

# JONES DAY

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June 28, 2011

## VIA ELECTRONIC FILING

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

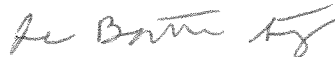
Re: Pennsylvania Public Utility Commission v. UGI Central Penn Gas, Inc.,  
Docket Nos. R-2011-2238949, C-2011-2243177, and C-2011-2248231

Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission is the Petition to Intervene of Jerome H. Rhoads, Inc. d/b/a Rhoads Energy Corporation in the above-referenced proceeding.

As shown by the Certificate of Service attached to the Petition to Intervene, all parties to this proceeding are being duly served. Please date stamp an extra copy of this transmittal letter and the Petition to Intervene and kindly return them to me for record-keeping purposes.

Very truly yours,



Jane Borthwick Story  
PA Bar No. 205641  
*Attorney for Jerome H. Rhoads, Inc. d/b/a  
Rhoads Energy Corporation*

Enclosure

cc: Per Certificate of Service  
Hon. Kandace F. Melillo, ALJ

PII-1234953v1

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
	:	
	:	Docket No. R-2011-2238949
v.	:	Docket No. C-2011-2243177
	:	Docket No. C-2011-2248231
UGI CENTRAL PENN GAS, INC.	:	

**PETITION TO INTERVENE**

Pursuant to Pa. Code §§ 5.71-5.75, Jerome H. Rhoads, Inc. d/b/a Rhoads Energy Corporation (“Rhoads”) hereby files this Petition to Intervene in the above-captioned proceeding. In support thereof, Rhoads states as follows:

1. Rhoads is a Pennsylvania corporation with a business address of 624 S. Prince St., Lancaster, PA 17603-1198.

2. Rhoads is a licensed natural gas supplier (Docket No. A-2009-2138310) that offers service to residential, commercial, industrial and governmental customers in the State of Pennsylvania, and reasonably anticipates offering service to customers in the service territory of UGI Central Penn Gas, Inc. (“UGI Central”) beginning this year.

3. The contact information for Rhoads’ attorneys is as follows:

Jane Borthwick Story (PA Bar No. 205641) Jones Day 500 Grant Street, Suite 4500 Pittsburgh, Pennsylvania 15219-2514 Phone: (412) 394-7294 Fax: (412) 394-7959 jbstory@jonesday.com	Jason F. Leif (TX Bar No. 24030937) <sup>1</sup> Jones Day 717 Texas, Suite 3300 Houston, Texas 77002-2712 Phone: (832) 239-3727 Fax: (832) 239-3600 jfleif@jonesday.com
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<sup>1</sup> A Motion for Admission Pro Hac Vice on behalf of Jason F. Leif will be filed in the above-captioned proceeding to permit Mr. Leif to represent Rhoads in this matter before the Pennsylvania Public Utility Commission.

Rhoads requests that the names and addresses of its attorneys be added to the service lists of the Pennsylvania Public Utility Commission (“PUC” or “Commission”) and the parties to this proceeding.

4. On June 1, 2011, UGI Central submitted its annual purchased gas cost (“PGC”) filing to the Commission pursuant to Section 1307(f) of the Public Utility Code, 66 Pa. C.S. § 1307(f), which authorizes certain natural gas distribution companies to make annual PGC filings with the Commission to reflect increases or decreases in natural gas costs.

5. Eligibility to intervene in Commission proceedings is governed by the Commission’s rule at 52 Pa. Code § 5.72, under which a “right or interest” sufficient to warrant intervention includes an interest which may be directly affected and which 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.

6. Consistent with 52 Pa. Code § 5.72, Rhoads has a significant interest in this proceeding that is not adequately represented by any other party of record. As a licensed, competitive natural gas supplier that reasonably anticipates offering service in UGI Central’s service territory beginning this year, Rhoads has a direct interest in the gas cost and related issues that may directly affect its business, including the composition and allocation of UGI Central’s purchased gas costs and its supply procurement policies. The gas cost rates that will be set in this proceeding will be those against which Rhoads will compete to obtain new customers. Accordingly, Rhoads has a unique and substantial interest in this matter that cannot be represented by any other party to this proceeding. Moreover, as a natural gas supplier that reasonably anticipates operating on the UGI Central system beginning this year, Rhoads will be bound by the actions of the Commission in this proceeding. Consequently, Rhoads satisfies the

standards for intervention under Section 5.72 of the Commission's regulations, 52 Pa. Code § 5.72.

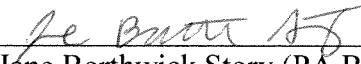
7. Rhoads intends to participate actively in this matter, fully examine UGI Central's PGC filing and conduct discovery regarding that filing, and reserves the right to raise issues in this proceeding as the investigation progresses into UGI Central's PGC rates and cost allocations for 2011.

8. Rhoads understands that a Prehearing Conference has already been held in this matter and accepts the record as it currently stands.

9. Rhoads' further participation in this matter will be done in conjunction with other natural gas suppliers, such as CenterPoint Energy Services, Inc., which has previously intervened in this matter, and with other natural gas suppliers that are petitioning to intervene in this matter. As part of that coordinated effort, Rhoads intends to serve discovery requests, file testimony, and otherwise participate in this matter as part of a coordinated group of natural gas suppliers.

WHEREFORE, for the foregoing reasons, Rhoads respectfully requests that the Commission grant this Petition to Intervene and provide Rhoads with full party status in this proceeding.

Respectfully submitted,

  
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*Attorneys for Jerome H. Rhoads, Inc. d/b/a Rhoads  
Energy Corporation*

Dated: June 28, 2011



**CERTIFICATE OF SERVICE**

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

**VIA ELECTRONIC FILING AND FIRST CLASS MAIL**

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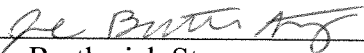
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Dated this 28<sup>th</sup> day of June, 2011.