

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

**Revision of Guidelines for Maintaining
Customer Services; Establishment of
Interim Standards to Provide for POR
Programs; Postponement Request Filed
By T.W. Phillips and NFG**

**Public Meeting - December 4, 2008
2068982-Law
Docket Nos: M-2008-2068982;
M-00991449F0003;
I- 00040103F0002**

MOTION OF VICE CHAIRMAN TYRONE J. CHRISTY

Before the Commission for disposition are the comments and reply comments filed in response to our October 16, 2008, Secretarial Letter, which requested comments on Purchase of Receivables Programs (PORs) by natural gas distribution companies (NGDCs). Specifically, our Secretarial Letter requested whether an NGDC should be allowed to terminate customers for the failure to pay receivables purchased from a natural gas supplier (NGS) pursuant to a Commission-approved POR program. The Secretarial Letter also requested comments that identify other consumer service issues that needed to be addressed, and statutory amendments that needed to be made for POR programs to be implemented.

Additionally, on November 6, 2008, National Fuel Gas Distribution Company and T.W. Phillips Gas & Oil Company (Joint Petitioners) filed a Joint Request for Postponement of the December 31, 2008 deadline for NGDCs to submit voluntary POR programs. This directive was included in our September 11, 2008 Final Order and Action Plan regarding the *Investigation into the Natural Gas Supply Market: Report on Stakeholder's Working Group (SEARCH)*, Docket No. I-00040103F0002. The Joint Petitioners base their request on uncertainty as to the unresolved issue in the case of *Pennsylvania Public Utility Commission v. Columbia Gas of Pennsylvania, Inc.*, Docket No. R-2008-2011621 (*Columbia*). The issue in *Columbia* is whether a NGDC should be permitted to terminate customers for non-payment of purchased CHOICE Natural Gas supplier receivables.

I support a 90-day extension of the December 31, 2008 filing deadline, as well as the revision of Guideline 6(a)(2) to allow NGDCs to terminate service for nonpayment of natural gas supply charges purchased as an account receivable in a Commission-approved POR program. However, I believe that we should defer action on other interim guidelines until a later date. It is important that we provide clear guidance to the industry and ensure that interim guidelines provide a proper balance within the natural gas market in Pennsylvania.

THEREFORE, I MOVE THAT:

1. The filing deadline of December 31, 2008, be extended by 90 days for all NGDCs and Guideline 6(a)(2) be revised to allow NGDCs to terminate service for nonpayment of charges purchased as an account receivable in a Commission-approved POR program.

2. The Law Bureau prepare the appropriate Opinion and Order consistent with this Motion.

DATE

TYRONE J. CHRISTY, VICE CHAIRMAN