this matter.

Very truly yours,

Bracewell & Giuliani LLP


Carrie E. Carbone

Enclosures

cc: All counsel of record
Mr. David M. Perlman
Bracewell & Giuliani LLP

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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In the Matter of the Application of Columbia)
Gas of Ohio, Inc. for Approval of a General)
Exemption of Certain Natural Gas Commodity)
Sales Services or Ancillary Services from)
Chapters 4905, 4909, and 4935 except Sections)
4905.10, 4935.01, and 4935.03, and from)
specified sections of Chapter 4933 of the)
Revised Code.)

Case No. 08-1344-GA-EXM

**MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT OF
J.P. MORGAN VENTURES ENERGY CORPORATION**

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Columbia)	
Gas of Ohio, Inc. for Approval of a General)	
Exemption of Certain Natural Gas Commodity)	Case No. 08-1344-GA-EXM
Sales Services or Ancillary Services from)	
Chapters 4905, 4909, and 4935 except Sections)	
4905.10, 4935.03, and from specified sections)	
of Chapter 4933 of the Revised Code.)	

**MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT OF
J.P. MORGAN VENTURES ENERGY CORPORATION**

I. MOTION FOR INTERVENTION

Pursuant to Ohio Revised Code ("R.C.") § 4903.221 and Ohio Administrative Code ("O.A.C.") 4901-1-11, and in accordance with the Attorney Examiner's Order dated May 8, 2009 in the above-captioned proceeding, J.P. Morgan Ventures Energy Corporation ("JPMVEC") respectfully moves to intervene in the above-captioned docket, for the reasons more fully set forth below in the Memorandum in Support.

All correspondence to JPMVEC should be addressed to:

Mr. Paul Tramonte
Vice President- Compliance Manager
JPMorgan Chase & Co.
700 Louisiana Street, Suite 1000
Houston, TX 77002
Paul.Tramonte@jpmorgan.com

David M. Perlman, Esq.
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II. MEMORANDUM IN SUPPORT

JPMVEC respectfully submits that it is entitled to intervene in this proceeding. For purposes of considering requests for leave to intervene in a Commission proceeding, O.A.C. 4901-1-11(A) provides that:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that: ... (2) The person has a real and substantial interest in the proceeding, and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impede his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

Further, R.C. § 4903.221(B) and O.A.C. 4901-1-11(B) provide that the Commission, in ruling upon applications to intervene in its proceedings, shall consider the following criteria:

(1) The nature and extent of the prospective intervenor's interest; (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case; (3) Whether the intervention by the prospective intervenor with unduly prolong or delay the proceedings; (4) Whether the prospective intervenor will significantly contribute to fully development and equitable resolution of the factual issues.

O.A.C. 4901-1-11(B) also provides that an additional factor in considering a request to intervene will be the extent to which the person's interest is represented by existing parties.

JPMVEC, a Delaware corporation, is an indirect, wholly-owned subsidiary of JPMorgan Chase & Co. JPMVEC engages in a physical and financial energy and commodities business in North America. Among its activities, JPMVEC is a wholesale supplier of natural gas to the Ohio market.

In the above-captioned proceeding, Columbia has sought approval of its "proposal to implement a wholesale auction procedure to secure gas supply required to serve its sales customers." *Application at 3*. The proposal includes, *inter alia*, an auction process (which attempts to meet eight primary objectives) to procure natural gas supplies to economically serve sales customers. If the Commission were to grant Columbia's Application, JPMVEC anticipates

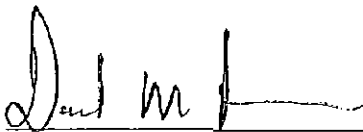
that it would likely participate in the resulting auctions to provide natural gas for Columbia to provide service to its sales customers. Accordingly, JPMVEC has direct, real and substantial interests in this proceeding. The disposition of this proceeding without JPMVEC's participation will negatively impact JPMVEC's ability to protect its business interests in this proceeding. JPMVEC is a potential wholesale supplier and its participation in this process and future auctions will benefit customers.

Further, other participants in this proceeding cannot represent JPMVEC's interests. As others participating in this proceeding cannot adequately protect JPMVEC's interests, it would be inappropriate to determine this proceeding without JPMVEC's participation. JPMVEC submits that its perspective as a wholesale gas supplier will contribute to the full, equitable, and expeditious resolution of this proceeding. Finally, JPMVEC's timely intervention will not unduly delay the proceeding, or unjustly prejudice the interests of any existing party to this proceeding.

III. CONCLUSION

For the reasons set forth above, JPMVEC respectfully requests that the Commission grant its request to intervene in the above-captioned docket.

Respectfully submitted,



David M. Perlman, Esq.

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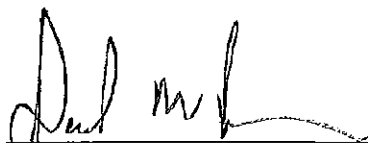


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Ohio State Bar No. 0076042

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following parties of record or as a courtesy, via electronic transmission or U.S. First Class mail, on June 5, 2009.



David M. Perlman, Esq.

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Steven M. Sherman Attorney for ProLiance Energy, LLC Krieg DeVault LLP One Indiana Square, Suite 2800 Indianapolis, Indiana 46204-2079 Email- ssherman@kdlegal.com	

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specified sections of Chapter 4933 of the §
Revised Code. §

Case No. 08-1344-GA-EXM

**MOTION FOR ADMISSION PRO HAC
VICE OF DAVID M. PERLMAN**

Pursuant to Rule 4901-1-08(B) of the Ohio Administrative Code, Carrie E. Carbone, an attorney licensed to practice law in the State of Ohio, respectfully moves that David M. Perlman be admitted *pro hac vice* to practice before the Public Utilities Commission of Ohio (the "Commission") for the purpose of representing J.P. Morgan Ventures Energy Corporation ("JPMVEC") in the instant matter, and in support thereof, states as follows:

1. David M. Perlman is a Partner with the law firm of Bracewell & Giuliani LLP in Washington, D.C. Mr. Perlman is an active member in good standing of the District of Columbia Bar and the State of Maryland Bar.

2. Mr. Perlman is an experienced practitioner in the area of utility regulation, and counsels clients before regulatory bodies such as the Federal Energy Regulatory Commission (FERC), Commodity Trading Commission and state public utilities commissions in regulatory and compliance matters, in the conduct of compliance programs and training, and in energy-related transactions and financings.

3. Contact information for Mr. Perlman is as follows:

David M. Perlman
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2000 K Street NW
Suite 500
Washington, District of Columbia 20006-1872
202-828-5804 (phone)
202-223-1225 (fax)
david.perlman@bgllp.com

4. It is respectfully requested that if the motion is granted, that Mr. Perlman's name be added to the service list in this case.

WHEREFORE, Carrie E. Carbone respectfully requests that David M. Perlman be permitted to practice before the Commission in the above-styled proceeding on behalf of JPMVEC, and that his name be added to the service list in this case.

Respectfully submitted,

BRACEWELL & GIULIANI LLP

By: Carrie E. Carbone

Carrie E. Carbone
Ohio State Bar No. 0076042

1445 Ross Ave., Suite 3800
Dallas, Texas 75202
(214) 468-3800 (Telephone)
(214) 468-3838 (Facsimile)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following parties of record or as a courtesy, via electronic transmission or U.S. First Class mail, on June 5, 2009.

Carrie E. Carbone

Carrie E. Carbone

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