

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

6
RECEIVED
2007 OCT 24 PM 3:47
PUCO

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

INTEGRYS ENERGY SERVICES, INC.'S
MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT

Bobby Singh, Esq. (0072743) - Trial Counsel
Senior Attorney
INTEGRYS ENERGY SERVICES, INC.
300 West Wilson Bridge Road, Suite 350
Worthington, Ohio 43085
Direct Dial: (614) 844-4340
Facsimile: (614) 844-8305
E-Mail: bsingh@integrysenergy.com

Counsel for Integrys Energy Services, 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 TM Date Processed 10/24/2007

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**INTEGRYS ENERGY SERVICES, INC.'S
MOTION FOR INTERVENTION AND MEMORANDUM IN SUPPORT**

I. MOTION FOR INTERVENTION

IntegrYS Energy Services, Inc. ("IntegrYS") 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. IntegrYS, its customers, and the marketplace could be adversely affected by the issues and Commission's determinations in the above-captioned proceeding. 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 have impacts, adverse or otherwise, on Choice and competitive markets, and therefore, have impacts on IntegrYS's interests in those markets. Accordingly, the Commission has granted suppliers intervention in GCR cases of distribution companies with Choice programs, in some instances over the objections of the utility.¹

Accordingly, IntegrYS respectfully moves the Commission for leave to intervene in the

¹ 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; 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.

above-captioned docket. Integrys's basis for intervention, 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

Integrys respectfully submits that it is entitled to intervene in the above-captioned proceedings, both on the substantive merits and timeliness of Integrys's request.

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, Integrys is a certificated competitive natural gas supplier that serves

substantial end-user loads on Columbia's transportation and Choice programs, and Integrys's interests could be adversely affected by the issues and Commission's determinations in this proceeding. 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 marketplace, and Integrys's interests in that market, Integrys has real, direct, and substantial interests in this proceeding.

Indeed, Integrys is so situated that the disposition of issues in this proceeding without Integrys's participation will impair and impede its ability to protect its interests, because others participating in this proceeding do not represent Integrys's interests. Inasmuch as others participating in these proceedings cannot adequately protect Integrys's interests, it would be inappropriate to determine this proceeding without Integrys's participation. Integrys's perspective as a Choice supplier will contribute to the full, equitable, and expeditious resolution of this proceeding. Integrys's intervention will not unduly delay the proceeding, or unjustly prejudice the interests of any existing party. Lastly, Integrys's intervention is timely.

III. CONCLUSION

As noted above, GCR proceedings have raised issues that impact Choice customers and competitive retail markets, and therefore, have direct and substantial impacts on Integrys's interests. Thus, Integrys respectfully requests the Commission to grant Integrys's request to intervene in the above-captioned docket.

Respectfully submitted,

/s/ Bobby Singh

Bobby Singh, Esq. (0072743) - Trial Counsel

Senior Attorney
INTEGRYS ENERGY SERVICES, INC.
300 West Wilson Bridge Road, Suite 350
Worthington, Ohio 43085
Direct Dial: (614) 844-4340
Facsimile: (614) 844-8305
E-Mail: bsingh@integrysenergy.com

Counsel for Integrys Energy Services, 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 October 24, 2007.

/s/ Bobby Singh

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

John W. Bentine
Chester, Willcox & Saxbe, LLP
65 East State Street, Suite 1000
Columbus, Ohio 43215

Robert G. Kriner, Controller –
Distribution Segment
Columbia Gas of Ohio, Inc.
200 Civic Center Drive
Columbus, OH 43215

Rodney Anderson
General Counsel
Columbia Gas of Ohio, Inc.
200 Civic Center Drive
P.O. Box 117
Columbus, OH 43216-0117

May L. Battig
Columbia Gas of Ohio, Inc.
200 Civic Center Drive
Columbus, OH 43215
mleng@nisource.com

Vincent A. Parisi
Interstate Gas Supply
5020 Bradenton Avenue
Dublin, Ohio 43017
vparisi@igsenergy.com