



August 21, 2012

Ms. Barcy F. McNeal, Secretary  
Public Utilities Commission of Ohio  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215

Re: *Office of the Ohio Consumers' Counsel, et al. v. Interstate Gas Supply, Inc.*, PUCO Case No. 10-2395-GA-CSS; Discussion with Attorney Examiner Katie Stenman on August 14, 2012.

Dear Ms. McNeal:

With regard to O.A.C. 4901-1-09 (relating to ex parte discussions) and upon the request of Attorney Examiner Pirik, this letter describes the communications in my call to Attorney Examiner Stenman regarding the timing for a potential partial settlement (between certain, but not all parties) in this case before the Public Utilities Commission of Ohio ("PUCO"). At approximately 1:00 p.m. on August 14, 2012, I made a telephone call to Attorney Examiner Katie Stenman, after settlement-related discussions between some of the parties gave rise to an inquiry about whether there was time available to partially settle the case given that the case was on the PUCO's agenda for possible decision at its meeting on August 15, 2012. My call to Ms. Stenman was preceded by my conversations with counsel/representatives for Interstate Gas Supply, Inc. (Zachary Kravitz), Ohio Farm Bureau Federation (Dale Arnold) and Northeast Ohio Public Energy Council (Matthew Warnock)<sup>1</sup> regarding the status of settlement negotiations and the potential for a conference call with the Attorney Examiner to seek a withdrawal of the case from the PUCO's agenda for August 15, 2012.

Upon calling, I informed Ms. Stenman that I wanted to discuss the above case. I noted that, during the hearing in this case, several parties (IGS, OCC and the Ohio Farm Bureau) had informed the Attorney Examiner that these parties had achieved what appeared to be an agreement in principle. During my August 14<sup>th</sup> call, I informed Ms. Stenman that these three parties still believed they have what appeared to be an agreement in principle, but that a stipulation had not been finalized. I informed the Attorney Examiner that these parties would not be in a position to file a stipulation (if one could be achieved) before the PUCO's meeting on Wednesday (August 15, 2012). I inquired about the potential for withdrawing the case from

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<sup>1</sup> I did not have an opportunity to speak with counsel for Stand Energy ("Stand") prior to speaking with Ms. Stenman on August 14, 2012. Subsequent to speaking with Ms. Stenman, I spoke with Stand's counsel John Dosker to inform him of the status of negotiations and this case, including the PUCO's request for filing this letter.

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the PUCO's agenda in order to allow additional time for a stipulation. And I offered that I could set up a conference call with the Attorney Examiner and the parties to the case on that same afternoon, to discuss the matter. Ms. Stenman informed me that at this late date she did not think withdrawing the case from the agenda was an option, but she would check and let me know. Later that day on August 14, 2012, Attorney Examiner Pirik contacted the Consumers' Counsel to request the filing of this letter, under O.A.C. 4901-1-09, to describe the conversation between myself and Ms. Stenman. (After my call with Ms. Stenman, there was no further communication between her and myself on this matter.)

As a final matter for this letter, O.A.C. 4901-1-09 requires the following statement: "Any participant in the discussion who believes that any representation made in this document is inaccurate or that the communications made during the discussion have not been fully disclosed shall prepare a letter explaining the participant's disagreement with the document and shall file the letter with the Commission and serve the letter upon all parties and participants in the discussion within two business days of receipt of this document."

Thank you.

Sincerely,

*/s/ Larry S. Sauer*

Larry S. Sauer  
Assistant Consumers' Counsel

cc: Ms. Katie Stenman, PUCO Attorney Examiner

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Summary: Correspondence Discussion with Attorney Examiner electronically filed by Patti Mallarnee on behalf of Sauer, Larry S.