



SPILMAN THOMAS & BATTLE, PLLC

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November 15, 2010

*Via Electronic Filing and First Class Mail*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**Re: Update and Amendment to the Initial Application for Natural Gas Supply Services to the Public for Interstate Gas Supply, Inc. d/b/a/ IGS Energy; Docket No. A-125051**

Dear Secretary Chiavetta:

On November 4, 2010, the Pennsylvania Public Utility Commission ("PUC" or "Commission") granted the request of Interstate Gas Supply, Inc. d/b/a IGS Energy ("IGS Energy") for an extension to the statutory time for filing responses to the Protest and Petition to Intervene previously filed by the Retail Energy Supply Association ("RESA") at the above-referenced docket. In lieu of Answers to RESA's Protest and intervention, IGS Energy hereby submits this letter notifying the Commission that IGS Energy and RESA have reached a Settlement in Principle ("Settlement") on the issues raised by RESA with respect to IGS Energy's use of the fictional operating name "Columbia Retail Energy."

The Settlement provides that IGS Energy will use certain disclosures on all marketing, advertising, billing, and customer education materials<sup>1</sup> wherein IGS Energy employs the Columbia Retail Energy trademark, trade name, service mark, or logo (collectively, "logo") in Pennsylvania. These agreed-upon disclosures are enclosed with this letter. In addition, the Settlement provides that IGS Energy and RESA will, at some point in the near future, jointly propose to the Commission interim guidelines and, through a proposed rulemaking proceeding, formal regulations applicable to any Natural Gas Supplier's ("NGS") use of a non-affiliated utility's logo on marketing, advertising, billing, and customer education materials. In exchange for these measures, RESA has agreed to withdraw its Protest and Petition to Intervene in this docket.

IGS Energy and RESA have achieved this resolution through extensive negotiations and mutually agree that the Settlement is in the best interest of both parties. Furthermore, both parties agree that interim guidelines and a formal rulemaking on the issues presented by RESA's Protest and Petition to Intervene will serve Pennsylvania consumers better and more efficiently than will the

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<sup>1</sup> The Settlement provides for a limited number of exceptions to this disclosure requirement where such disclosures would be infeasible or unnecessary.

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resolution of the singular issue of IGS Energy's use of a specific fictional operating name. For these reasons, IGS Energy respectfully requests that the Commission accept this letter in lieu of Answers to RESA's Protest and Petition to Intervene.<sup>2</sup>

IGS Energy is aware that the Office of Consumer Advocate ("OCA") has recently filed a Notice of Intervention in this matter. In an effort to also amicably resolve the OCA's concerns, IGS Energy is currently engaged in ongoing discussions with the OCA with respect to this Settlement and IGS Energy's intended disclosures.

This document was filed electronically with the Commission on this date and served in accordance with the enclosed Certificate of Service.

Please contact the undersigned if you have any questions concerning this filing.

Sincerely,

SPILMAN THOMAS & BATTLE, PLLC

By



Derrick Price Williamson  
Barry A. Naum

BAN  
Enclosures  
c: Certificate of Service

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<sup>2</sup> In the unforeseen and unlikely event that RESA does not withdraw its Protest and Petition to Intervene in accordance with the Settlement, IGS Energy reserves the right to subsequently file responses to these pleadings.

# Columbia Retail Energy<sup>SM</sup>

*Service is provided by Interstate Gas Supply, Inc.  
under the trade name Columbia Retail Energy.*

The trademark COLUMBIA RETAIL ENERGY including the starburst design is a trademark of NiSource Corporate Services Company and is used under license by Interstate Gas Supply, Inc. Columbia Retail Energy is not the utility, and Interstate Gas Supply, Inc., is not an affiliate of NiSource Corporate Services Company or the utility Columbia Gas of Pennsylvania.

PO Box 8010 Dublin, OH 43016 Phone: 888 493 6790 [ColumbiaRetailEnergy.com](http://ColumbiaRetailEnergy.com)

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Update and Amendment to the Initial :  
Application for Natural Gas Supply Services : Docket No. A-125051  
to the Public for Interstate Gas Supply, Inc. :  
d/b/a IGS Energy :

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the following parties to this proceeding in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**VIA ELECTRONIC MAIL AND FIRST CLASS MAIL**

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Barry A. Naum

Dated: November 15, 2010