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October 14, 2010

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VIA E-FILING and FIRST CLASS MAIL

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17102

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:

Enclosed for filing please find a Petition to Intervene on behalf of the Retail Energy Supply Association in the above-captioned proceeding. Copies have been served on all parties as indicated in the attached certificate of service.

Very truly yours,



Eranda Vero

EV/ck
Enclosures
Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

RETAIL ENERGY SUPPLY ASSOCIATION'S
PETITION TO INTERVENE

The Retail Energy Supply Association (“RESA”), by and through its counsel, petitions to intervene in the above-captioned matter, pursuant to 52 Pa. Code §§ 5.71-5.75. In connection to its Petition, RESA represents as follows:

1. RESA is a non-profit trade association comprised of a broad range of companies that are involved in wholesale generation of electricity and the competitive supply of natural gas to residential, commercial and industrial consumers.¹ Many RESA members have been certified by the Pennsylvania Public Utility Commission (“Commission”) as competitive retail natural gas suppliers (“NGS”) and they supply natural gas commodity to residential, commercial and industrial consumers in this state.

2. RESA’s attorneys in this matter are:

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¹ RESA’s members include ConEdison *Solutions*; Constellation NewEnergy, Inc.; Direct Energy Services, LLC; Energy Plus Holdings, LLC; Exelon Energy Company; GDF SUEZ Energy Resources NA, Inc.; Green Mountain Energy Company; Hess Corporation; Integrys Energy Services, Inc.; Just Energy; Liberty Power; NextEra Energy Services; PPL EnergyPlus; Reliant Energy Northeast LLC; Sempra Energy Solutions LLC. The comments expressed in this filing represent the position of RESA as an organization, but may not represent the views of any particular member of RESA.

3. On September 17, 2010, Interstate Gas Supply, Inc., d/b/a IGS Energy (“IGS”), another certified NGS in this state, filed by letter an update and amendment to the Initial Application for Natural Gas Supply Services to the Public filed on November 11, 1999, pursuant to 52 Pa. Code § 62.105. The notice advised the Commission that IGS will be using a fictitious name or doing business as (“d/b/a”): IGS Energy and Columbia Retail Energy. IGS has not included in its notice to the Commission how it intends, or if it intends, to distinguish its marketing of natural gas commodity supply under the “Columbia Retail” trade name from that of the incumbent natural gas distribution company (“NGDC”), Columbia Gas of Pennsylvania (“Columbia Gas of PA”).

4. Eligibility to intervene in Commission proceedings is governed by the Commission's rule at 52 Pa. Code § 5.72. Under Section 5.72, a "right or interest" sufficient to warrant intervention includes an interest that may be directly affected and that is not adequately represented by existing participants, and as to which the petitioner may be bound by the action of the Commission in the proceeding; or, another interest of such nature that participation of the petitioner may be in the public interest.

5. RESA meets the standards set forth above. As an organization whose members include competitive natural gas suppliers operating in Columbia Gas of PA’s service territory, RESA has direct interests in this proceeding that cannot be represented adequately by any other party.

6. As a trade association representing a broad and diverse group of NGSs, RESA is a strong proponent of vibrant and sustainable competitive retail energy markets,

and embraces Pennsylvania's codified policy of promoting diversity of natural gas supplies and suppliers, by giving consumers effective choices over the selection of those supplies and suppliers. The Natural Gas Choice and Competition Act, 66 Pa. C.S. §§ 2201 et seq. RESA is concerned that IGS's use of the "Columbia Retail" trade name, without appropriate disclaimers, will mislead customers to believe that their natural gas will be supplied by Columbia Gas of PA or an NGS affiliated with Columbia Gas of PA, to the detriment of customer choice and a competitive retail natural gas market in Pennsylvania.


7. Columbia Gas of Pennsylvania serves more than 413,000 customers on 26 counties in the Commonwealth of Pennsylvania. It is one of the largest natural gas companies in this state, and provided for decades both distribution and commodity supply services to consumers as a vertically integrated monopoly in the western part of the state. Because of its long-time monopoly status, consumers strongly identify the "Columbia" name with Columbia Gas of Pennsylvania, particularly when coupled with the provision of natural gas services. Indeed, consumers attach such a strong identification to the "Columbia" name that it has acquired significant value – so much so that IGS has agreed to pay Columbia Gas of Pennsylvania's parent, NiSource, a license fee to use the "Columbia" name for a period of three years. See Attachment A, The Columbus Dispatch, *Gas Supplier to Use "Columbia" Name*, August 11, 2010. IGS's use of the highly recognizable "Columbia" name, without appropriate disclaimers, not only would mislead customers as to the source of their commodity supply, but also would inappropriately influence consumers' purchasing decisions and provide IGS with an unfair competitive advantage over its NGS competitors – in contravention of 52 Pa. Code

§§ 62.114 (a), (e), and the spirit of 62.142 (a) (14) and (a) (15). As such, RESA has a real and substantial interest in this proceeding and seeks to intervene to protect its interest in developing and maintaining a competitive retail natural gas supply market for its members in Pennsylvania.

8. RESA will not unduly prolong or delay this proceeding and, indeed, has filed this petition to intervene prior to any deadline for intervention established by sections 5.14(c) and (d), 5.53, and 5.74(a)(3) of the Commission's Rules of Administrative Practice and Procedure. 52 Pa. Code §§ 5.14(c) and (d), 5.53, and 5.74(a)(3). With its vast and diverse experience in competitive natural gas markets, RESA will contribute significantly to the full development and resolution of the factual and legal issues in this proceeding. To the best of our knowledge, no other party has sought intervention in this proceeding and, therefore, no other party can adequately represent RESA's diverse interests.

WHEREFORE, for all the foregoing reasons, RESA respectfully requests that their Petition to Intervene be granted and that the Commission grant it such other relief as is just and reasonable under the circumstances.

Dated: October 14, 2010

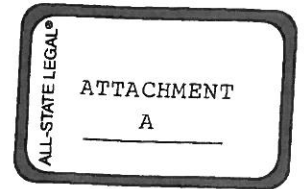


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Attorneys for the
Retail Energy Supply Association

Columbus Dispatch, The (OH)

August 11, 2010



Gas supplier IGS to use 'Columbia' name *Dan Gearino THE COLUMBUS DISPATCH*

Two separate companies soon will be using the "Columbia" brand name and logo to provide natural gas to Ohio customers.

IGS Energy of Dublin, an unregulated gas supplier, has purchased a three-year license to use the "Columbia" name from NiSource, parent company of Columbia Gas of Ohio.

IGS Energy will use the name "Columbia Retail Energy" to market its gas contracts.

Financial terms were not disclosed.

The state's consumer advocate is raising an eyebrow, worried that the similar names will be confusing.

"When you're using the Columbia name, you have to wonder if people will know the difference between the utility and the marketer," said Marty Berkowitz, a spokesman for the Office of the Ohio Consumers' Counsel.

Columbia Gas of Ohio will continue to sell gas and handle gas distribution. The company's territory covers 1.4 million residential households.

NiSource decided to license the name because it was pleased with IGS' track record, and it was confident that customers would understand the difference between the two companies, said Karl Brack, a spokesman at NiSource's Indiana headquarters.

Doug Austin, IGS vice president, indicated his company plans to be clear with its customers.

"Columbia Retail Energy is not the utility and is not an affiliate, and all marketing to customers will clearly communicate this," he said.

His company will continue to use the IGS name along with the Columbia Retail name.

IGS' arrangement is a new twist in Ohio's deregulated gas system. For more than a decade, customers have had the choice to buy gas from the regulated utility or from a slate of unregulated providers, known as gas marketers. Marketers sell a variety of rate plans, including fixed-rate contracts, while the utilities' rates change each month.

IGS, which employs 200 and recently moved to a new headquarters in Dublin, is the largest marketer in Ohio.

Beginning in the 1990s, Columbia Gas had a marketing company known as Columbia Energy Services. The business was sold and renamed in 2001, and it is not actively seeking new customers.

Some Ohio utilities, including Dominion East and Vectren, have marketers with similar names under the same corporate umbrella. Last year, Dominion paid a \$50,000 fine after complaints that its marketing arm was using misleading practices to attract customers from its utility arm.

The Consumers' Counsel will monitor this new **Columbia** situation for similar problems, Berkowitz said.

"We're going to oppose anything that creates undue confusion for customers," he said.

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

VERIFICATION

I, Tracy McCormick, hereby state that the facts set forth above are true and correct to the best of my knowledge, information and belief and that I expect Retail Energy Supply Association to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904.

Date: October 13, 2010



**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the relevant documents in accordance with the requirements of 52 Pa. Code § 1.54 et seq. (relating to service by a participant).

Via First Class and Electronic Mail

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Date: October 14, 2010



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