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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Application of Columbia Gas of Ohio, Inc. for)
a Waiver of Certain Provisions in the) Case No. 10-457-GA-WVR
December 2, 2009 PUCO Opinion and Order)
in Case No. 08-1344-GA-EXM for the Purpose
of Promoting Economic Development

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

I. MOTION FOR INTERVENTION

Pursuant to Ohio Revised Code ("RC") §4903.221 and Ohio Administrative Code ("OAC") 4901-1-11, Interstate Gas Supply, Inc. ("IGS") respectfully moves the Commission for leave to intervene in the above-captioned docket, for the reasons more fully set forth below in the Memorandum in Support.

II. MEMORANDUM IN SUPPORT

IGS respectfully submits that it is entitled to intervene in this proceeding. 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.

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Further, RC §4903.221(B) and OAC 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 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 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.

IGS is a certificated competitive natural gas supplier that serves substantial end-user loads in the Columbia Gas of Ohio, Inc. ("Columbia") service territory. In this proceeding, Columbia is applying to waive certain provisions set forth in Commission's December 2, 2009 Opinion and Order in Case No. 08-1344-GA-EXM in order to use funds received from an interstate pipeline refund to pay for economic development grants and demand side management programs in Ohio. As a party to the 08-1344-GA-EXM Stipulation, IGS has a direct interest in a proceeding that seeks to modify the terms of that Stipulation.¹ Also, Columbia asks that the Commission use funds for demand side management and economic development programs that otherwise would be credited to IGS customers. For these reasons, IGS has direct, real, and substantial interests in this proceeding. The disposition of this proceeding without IGS's full participation will prejudice and impede IGS's ability to protect its substantial business interests in this proceeding. Further, others participating in this proceeding do not represent IGS's interests. Inasmuch as others participating in this proceeding cannot adequately protect IGS's interests, it would be inappropriate to determine this proceeding without IGS's participation.

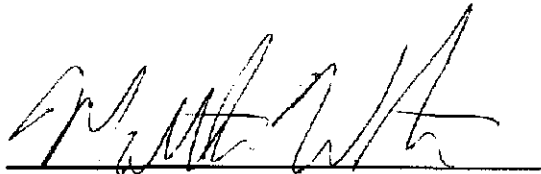
¹ IGS is a member of the Ohio Gas Market's Group, which was a signatory party to the 08-1344-GA-EXM Stipulation.

IGS submits that its unique perspectives will contribute to the full, equitable, and expeditious resolution of this proceeding. Finally, IGS'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, IGS respectfully requests the Commission grant IGS's request to intervene in the above-captioned docket.

Respectfully submitted,



John W. Bentine, Esq. (0016388)

E-Mail: jbentine@cwslaw.com

Direct Dial: (614) 334-6121

Mark S. Yurick, Esq. (0039176)

E-mail: myurick@cwslaw.com

Direct Dial: (614) 334-7197

Matthew S. White, Esq. (0082859)

E-mail: mwhite@cwslaw.com

Direct Dial: (614) 334-6172

Chester, Willcox & Saxbe LLP

65 East State Street, Suite 1000

Columbus, Ohio 43215-4213

(614) 221-4000 (Main Number)

(614) 221-4012 (Facsimile)

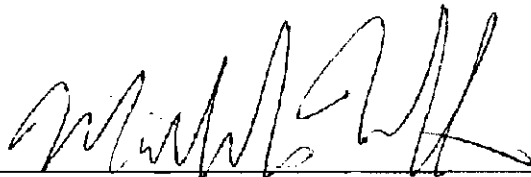
Attorneys for Interstate Gas Supply, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion For Intervention and Memorandum In Support Of Interstate Gas Supply, Inc.* 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 May 11, 2010.

Stephen B. Seiple
Brook E. Leslie
Columbus Gas of Ohio, Inc.
200 Civic Center Drive
Columbus, Ohio 43216-0177
Email: sseiple@nisource.com
bleslie@nisource.com

Colleen L. Mooney
Ohio Partners for Affordable Energy
1431 Muldord Road
Columbus, Ohio 43212
Email: cmooney2@columbus.rr.com



Matthew S. White, Esq.