

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

**Pennsylvania Public Utility
Commission Law Bureau Prosecutory
Staff v. Columbia Gas of PA, Inc.**

**Public Meeting – August 6, 2009
1203515-OSA
Docket No. C-20077249**

MOTION OF VICE CHAIRMAN TYRONE J. CHRISTY

Before the Commission for consideration is a Settlement Agreement (Settlement) filed on March 12, 2008, by Columbia Gas of PA, Inc. (Columbia), and the Commission's Law Bureau Prosecutory Staff (Prosecutory Staff). The Settlement, among other things, requires Columbia to pay a \$50,000 civil penalty. Columbia will not claim or include any portion of this amount in any future rate proceeding.

Pursuant to a Secretarial Letter dated May 6, 2009, the proposed Settlement, was served on the parties to the proceeding and they were requested to submit additional information in order for the Commission to evaluate the Settlement. Columbia and the Prosecutory Staff have filed responses.

Upon review of the additional information and further review of the Settlement, I believe it is appropriate to again seek public comment before taking final action on the Settlement.

I am troubled by the small amount of the monetary sanctions provided for in the Settlement after considering the circumstances, which include an explosion, fire and personal injury. However, I will not second guess the dollar amount provided for in the Settlement, but caution that in the future, similar circumstances may suggest that larger sanctions should be imposed.

I believe the \$50,000 payment provided for in the Settlement could be better utilized by directing the payment to the Dollar Energy Fund. In these increasingly tough economic times I believe directing \$50,000 to this program would be a better use of these funds. The \$50,000 shall be in addition to any support already committed to the Dollar Energy Fund through utility and shareholder contributions. Columbia's payment to the Dollar Energy Fund shall be contingent upon Dollar Energy agreeing to use these funds to assist Columbia's customers.

THEREFORE I MOVE:

1. That the Office of Special Assistants prepare an Opinion and Order consistent with this Motion.

2. That the Opinion and Order be issued for comment so as to afford any interested party an opportunity to comment within twenty (20) days of the date of entry of the Opinion and Order.

3. That a copy of the Opinion and Order be served on the parties to the proceeding, the Office of Consumer Advocate and the Office of Small Business Advocate.

4. That, subsequent to the Commission's review of the comments filed in this proceeding, a final Opinion and Order shall be issued.

8-6-09

DATE

Tyrone J. Christy
TYRONE J. CHRISTY, VICE CHAIRMAN