

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

**Pennsylvania Public Utility
Commission Law Bureau Prosecutory
Staff v. The Peoples Natural Gas
Company, d/b/a, Dominion Peoples**

**Public Meeting – May 14, 2009
20886651-OSA (Rev)
Docket No. M-2009-2086651**

MOTION OF VICE CHAIRMAN TYRONE J. CHRISTY

Before the Commission for consideration is the Joint Settlement Agreement (Settlement) filed on January 3, 2009, by The Peoples Natural Gas Company, d/b/a dominion Peoples (Dominion Peoples or the Company) and the Commission's Law Bureau Prosecutory Staff (Prosecutory Staff). The Settlement, among other things, requires Peoples to provide \$5,000 in funding in support of its Low-Income Usage Reduction Program (LIURP).

Dominion Peoples agrees, "To pay, in lieu of a civil penalty pursuant to 66 Pa. C.S. § 3301 (c), five thousand dollars (\$5,000) to contractors who participate in the Low-Income Usage Reduction Program (LIURP) and provide supporting documentation that the money was spent to pay for winterization of homes where owners meet income eligibility requirements. The company shall not claim or include any portion of the civil settlement amount in any future rate proceeding." Settlement p. 7, ¶ 31. A.

Dominion Peoples' LIURP program is administered in-house through a contract with a non-profit entity. In conjunction with Dominion Peoples, the administrator performs energy audits and determines energy criteria for the Company's LIURP program. In turn, the administrator subcontracts with non-profit agencies to install weatherization measures and conducts post-installation inspections. All work is monitored by Dominion Peoples and is paid for by the Company through the administrator.

In order to conform ¶ 31 A. of the Settlement to the manner in which Dominion Peoples manages its LIURP program, this term of the Settlement should be changed to read as follows, "To pay, in lieu of a civil penalty pursuant to 66 Pa. C.S. § 3301 (c), five thousand dollars (\$5,000.00) as an increment to the Commission-Approved 2009 LIURP budget of \$610,000 establishing a revised 2009 LIURP budget of \$615,000. The incremental \$5,000 shall be administered by the outside contractor consistent with current practice. The Company shall not claim or include any portion of this civil settlement amount in any future rate proceeding."

In addition to issuing this Settlement for comment by interested parties, I encourage all interested parties to comment regarding whether provision 31. A. of the Settlement should be revised as set forth above.

THEREFORE I MOVE:

- 1) That the Joint Settlement Agreement be attached to the Opinion and Order resulting from this Motion thereby affording an opportunity for interested parties to file comments.
- 2) That a copy of the Opinion and Order including the Settlement Agreement be served on the Office of Consumer Advocate and the Office of Small Business Advocate.
- 3) That comments to the Settlement Agreement and the Opinion and Order will be considered timely if filed within twenty (20) days of the date of entry of the Opinion and Order.
- 4) That subsequent to the Commission's review of the comments filed in this proceeding, an Opinion and Order will be issued.
- 5) That the Office of Special Assistants prepare the necessary Opinion and Order.

DATE

TYRONE J. CHRISTY, VICE CHAIRMAN