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September 9, 2010

Renee Jenkins  
Chief of Docketing  
The Public Utilities Commission of Ohio  
180 E. Broad Street, 11th Floor  
Columbus, Ohio 43215

Re: In the Matter of the Application of Interstate Gas Supply, Inc. for  
Certification as a Retail Natural Gas Supplier  
PUCO Case No. 02-1683-GA-CRS

Dear Ms. Jenkins:

Please find attached the Northeast Ohio Public Energy Council's First Set of  
Discovery Requests to Interstate Gas Supply, Inc. that were inadvertently not attached  
to Interstate Gas Supply, Inc.'s September 9, 2010 Motion for Protective Order and  
Request for Expedited Treatment.

Very truly yours,

*Matthew White*

Matthew S. white

cc: All Parties

4812-6090-1383, v. 1

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Interstate Gas )  
Supply Inc. for Certification as a Retail Natural Gas )  
Supplier. )

Case No. 02-1683-GA-CRS

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**NORTHEAST OHIO PUBLIC ENERGY COUNCIL'S  
FIRST SET OF DISCOVERY REQUESTS  
TO INTERSTATE GAS SUPPLY INC.  
(September 3, 2010)**

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Pursuant to Ohio Administrative Code Rules 4901-1-16, 4901-1-17, 4901-1-17, 4901-1-19 and 4901-1-20, and as an intervening party in the above-captioned case, the Northeast Ohio Public Energy Council ("NOPEC") hereby propounds the following Interrogatories and Requests for Production of Documents ("Discovery Requests") upon Interstate Gas Supply Inc. ("IGS" or "Company") to be answered in writing and under oath.<sup>1</sup> NOPEC requests IGS answer the Discovery Requests and provide copies, or access to, all responsive documents within twenty (20) days of service, and no later than September 23, 2010. Responses should be sent to:

Glenn S. Krassen  
Bricker & Eckler LLP  
1001 Lakeside Avenue East, Suite 1350  
Cleveland, Ohio 44114  
gkrassen@bricker.com

Matthew W. Warnock  
Bricker & Eckler LLP  
100 South Third Street  
Columbus, Ohio 43215-4291  
mwarnock@bricker.com

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<sup>1</sup> NOPEC filed a motion to intervene in the above-captioned proceeding on August 31, 2010.

## INSTRUCTIONS

1. If you refuse to answer any interrogatory, in whole or in part, specifically describe the basis for your refusal to answer, including a statement of facts relied on for any claim of privilege.
2. For all documents produced, identify by Bates number which documents are responsive to each separate discovery request.
3. In accordance with Rule 4901-1-16 of the Ohio Administrative Code, these interrogatories and requests for production of documents shall be deemed to be continuing so as to request supplementation of the responses up to and through the time of the hearing in this case.
4. For each response to these interrogatories and requests for production of documents, state the name and title of the person responsible for preparing the response.
5. Terms in the plural include the singular and terms in the singular include the plural.
6. Except as otherwise noted, the period of time covered by each interrogatory is to date.
7. The word "or" is not exclusive.
8. Terms referring to a gender include all genders.
9. The use of the past tense in any interrogatory shall include the present tense, and vice versa.
10. No statement or inference contained in any interrogatory herein shall constitute a representation or admission of any fact or condition.

## DEFINITIONS

1. The term "person," when used herein, means an individual, corporation, partnership or association, any other business or governmental entity, or political subdivision.

2. The term "document" means refers to any written, printed, typed, photostatic, photographed, recorded, electronically stored, computerized and/or otherwise reproduced communication or representation, whether comprised of letters, words, numbers, pictures, sounds or symbols, electronic and/or computerized data or any combination thereof. This definition includes all drafts of every document and/or computer file, and copies or duplicates of documents and/or computer files contemporaneously or subsequently created which have any non-conforming notes or other markings. More specifically, the term "document" includes, but is not limited to, correspondence, memoranda, notes or notations, records, letters, e-mail, envelopes, telegrams, messages, studies, analyses, contracts, agreements, working papers, accounts, analytical records, reports and/or summaries of investigations, trade letters, press releases, comparisons, books, calendars, diaries, articles, magazines, newspapers, booklets, brochures, pamphlets, circulars, bulletins, notices, drawings, diagrams, instructions, notes or minutes of meetings or of other communications of any type, including inter- and intra-office communications, questionnaires, surveys, charts, graphs, photographs, phonograph recordings, films, tapes, disks, data cells, e-mail, printouts or hard copies of information stored or maintained by electronic data processing or word processing equipment, all other data compilations from which information can be obtained (by translation, if necessary, by you through detection devices into usable form) including, without limitation, electromagnetically sensitive storage media such as floppy disks, hard disks and/or CD-ROM, and any preliminary versions, drafts or revisions of any of the foregoing.

3. The term "communication" or "communicate" includes information relating to all

oral communications and "documents" (as defined above), whether or not any such document, or the information contained therein, was transmitted by its author to any other person.

4. The term "identify," when used herein, has the following meanings:

- A. When used in reference to an individual, it means to state the person's (a) full name; (b) present business address, or, if unavailable, last known home address; and (c) business or governmental affiliation or job title or, if unavailable, the last known business or governmental affiliation and job description.
- B. When used in reference to any person other than an individual, it means to state the person's (a) full name and d/b/a, if any; and (b) present address or, if unavailable, last known address;
- C. When used in reference to corporate or other business entities, it means to state (a) the name of the corporation or business entity; (b) the date and place(s) of incorporation; (c) the principal place(s) of business; (d) all locations where it is licensed or authorized to do business; and (e) all of its present business addresses.
- D. When used in reference to communications, it means to describe the statements and communications by (a) stating the date and place where they were made; (b) identifying each of the makers and recipients thereof, in addition to all persons present; and (c) indicating the medium of communication.

Note: When identifying the date of an oral statement or communication, the precise date must be given. If only an approximate date is given, it will be presumed that you have no recollection or do not have specific knowledge as to the exact date.

- E. When used in reference to a document or documentary evidence, it means to state the type of document (e.g., letter, memorandum, telegraph, chart), its author and originator, its date(s), all addresses and recipients, its present location or custodian, the topics dealt with therein, with such reasonable particularity as is sufficient for a specific demand for production, and any identifying marks, numerals, code words or letters distinguishing it from other similar documents. If any such document was but no longer is, in your possession or subject to your custody or control, state what disposition was made of it. Documents to be identified shall include all those documents in your possession, custody or control and all of the documents of which you have knowledge, all documents available to you, and all documents that you could obtain from your employees, agents, representatives, sureties, or indemnitors.
- F. When used in reference to damages, it means to state the damages, including each component and the method by which the damages were calculated.

5. "Relates to" and "relating to" are intended to include referring to, relating to, embodying, connected with, commenting on, responding to, showing, describing, analyzing, reflecting, or constituting.

6. "You" and "your" refers to IGS and all employees, agents, representatives, affiliates, successor corporations, subsidiary corporations, and parent corporations thereof.

7. "IGS" refers collectively to Interstate Gas Supply Inc, its parent companies, subsidiaries, affiliates, predecessors, successors, officers, directors, agents, employees, and other persons acting on its behalf.

8. "NiSource" refers collectively to NiSource Corporate Services Company, its parent companies, subsidiaries and affiliates (including but not limited to Columbia Gas of Ohio), affiliates, predecessors, successors, officers, directors, agents, employees, and other persons acting on its behalf.

9. The "Commission" means the Public Utilities Commission of Ohio.

10. "Application" means the Notice of Material Change filed by IGS on August 6, 2010 in Case No. 02-1683-GA-CRS.

## **DATA REQUESTS**

### **Interrogatories**

**NOPEC Int 1.** Identify and provide all responses to discovery requests and/or responses to Commission data requests provided by IGS as part of this proceeding.

### **RESPONSE:**

**NOPEC Int 2.** Identify and provide all responses to IGS discovery requests provided to IGS as part of this proceeding.

**RESPONSE:**

**NOPEC Int 3.** Identify the person(s) at IGS responsible for the filing of the Notice, including their name, job title, and business address.

**RESPONSE:**

**NOPEC Int 4.** Identify the person(s) at IGS responsible for obtaining permission from NiSource to use the "Columbia" name as part of the new trade name "Columbia Retail Energy." For each person, identify their name, job title, and business address.

**RESPONSE:**

**NOPEC Int 5.** Identify the persons at NiSource with whom IGS negotiated the use or licensing of the "Columbia" name, including as part of the new trade name "Columbia Retail Energy." For each person, identify their name, job title, and business address.

**RESPONSE:**

**NOPEC Int 6.** Explain any affiliation between IGS and NiSource, including but not limited to any contractual relationship, joint venture, partnership or other business relationship. For any affiliation identified, explain whether it extends to states other than Ohio (e.g., Pennsylvania or Kentucky).

**RESPONSE:**

**NOPEC Int 7.** Explain the circumstances leading IGS to file the Notice regarding the use of the trade name "Columbia Retail Energy."

**RESPONSE:**

**NOPEC Int 8.** Identify any and all contracts or agreements between NiSource and IGS involving the use or licensing of the names "Columbia" or "Columbia Retail Energy."

**RESPONSE:**

**NOPEC Int 9.** For any contract or agreement identified in response to NOPEC Int. 7, identify the parties, duration (including whether there are any renewal options), and payment structure including the amount of any one-time or continuing licensing or other fee.



**RESPONSE:**

**NOPEC Int 10.** For any contract identified in response to NOPEC Int. 8, identify whether IGS has any financial incentive to enroll more customers or sell more volumes of gas in the service territory of Columbia Gas of Ohio, Inc.

**RESPONSE:**

**NOPEC Int 11.** Identify the Ohio natural gas utilities' service territories in which IGS is using, or plans to use, the "Columbia Retail Energy" trade name.

**RESPONSE:**

**NOPEC Int 12.** Identify the number of IGS customers in the service territory of Columbia Gas of Ohio, Inc. as of the August 6, 2010 filing date of the Notice.

**RESPONSE:**

**NOPEC Int 13.** Identify any actions IGS has taken or will take to reduce customer confusion regarding the use of the trade name "Columbia Retail Energy."

**RESPONSE:**

**NOPEC Int 14.** Identify whether IGS has begun using the trade name “Columbia Retail Energy” to offer service in the State of Ohio, in customer communications, or in marketing documents.

**RESPONSE:**

**NOPEC Int 15.** If the answer to NOPEC Int. 13 is in the affirmative, briefly describe any and all instances in which the Columbia Retail Energy trade name has been used.

**RESPONSE:**

**NOPEC Int 16.** Identify any state other than Ohio in which IGS has registered, or attempted to register, the trade name “Columbia Retail Energy.” For any unsuccessful registration attempts, please explain why it was unsuccessful.

**RESPONSE:**

**NOPEC Int 17.** Identify any state other than Ohio in which IGS has registered, or attempted to register, any trade name involving the use of the word “Columbia” For any unsuccessful registration attempts, please explain why it was unsuccessful.

**RESPONSE:**

**NOPEC Int 18.** Identify how the trade name "Columbia Retail Energy" is distinguishable from the trade names "Columbia Retail Property LLC," "Columbia Retail Services," or "Columbia Energy Group."

**RESPONSE:**

**NOPEC Int 19.** Identify any writing filed with the Ohio Secretary of State's Office indicating the consent of NiSource, "Columbia Retail Property LLC," "Columbia Retail Services," or "Columbia Energy Group" to the use of the trade name "Columbia Retail Energy."

**RESPONSE:**

### **REQUESTS FOR PRODUCTION**

**NOPEC RFP 1.** Produce all documents and things identified in response to NOPEC's Interrogatories.

#### **RESPONSE:**

**NOPEC RFP 2.** Produce any and all communications between IGS and Dean Bruno, including but not limited to e-mail, letters, and memoranda.

#### **RESPONSE:**

**NOPEC RFP 3.** Produce any and all communications between or among IGS and NiSource pertaining to the Notice or licensing of the "Columbia" or "Columbia Retail Energy" trade names.

#### **RESPONSE:**

**NOPEC RFP 4.** Produce any marketing or advertising documents that IGS has sent, or plans to send, to customers using the trade name "Columbia Retail Energy."

#### **RESPONSE:**

**NOPEC RFP 5.** Produce any and all agreements between IGS and NiSource under which IGS and NiSource are conducting business, including but not limited to joint ventures, partnerships, or other business arrangements.

**RESPONSE:**

Respectfully submitted,



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Attorneys for Northeast Ohio Public Energy  
Council

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon the following party of record by hand-delivery, this 3<sup>rd</sup> day of September 2010:

**Interstate Gas Supply, Inc.**  
John Bentine, Esq.  
Matthew W. White, Esq.  
Chester Wilcox & Saxbe, LLP  
65 East State Street, Suite 1000  
Columbus, OH 43215

I also hereby certify that a copy of the foregoing was served upon the following party of record by regular U.S. mail, this 3<sup>rd</sup> day of September 2010.

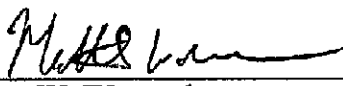
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