

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

**Pennsylvania Public Utility
Commission, Law Bureau Prosecutory
Staff v. Peoples Natural Gas
Company f/k/a Dominion Peoples
Natural Gas Company**

**Public Meeting – January 27, 2011
2147821-OSA
Docket No. M-2010-2147821**

DISSENT IN PART OF VICE CHAIRMAN TYRONE J. CHRISTY

Today the Commission is considering a Settlement Agreement (Settlement) between the Commission's Law Bureau Prosecutory Staff (LBPS) and Peoples Natural Gas Company (Peoples), which was filed with the Commission for approval on September 2, 2010. The Settlement, among other things, provides for a civil penalty of \$1,500.

Although the amount of this particular civil penalty is relatively small, I dissent from the majority's decision to direct the payment of this amount to the General Fund rather than one of Peoples' low-income programs. Assuming an average grant of \$300, this amount could have helped five low-income families retain their utility service. As I consistently have stated, the Commission should direct settlement amounts to utility low-income programs rather than the General Fund. By doing so, the Commission would be able to help low-income families and at the same time take some of the pressure off the other residential customers who have to pay for the utilities' universal service programs.

At its meeting on November 23, 2010, the Commission's Consumers Advisory Council unanimously endorsed a memorandum prepared by Renaldo L. Hicks, Esq., the Council's Chairman, which concludes as follows: "Accordingly, I support the Resolution of Cindy Datig to 'Request and encourage the Commission to continue to support and permit settlement funds in non-litigated matters and matters which do not result in findings of fact and conclusions of law which constitute violations of law to be directed to low-income programs and hardship funds.'"

In this particular case, the Dollar Energy Fund and the Public Utility Law Project (PULP) both filed comments urging that the Commission direct the settlement proceeds either to Peoples' hardship fund or to Peoples' LIURP program. Once again, I urge the Commission to reconsider its recent opposition to redirecting settlement proceeds to low-income programs, and respectfully dissent from this portion of the majority's decision.

1-27-11

DATE

Tyrone J. Christy
TYRONE J. CHRISTY, VICE CHAIRMAN