

FILE

7

RECEIVED-DOCKETING DIV

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

2007 MAR 16 PM 1:30

In the Matter of the Regulation of the)
Purchased Gas Adjustment Clauses)
Contained Within the Rate Schedules of)
Columbia Gas of Ohio, Inc.)
and Related Matters)

PUCO

Case No. 06-221-GA-GCR

In the Matter of the Regulation of the)
Purchased Gas Adjustment Clauses)
Contained Within the Rate Schedules of)
Columbia Gas of Ohio, Inc.)
and Related Matters)

Case No. 07-221-GA-GCR

INTERSTATE GAS SUPPLY, INC.'S
MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT

John W. Bentine, Esq. (0016388)

Trial Counsel

E-Mail: jbentine@cwslaw.com

Direct Dial: (614) 334-6121

Bobby Singh, Esq. (0072743)

E-Mail: bsingh@cwslaw.com

Direct Dial: (614) 334-6122

Chester, Willcox & Saxbe LLP

65 East State Street, Suite 1000

Columbus, Ohio 43215-4213

(614) 221-4000 (Main Number)

(614) 221-4012 (facsimile)

Attorneys for Interstate Gas Supply, Inc.

Vincent A. Parisi, Esq. (0073283)

E-Mail: vparisi@igsenergy.com

Interstate Gas Supply, Inc.

5020 Bradenton Avenue

Dublin, Ohio 43017

Telephone: (614) 734-2649

Facsimile: (614) 734-2616

General Counsel, Interstate Gas Supply, Inc.

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business.
Technician 2 Date Processed 3-16-07

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Regulation of the)	
Purchased Gas Adjustment Clauses)	
Contained Within the Rate Schedules of)	Case No. 06-221-GA-GCR
Columbia Gas of Ohio, Inc.)	
and Related Matters)	

In the Matter of the Regulation of the)	
Purchased Gas Adjustment Clauses)	
Contained Within the Rate Schedules of)	Case No. 07-221-GA-GCR
Columbia Gas of Ohio, Inc.)	
and Related Matters)	

**INTERSTATE GAS SUPPLY, INC.'S
MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT**

I. MOTION FOR INTERVENTION

Interstate Gas Supply, Inc. ("IGS") is a certificated competitive natural gas supplier that serves substantial end-user loads on the Columbia Gas of Ohio, Inc. ("Columbia") transportation and Choice programs. IGS, its Choice customers, and the Choice market could be adversely affected by the issues and Commission's determinations in the above-captioned proceedings. For example, Case No. 02-220-GA-GCR, Vectren Energy Delivery of Ohio, Inc.'s gas cost recovery ("GCR") case, demonstrated that the Commission's orders in such cases could, and do, have impacts, adverse or otherwise, on Choice and competitive markets, and therefore, have impacts on IGS's interests in those markets. Indeed, the Commission has granted IGS intervention in all of the recent GCR cases of local distribution companies with Choice programs, in some instances over the strenuous objections of the applicable local distribution companies. *See, e.g., In the Matter of the Regulation of the Purchased Gas Adjustment Clauses*

Contained Within the Rate Schedules of Dominion East Ohio and Related Matters, Case No. 05-219-GA-GCR (IGS's intervention granted over DEO's objections by Entry dated December 2, 2005); *see also, e.g., In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained Within the Rate Schedules of The Cincinnati Gas & Electric Company and Related Matters*, Case No. 05-218-GA-GCR (IGS's intervention granted over Duke Energy Ohio, Inc. f/k/a Cincinnati Gas & Electric Company's objections by Entry dated November 15, 2005).

Moreover, IGS actively participated in those recent GCR proceedings, including filing testimony as necessary to protect IGS's interests, and has constructively impacted the outcome and resolution of those cases. *See, e.g., In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained Within the Rate Schedules of Vectren Energy Delivery of Ohio, Inc. and Related Matters*, Case Nos. 04-220-GA-GCR *et al.*, Direct Testimony of Kraig Lotter (October 10, 2006). Such participation by IGS unequivocally demonstrates the substantial relevance of such cases to IGS's direct interests, as well as the benefits to consumers and competitive markets by IGS's intervention and participation in such cases. For example, IGS is a signatory party to Commission-approved stipulations that resolved certain GCR cases. *See, e.g., In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained Within the Rate Schedules of Dominion East Ohio and Related Matters*, Case No. 05-219-GA-GCR, Opinion and Order (January 31, 2007) (approving partial Stipulation and Recommendation with company and certain parties); *see also, e.g., In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained Within the Rate Schedules of The Cincinnati Gas & Electric Company and Related Matters*, Case No. 05-218-GA-GCR, Opinion and Order (August 30, 2006) (approving Stipulation and Recommendation)

Accordingly, IGS respectfully moves the Commission for leave to intervene in the above-

captioned dockets, as a full party of record, and with the full powers and rights granted to intervening parties. IGS's basis for intervention in these proceedings, pursuant to Ohio Revised Code ("RC") § 4903.221 and Ohio Administrative Code ("OAC") 4901-1-11, is more fully set forth in the below Memorandum in Support.

II. MEMORANDUM IN SUPPORT

From the standpoint of both the substantive merits and timeliness of IGS's request, IGS respectfully submits that it is entitled to intervene in these proceedings.

For purposes of considering requests for leave to intervene in a Commission proceeding, OAC 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, RC § 4903.221(B) provides 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 will unduly prolong or delay the proceedings; (4) Whether the prospective intervenor will significantly contribute to full development and equitable resolution of the factual issues.

OAC 4901-1-11(B) also provides the following factors in considering requests to intervene:

(1) The nature of the person's interest; (2) The extent to which the person's interest is represented by existing parties; (3) The person's potential contribution to a just and expeditious resolution of the issues involved in the proceeding; and (4) Whether granting the requested intervention would unduly delay the proceeding or unjustly prejudice any existing party.

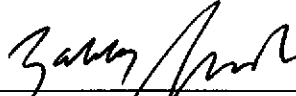
As noted above, IGS is a certificated competitive natural gas supplier that serves substantial end-user loads on Columbia's transportation and Choice programs, and IGS's interests could be adversely affected by the issues and Commission's determinations in these proceedings. As noted above, such cases have raised, considered, and resolved issues that affect the Choice markets, retail competition, and related operations on Columbia's system. Inasmuch as these proceedings may adversely impact Columbia's retail competitive marketplace, and IGS's interests relating to that market, IGS has real, direct, and substantial interests in these proceedings.

Indeed, IGS is so situated that the disposition of these issues without IGS's participation will impair and impede its ability to protect its interests, because others participating in this proceeding neither represent IGS's interests, nor the interests of Choice customers. Inasmuch as others participating in these proceedings cannot adequately protect IGS's interests, it would be inappropriate to determine this proceeding without IGS's participation. IGS's perspective as a Choice supplier will contribute to the full, equitable, and expeditious resolution of these proceedings. IGS's intervention will not unduly delay the proceedings, or unjustly prejudice the interests of any existing party. Lastly, IGS's intervention is timely.

III. CONCLUSION

As noted above, GCR proceedings have raised issues that impact Choice customers and markets, and therefore, have directly and substantially impacted IGS's interests. Thus, IGS respectfully requests the Commission to grant IGS's request to intervene in the above-captioned dockets, with the full powers and rights granted to intervening parties.

Respectfully submitted,



John W. Bentine, Esq. (0016388)

Trial Counsel

E-Mail: jbentine@cwsllaw.com

Direct Dial: (614) 334-6121

Bobby Singh, Esq. (0072743)

E-Mail: bsingh@cwsllaw.com

Direct Dial: (614) 334-6122

Chester, Willcox & Saxbe LLP

65 East State Street, Suite 1000

Columbus, Ohio 43215-4213

(614) 221-4000 (Main Number)

(614) 221-4012 (facsimile)

Attorneys for Interstate Gas Supply, Inc.

Vincent A. Parisi, Esq. (0073283)

E-Mail: vparisi@igsenergy.com

Interstate Gas Supply, Inc.

5020 Bradenton Avenue

Dublin, Ohio 43017

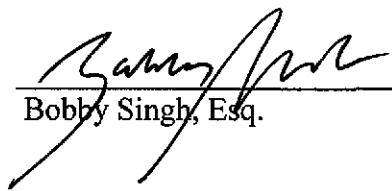
Telephone: (614) 734-2649

Facsimile: (614) 734-2616

General Counsel, Interstate Gas Supply, Inc.

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 U.S. Mail postage prepaid, express mail, hand delivery, or electronic transmission, on March 16, 2007.



Bobby Singh, Esq.

SERVICE LIST

Steve Puican
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Stephen Seiple
Columbia Gas of Ohio, Inc.
200 Civic Center Drive
P.O. Box 117
Columbus, OH 43216-0117