



17 North Second Street  
12th Floor  
Harrisburg, PA 17101-1601  
717-731-1970 Main  
717-731-1985 Main Fax  
www.postschell.com

David P. Zambito

dzambito@postschell.com  
717-612-6052 Direct  
717-731-1985 Direct Fax  
File #: 3552/151468

July 12, 2012

RECEIVED

JUL 12 2012

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2nd Floor North  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: Pennsylvania Public Utility Commission, et al. v. Peoples Natural Gas Company LLC;  
Docket Nos. R-2012-2285985, C-2012-2302859 et al.**

**JOINT PETITION FOR APPROVAL OF SETTLEMENT BETWEEN PEOPLES  
NATURAL GAS COMPANY LLC AND SNYDER BROTHERS, INC. et al.**

Dear Secretary Chiavetta:

Enclosed for filing with the Commission are the original and three (3) copies of the Joint Petition for Settlement ("Settlement") between Peoples Natural Gas Company LLC ("Peoples") and Snyder Brothers, Inc. et al. ("Snyder"). By this Settlement, Peoples and Snyder resolve in full Snyder's Formal Complaint at Docket No. C-2012-2302859 which has been consolidated with Peoples' base rate proceeding at Docket No. R-2012-2285985.

A CD-Rom of the filing is also enclosed for your convenience. Copies of the Settlement are being served on the Presiding Officer, Administrative Law Judge Mary D. Long, and on all parties, active and inactive, as indicated on the enclosed Certificate of Service.

Thank you for your attention to this matter. If you have any questions, please direct them to me. Please date-stamp the extra copy and return it with our messenger.

Sincerely,

David P. Zambito, Esquire  
Counsel for Peoples Natural Gas Company LLC

DPZ/kmg  
Enclosures

cc: Honorable Mary D. Long (via Electronic Mail and Overnight Delivery) (PDF/Word Versions)  
Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	Docket Nos. R-2012-2285985
Office of Small Business Advocate,	:	C-2012-2295218
Office of Consumer Advocate,	:	C-2012-2292047
Pennsylvania State University,	:	C-2012-2298317
Snyder Brothers, Inc. <i>et al.</i> ,	:	C-2012-2302859
D. Killmeyer,	:	C-2012-2295700
Severo Miglioretti,	:	C-2012-2302827
Steven J. Swencki,	:	C-2012-2299156
Raymond Anderson, and	:	C-2012-2298575
James Weber,	:	C-2012-2300419
	:	
Complainants	:	
	:	
v.	:	
	:	
Peoples Natural Gas Company LLC,	:	
	:	
Respondent	:	

**RECEIVED**  
JUL 12 2012  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

---

**JOINT PETITION FOR APPROVAL OF SETTLEMENT  
BETWEEN PEOPLES NATURAL GAS COMPANY LLC  
AND SNYDER BROTHERS, INC. *et al.***

---

**TO ADMINISTRATIVE LAW JUDGE MARY D. LONG:**

**I. INTRODUCTION**

Peoples Natural Gas Company LLC (“Peoples”) and Snyder Brothers, Inc., Buffalo Valley Ltd., Snyder Armclar Gas Company LP, and S&D Energy (collectively “Snyder”) hereby submit this Joint Petition for Approval of Settlement (“Settlement”) in the above-captioned matter and respectfully request that Administrative Law Judge Mary D. Long (“ALJ”) recommend approval of and the Pennsylvania Public Utility Commission (“Commission”) approve the Settlement as set forth below without modification. By this Settlement, Peoples and

Snyder resolve in full Snyder's Formal Complaint at Docket No. C-2012-2302859 which has been consolidated with Peoples' base rate proceeding at Docket No. R-2012-2285985 ("Base Rate Proceeding") in its entirety. In support of this Settlement, Peoples and Snyder state the following:

## II. PROCEDURAL SUMMARY

1. Peoples is a Commission-regulated natural gas distribution company providing sales, transportation, and supplier of last resort services to approximately 360,000 customers throughout its certificated service territory, which includes all or portions of the following Pennsylvania counties: Allegheny, Armstrong, Beaver, Blair, Butler, Cambria, Clarion, Fayette, Greene, Indiana, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland.

2. On February 28, 2012, Peoples filed Retail Tariff Gas – PA PUC No. 45 and Supplement No. 6 to Supplier Tariff Gas – PA PUC No. S-2 ("Supplier Tariff") with the Commission. Peoples proposed changes in rates and rules to become effective on April 28, 2012, which effective date was later extended by Commission order until November 28, 2012. The changes in rates were designed to produce an increase in annual operating revenues of approximately \$28.4 million, based upon data for a *pro forma* future test year ending October 31, 2012. The Supplier Tariff also proposed specific gas quality standards for gas being supplied to Peoples' system ("Gas Quality Language"). See First Revised Page 7 of the Supplier Tariff.

3. On May 4, 2012, Snyder filed a Formal Complaint against the base rate filing contesting, *inter alia*, the propriety of the Gas Quality Language.

4. Peoples and Snyder have held several settlement conferences over the course of this proceeding. As a result of those conferences and discovery exchanges, a settlement in

principle of Snyder's issues was achieved prior to the date scheduled for service of written surrebuttal testimony and before the first day scheduled for evidentiary hearings.

### **III. TERMS AND CONDITIONS OF SETTLEMENT**

5. The proposed Gas Quality Language appearing after the second full paragraph of Section 2 ("Measurement and Quality of Gas") on First Revised Page 7 of the Supplier Tariff shall not be included in any compliance tariff supplement filing made as a result of the Base Rate Proceeding. The proposed revisions with respect to Btu content in the second full paragraph of Section 2 on First Revised Page 7 of the Supplier Tariff shall be included in any compliance tariff supplement filing made as a result of the Base Rate Proceeding.

6. Nothing contained in this Settlement shall preclude Peoples from proposing or enforcing gas quality standards at a future point in time. Nothing contained in this Settlement shall preclude Snyder from opposing a future attempt by Peoples to adopt or enforce gas quality standards.

7. Snyder's Formal Complaint in the above-captioned proceeding shall be deemed satisfied in full and the Formal Complaint docket marked closed by the Commission's Secretary.

8. In the event that a full or more comprehensive settlement is reached in the above-captioned proceeding between Peoples and other parties (to which Snyder agrees or does not oppose) ("General Settlement") and the General Settlement incorporates the substantive terms of paragraphs 5 and 6 above, Peoples and Snyder agree that the General Settlement shall supersede the instant Settlement and will promptly file a joint letter with the Commission's Secretary, served on the ALJ and the other parties, indicating that the instant Settlement is withdrawn.

9. The Settlement is conditioned upon the Commission's approval of the terms and conditions contained in this Settlement without modification. If the Commission rejects or

modifies this Settlement, Peoples and Snyder shall maintain their respective procedural rights to evidentiary hearings, cross-examination of witnesses and briefing, and to proceed with litigation and to argue their respective positions.

10. Peoples and Snyder acknowledge and agree that this Settlement, if approved, shall have the same force and effect as if the parties had fully litigated this proceeding resulting in the establishment of rates and terms and conditions of service that are just and reasonable.

11. In the event that the Commission rejects or modifies this Settlement or the General Settlement with respect to the substantive terms of paragraphs 5 and 6 above, Snyder shall, at the request of Peoples, support the bifurcation of the Gas Quality Language issue into a separate proceeding on remand from the remainder of the Base Rate Proceeding.

12. Peoples and Snyder acknowledge that the Settlement reflects a compromise of competing positions and does not necessarily reflect any party's position with respect to any issues raised in this proceeding. This Settlement may not be cited as precedent in any future proceeding, except to the extent required to implement this Settlement.

13. This Settlement is being presented only in the context of this proceeding in an effort to resolve the proceeding in a manner which is fair and reasonable. The Settlement is presented without prejudice to any position which Peoples and Snyder may have advanced and without prejudice to the position Peoples and Snyder may advance in the future on the merits of the issues in future proceedings except to the extent necessary to effectuate the terms and conditions of the Settlement.

14. If the ALJ recommends that the Commission adopt the Settlement without reservation or modification, Peoples waives its right to file exceptions with respect to the issues resolved by this Settlement and Snyder waives its right to file exceptions on any issue addressed

by a recommended decision of the ALJ. Exceptions and replies thereto may be filed by either Peoples or Snyder with respect to the issues intended to be resolved by this Settlement if the ALJ recommends approval of this Settlement with reservations or modifications or disapproval of the Settlement; provided however that Snyder waives its right to file exceptions and replies thereto with respect to any other issue addressed by a recommended decision of the ALJ.

15. Attached as **Appendices A and B** are Statements in Support submitted by Peoples and Snyder setting forth the bases upon which they believe the Settlement is in the public interest.

16. All of the active parties to the Base Rate Proceeding have indicated that they do not oppose the Settlement (Office of Consumer Advocate, Bureau of Investigation & Enforcement, Office of Small Business Advocate, Pennsylvania Independent Oil & Gas Association, Dominion Retail, Inc./Interstate Gas Supply, Inc., EQT Energy LLC d/b/a Equitable Energy, The Pennsylvania State University, Retail Energy Supply Association, Community Action Association of Pennsylvania, and Coalition for Affordable Utility Services and Energy Efficiency).

#### **IV. CONCLUSION**

WHEREFORE, Peoples Natural Gas Company LLC and Snyder Brothers, Inc., Buffalo Valley Ltd., Snyder Armclar Gas Company LP, and S&D Energy, by their respective counsel, respectfully request that the Honorable Administrative Law Judge Mary D. Long recommend approval of and the Commission approve this Settlement, including all terms and conditions thereof without modification, and make the findings contained herein; and that the Commission promptly enter a final order consistent with this Settlement.

Respectfully submitted,

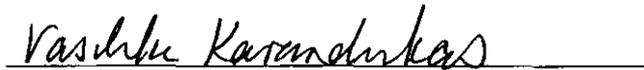


Date: 7/12/12

Michael W. Gang, Esquire (I.D. 25670)  
David P. Zambito, Esquire (I.D. 80017)  
John H. Isom, Esquire (I.D. 16569)  
Andrew S. Tubbs, Esquire (I.D. 80310)  
Post & Schell, P.C.  
17 North Second Street, 12<sup>th</sup> Floor  
Harrisburg, PA 17101-1601  
Telephone: (717) 612-6052  
Facsimile: (717) 731-1985  
E-mail: mgang@postschell.com  
E-mail: dzambito@postschell.com  
E-mail: jisom@postschell.com  
E-mail: atubbs@postschell.com

William H. Roberts II, Esquire (I.D. 54724)  
Peoples Natural Gas Company LLC  
375 North Shore Drive  
Pittsburgh, PA 15212  
Telephone: (412) 208-6527  
Facsimile: (412) 208-6575  
E-mail: william.h.roberts@peoples-gas.com

*Counsel for  
Peoples Natural Gas Company LLC*



Date: 7/12/12

Pamela C. Polacek, Esquire (I.D. 78276)  
Vasiliki Karandrikas, Esquire (I.D. 89711)  
McNees Wallace & Nurick LLC  
100 Pine Street  
Harrisburg, PA 17108  
Phone: (717) 232-8000  
Fax: (717) 237-5300  
Email: ppolacek@mwn.com  
Email: vkarandrikas@mwn.com

*Counsel for  
Snyder Brothers, Inc., Buffalo Valley Ltd.,  
Snyder Armclar Gas Company LP, and S&D Energy*

A

**RECEIVED**

JUL 12 2012

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	Docket Nos. R-2012-2285985
Office of Small Business Advocate,	:	C-2012-2295218
Office of Consumer Advocate,	:	C-2012-2292047
Pennsylvania State University,	:	C-2012-2298317
Snyder Brothers, Inc. <i>et al.</i> ,	:	C-2012-2302859
D. Killmeyer,	:	C-2012-2295700
Severo Miglioretti,	:	C-2012-2302827
Steven J. Swencki,	:	C-2012-2299156
Raymond Anderson, and	:	C-2012-2298575
James Weber,	:	C-2012-2300419
Complainants	:	
	:	
v.	:	
	:	
Peoples Natural Gas Company LLC,	:	
	:	
Respondent	:	

**RECEIVED**

JUL 12 2012

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

---

**STATEMENT OF PEOPLES NATURAL GAS COMPANY LLC  
IN SUPPORT OF JOINT PETITION FOR APPROVAL OF  
SETTLEMENT WITH SNYDER BROTHERS *et al.***

---

**TO ADMINISTRATIVE LAW JUDGE MARY D. LONG:**

Peoples Natural Gas Company LLC (“Peoples” or the “Company”) hereby files this Statement in Support of the Joint Petition For Approval of Settlement (“Settlement”) to resolve, in full, the Formal Complaint filed by Snyder Brothers, Inc., Buffalo Valley Ltd., Snyder Armclar Gas Company LP, and S&D Energy (collectively “Snyder”) at Docket No. C-2012-2302859, which has been consolidated with Peoples’ base rate proceeding at Docket No. R-2012-2285985. Peoples respectfully requests that Administrative Law Judge Mary D. Long

recommend approval of, and the Commission approve, the Settlement, including the terms and conditions thereof, without modification.

*The Settlement, if approved, will resolve all of the issues raised by Snyder in this proceeding related to specific gas quality standards for gas being supplied to Peoples' system ("Gas Quality Language"). The Settlement is in the interests of Peoples, its customers, and producers on its system (such as Snyder), and is otherwise in the public interest. The Settlement reflects a carefully balanced compromise of the interests of Peoples and Snyder. For these reasons and the reasons set forth below, the Settlement is just and reasonable and should be approved without modification.*

#### **I. PROCEDURAL SUMMARY**

Peoples is a Commission-regulated natural gas distribution company providing sales, transportation, and supplier of last resort services to approximately 360,000 customers throughout its certificated service territory, which includes all or portions of the following Pennsylvania counties: Allegheny, Armstrong, Beaver, Blair, Butler, Cambria, Clarion, Fayette, Greene, Indiana, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland.

On February 28, 2012, Peoples filed Retail Tariff Gas – PA PUC No. 45 and Supplement No. 6 to Supplier Tariff Gas – PA PUC No. S-2 ("Supplier Tariff") with the Commission. Peoples proposed changes in rates and rules to become effective on April 28, 2012, which effective date was later extended by Commission order until November 28, 2012. The changes in rates were designed to produce an increase in annual operating revenues of approximately \$28.4 million, based upon data for a *pro forma* future test year ending October 31, 2012. The Supplier Tariff also proposed the Gas Quality Language. *See First Revised Page 7 of the*

Supplier Tariff. On May 4, 2012, Snyder filed a Formal Complaint against the base rate filing contesting, *inter alia*, the propriety of portions of the Gas Quality Language.

Peoples and Snyder have held several settlement conferences over the course of this proceeding. As a result of those conferences and discovery exchanges, a settlement in principle of Snyder's issues was achieved prior to the date scheduled for service of written surrebuttal testimony and before the first day scheduled for evidentiary hearings.

## **II. COMMISSION POLICY FAVORS SETTLEMENT**

Commission policy promotes settlements. *See* 52 Pa. Code § 5.231. Settlements lessen the time and expense that the parties must expend litigating a case and, at the same time, conserve precious administrative resources. The Commission has indicated that settlement results are often preferable to those achieved at the conclusion of a fully-litigated proceeding. *See* 52 Pa. Code § 69.401. In order to accept a settlement, the Commission must first determine that the proposed terms and conditions are in the public interest. *Pa. Pub. Util. Comm'n v. York Water Co.*, Docket No. R-00049165 (Order entered Oct. 4, 2004); *Pa. Pub. Util. Comm'n v. C.S. Water and Sewer Assocs.*, 74 Pa. P.U.C. 767 (1991).

## **III. THE SETTLEMENT IS IN THE PUBLIC INTEREST**

The Settlement reflects a compromise of the positions of Peoples and Snyder in this proceeding. Specifically, by this Settlement, Peoples and Snyder have reached an accord on proposed Gas Quality Language.

Peoples has agreed to remove the portion of its proposed Gas Quality Language appearing after the second full paragraph of Section 2 ("Measurement and Quality of Gas") on First Revised Page 7 of the Supplier Tariff. (Settlement, ¶ 5.) This language was originally

proposed to reflect industry standards, consistent with existing agreements between Peoples and suppliers as well as the tariffs of interstate pipelines serving Peoples' system. (Peoples Statement No. 14, p. 46.) However, upon consideration of the arguments raised by Snyder and the Pennsylvania Oil & Gas Association ("PIOGA") in their direct testimony, Peoples elected to request withdrawal of such language through the rebuttal testimony of Joseph A. Gregorini, Peoples' Vice President for Rates and Regulatory Affairs. (Peoples Statement No. 14-R, p. 22.)

As noted above, Peoples' agreements with suppliers already contain gas quality requirements. (Peoples Statement No. 14, p. 46.) Accordingly, it is unnecessary to pursue incorporation of separate language in the Supplier Tariff as part of Peoples' base rate proceeding. Peoples is willing to withdraw the language at this time in order to evaluate further what, if any, tariffed gas quality standards, may be appropriate. The Settlement expressly permits Peoples to propose gas quality standards at a future point in time. (Settlement, ¶ 6.) The removal of the proposed gas quality provisions from the Supplier Tariff is not likely to result in a degradation of the quality of gas delivered to Peoples' system, as Peoples maintains the right to enforce the gas quality requirements contained in agreements with suppliers on its system. (Settlement, ¶ 6.)

Approval of the Settlement would also establish a range of Btu content for gas being delivered to the Peoples system. (Settlement, ¶ 5.) This range ensures that all gas being delivered to the Peoples system will have an acceptable heating value. The Supplier Tariff requirements will assist Peoples in ensuring that gas delivered to customers meets the Commission's standards. *See* 52 Pa. Code § 59.30(d)(regarding heating value of gas).

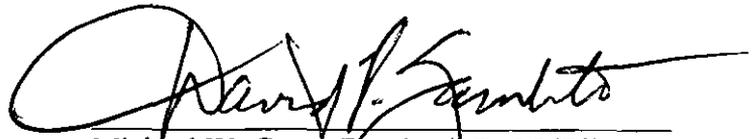
#### **IV. CONCLUSION**

Through cooperative efforts and the open exchange of information, Peoples and Snyder have arrived at a settlement that resolves all issues between them in a fair and equitable manner.

The Settlement represents a fair and reasonable compromise between Peoples and Snyder relative to the Gas Quality Language in Supplier Tariff.

WHEREFORE, Peoples Natural Gas Company LLC respectfully requests that the Honorable Administrative Law Judge Mary D. Long recommend approval of and the Commission approve the Settlement, including all terms and conditions thereof without modification, and make the findings contained therein; and that the Commission promptly enter a final order consistent with the Settlement.

Respectfully submitted,



Michael W. Gang, Esquire (I.D. 25670)

David P. Zambito, Esquire (I.D. 80017)

John H. Isom, Esquire (I.D. 16569)

Andrew S. Tubbs, Esquire (I.D. 80310)

Post & Schell, P.C.

17 North Second Street, 12<sup>th</sup> Floor

Harrisburg, PA 17101-1601

Telephone: (717) 612-6052

Facsimile: (717) 731-1985

E-mail: mgang@postschell.com

E-mail: dzambito@postschell.com

E-mail: jisom@postschell.com

E-mail: atubbs@postschell.com

William H. Roberts II, Esquire (I.D. 54724)

Peoples Natural Gas Company LLC

375 North Shore Drive

Pittsburgh, PA 15212

Telephone: (412) 208-6527

Facsimile: (412) 208-6575

E-mail: william.h.roberts@peoples-gas.com

Date: July 12, 2012

*For Peoples Natural Gas Company LLC*

B

RECEIVED

JUL 12 2012

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

JUL 12 2012

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
	:	
v.	:	Docket No. R-2012-2285985
	:	
Peoples Natural Gas Company LLC	:	
	:	

---

STATEMENT OF  
**SNYDER BROTHERS, INC. *et al.***,  
 IN SUPPORT OF THE JOINT PETITION FOR APPROVAL OF SETTLEMENT

---

Snyder Brothers, Inc. ("Snyder Brothers"), Buffalo Valley Ltd. ("Buffalo Valley"), Snyder Armclar Gas Company LP ("Snyder Armclar"), and S&D Energy ("S&D") (collectively, "Snyder Brothers, *et al.*"), by and through its counsel, submit that the terms of the Joint Petition for Approval of Settlement ("Joint Petition" or "Settlement") filed in the above-captioned proceeding with the Pennsylvania Public Utility Commission ("PUC" or "Commission") on July 12, 2012, reflects a global settlement of all outstanding issues in the above-referenced proceeding between Peoples Natural Gas Company LLC ("Peoples" or "Company"), and Snyder Brothers, *et al.* ("Joint Petitioners"), with respect to the Company's February 28, 2012, filing of Retail Tariff Gas – PA PUC No. 45 ("Retail Tariff") and proposed Supplement No. 6 to Supplier Tariff Gas – PA PUC No. S-2 ("Supplier Tariff"), which sought approval of a distribution revenue increase of \$28.5 million. Snyder Brothers, *et al.*, offer this Statement in Support to further demonstrate that the Settlement is in the public interest and should be approved without modification.

## I. BACKGROUND

1. On February 28, 2012, Peoples filed with the Commission a base rate filing, consisting of a Retail Tariff and a proposed Supplier Tariff, seeking approval of a distribution revenue increase of \$28.5 million, and proposed modifications to the Retail and Supplier Tariffs, effective April 28, 2012. Among other things, Peoples proposed to modify the Supplier Tariff's Rules and Regulations by incorporating natural gas quality standards that impose, *inter alia*, water vapor content limits on natural gas supplies delivered to the Peoples' system.

2. On May 4, 2012, Snyder Brothers, *et al.*, submitted a Complaint in the above-captioned proceeding. As noted in the Complaint, Snyder Brothers is a privately-funded, independent producer of natural gas in Pennsylvania, with operations in Armstrong, Indiana, Clarion, Warren, Jefferson, Fayette, Westmoreland, McKean, and Clearfield Counties. Snyder Brothers' natural gas volumes are delivered to the distribution systems of several natural gas utilities, including the Peoples' system. Buffalo Valley and Snyder Armclar are affiliated with Snyder Brothers through common ownership. S&D Energy is a subsidiary of Snyder Brothers. Buffalo Valley, Snyder Armclar, and S&D Energy are Pennsylvania Limited Partnerships that invest in natural gas wells. As a result, Snyder Brothers, *et al.*, were concerned about whether the proposed changes to the Supplier Tariff, specifically, the proposed water vapor and other gas quality standards, are just, reasonable, and non-discriminatory.

3. In accordance with the Commission's policy encouraging negotiated settlement of contested proceedings, the Joint Petitioners engaged in discussions to resolve the issues raised in the proceeding. These negotiations resulted in the Settlement, which proposes a resolution of all outstanding issues between the Joint Petitioners in this proceeding as set forth below.

## II. STATEMENT IN SUPPORT

4. The Commission has a strong policy favoring settlements. As set forth in the Commission's regulations, "[t]he Commission encourages parties to seek negotiated settlements of contested proceedings in lieu of incurring the time, expense and uncertainty of litigation." 52 Pa. Code § 69.391; *see also* 52 Pa. Code § 5.231. Consistent with the Commission's policy, the Joint Petitioners engaged in negotiations in an effort to settle the issues raised by Snyder Brothers, *et al.* These ongoing discussions produced the foregoing Settlement.

5. Snyder Brothers, *et al.*, and Peoples agree that approval of the proposed Settlement is overwhelmingly in their best interests.

6. The Joint Petition is in the public interest for the following reasons:

- a. As a result of the Joint Petition, expenses incurred by the Joint Petitioners and the Commission for completing this proceeding will be less than they would have been if the proceeding had been fully litigated.
- b. Uncertainties regarding further expenses associated with possible appeals from the Final Order of the Commission are avoided as a result of the Joint Petition.
- c. The Joint Petition reflects compromises by both parties presented without prejudice to any position either Joint Petitioner may have advanced so far in this proceeding.
- d. The Joint Petition is presented without prejudice to any position that either party may advance in future proceedings involving the Company.

7. In addition, the Joint Petition specifically satisfies the concerns of Snyder Brothers, *et al.*, by:

- a. Not including in any compliance tariff supplement filing made as a result of this rate case proceeding the proposed Gas Quality Language appearing after the second full paragraph of Section 2, "Measurement and Quality of Gas," of First Revised Page 7 of the Supplier Tariff.

8. Snyder Brothers, *et al.*, support the foregoing Joint Petition because it is in the public interest; however, in the event that the Joint Petition is rejected by the Administrative Law Judge or the Commission, Snyder Brothers, *et al.*, will resume their litigation position, which differs from the terms of the Joint Petition.

9. As set forth above, Snyder Brothers, *et al.*, submit that the Settlement is in the public interest and adheres to Commission policies promoting negotiated settlements. The Settlement was achieved after extensive negotiations. While Joint Petitioners have invested time and resources in the negotiation of the Joint Petition, this process has allowed the parties, as well as the Commission, to avoid expending the substantial resources that would have been required to fully litigate this proceeding while still reaching a just, reasonable, and non-discriminatory result. Joint Petitioners have thus reached an amicable resolution to this dispute as embodied in the Settlement. Approval of the Settlement will permit the Commission and Joint Petitioners to avoid incurring the additional time, expense and uncertainty of further current litigation in this proceeding. *See* 52 Pa. Code § 69.391.

**WHEREFORE**, Snyder Brothers, Inc., Buffalo Valley Ltd., Snyder Armclar Gas Company LP, and S&D Energy respectfully request that Administrative Law Judge Long, and the Pennsylvania Public Utility Commission, approve the foregoing Joint Petition for Approval of Settlement without modification.

Respectfully submitted,

McNEES WALLACE & NURICK LLC

By *Vasiliki Karandrikas*  
Pamela C. Polacek (I.D. No. 78276)  
Vasiliki Karandrikas (I.D. No. 89711)  
Teresa K. Schmittberger (I.D. No. 311082)  
100 Pine Street  
P. O. Box 1166  
Harrisburg, PA 17108-1166  
Phone: (717) 232-8000  
Fax: (717) 237-5300  
ppolacek@mwn.com  
vkarandrikas@mwn.com  
tschmittberger@mwn.com

Counsel to Snyder Brothers, Inc., Buffalo Valley Ltd., Snyder Armclar Gas Company LP, and S&D Energy

Dated: July 12, 2012

RECEIVED

JUL 12 2012

**CERTIFICATE OF SERVICE**  
**Docket No. R-2012-2285985 et al.**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I hereby certify that I have this day served a true copy of the Joint Petition for Approval of Settlement between Peoples Natural Gas Company LLC and Snyder Brothers, Inc. *et al.*, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**VIA ELECTRONIC MAIL AND FIRST CLASS MAIL:**

James A. Mullins, Esquire  
Christy M. Appleby, Esquire  
Tanya J. McCloskey, Esquire  
Office of Consumer Advocate  
555 Walnut Street  
Forum Place, 5<sup>th</sup> Floor  
Harrisburg, PA 17101-1923

Todd S. Stewart, Esquire  
Hawke McKeon & Sniscak LLP  
100 N. 10th Street  
P. O. Box 1778  
Harrisburg, PA 17105-1778  
Counsel for *Dominion Retail, Inc./Interstate Gas Supply, Inc.*

Allison C. Kaster, Esquire  
Pennsylvania Public Utility Commission  
Bureau of Investigation & Enforcement  
Commonwealth Keystone Building  
400 North Street – 2 West  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Thomas J. Sniscak, Esquire  
William E. Lehman, Esquire  
Hawke McKeon & Sniscak LLP  
100 N. 10th Street  
P. O. Box 1778  
Harrisburg, PA 17105-1778  
Counsel for *The Pennsylvania State University*

Elizabeth Rose Triscari, Esquire  
Office of Small Business Advocate  
Commerce Building, Suite 1102  
300 N. Second Street  
Harrisburg, PA 17101

Kevin J. Moody, Esquire  
Vice President and General Counsel  
Pennsylvania Independent Oil & Gas  
Association  
212 Locust Street, Suite 300  
Harrisburg PA 17101  
Counsel for *Pennsylvania Independent Oil & Gas Association*

Daniel P. Delaney, Esquire  
K&L Gates LLP  
17 North Second Street, 18th Floor  
Harrisburg, PA 17101-1507  
Counsel for *EQT Energy LLC,*  
*d/b/a Equitable Energy*

Craig R. Burgraff, Esquire  
Hawke McKeon & Sniscak LLP  
100 N. 10th Street  
P. O. Box 1778  
Harrisburg, PA 17105-1778  
Counsel for *Retail Energy Supply Association*

Vasiliki Karandrikas, Esquire  
McNees Wallace & Nurick LLC  
100 Pine Street  
PO Box 1166  
Harrisburg, PA 17108-1166  
Counsel for *Snyder Brothers, Inc., et al.*

Joseph L. Vullo, Esquire  
Burke Vullo Reilly Roberts  
1460 Wyoming Avenue  
Forty Fort, PA 18704  
Counsel for *Community Action Association  
of Pennsylvania ("CAAP")*

Harry S. Geller, Esquire  
Patrick M. Cicero, Esquire  
Pennsylvania Utility Law Project  
118 Locust Street  
Harrisburg, PA 17101  
Counsel for *Coalition for Affordable Utility  
Services and Energy Efficiency ("CAUSE-  
PA")*

**VIA FIRST CLASS MAIL:**

Mr. Raymond Anderson  
2423 Rihn Strasse  
Gibsonia, PA 15044

Mr. James Weber  
424 Seminole Street  
East McKeesport, PA 15035

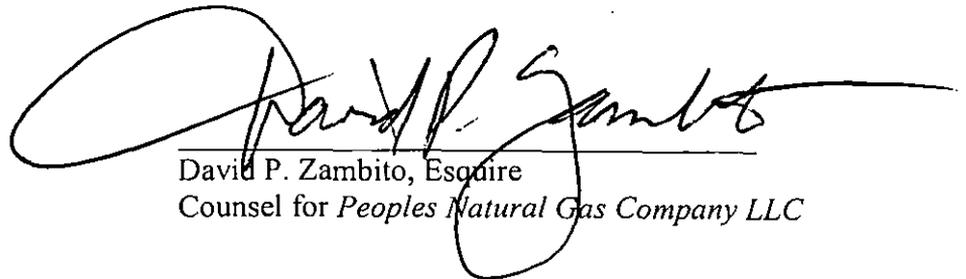
Mr. Steven Swencki  
8 Glencove Road  
Greensburg, PA 15601

**RECEIVED**

JUL 12 2012

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DATED: July 12, 2012



David P. Zambito, Esquire  
Counsel for *Peoples Natural Gas Company LLC*

From: (717) 731-1970  
David P. Zambito  
Post & Schell, P.C.  
17 North Second Street  
12th Floor  
Harrisburg, PA 17101

Origin ID: MDTA



J12201205300325

Ship Date: 12JUL12  
ActWgt: 2.0 LB  
CAD: 3296314/INET3300

Delivery Address Bar Code



Ref # DPZ-148677Jnt Petn for PNG/Sny  
Invoice #  
PO #  
Dept #

**RECEIVED**

JUL 12 2012

PA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE

FRI - 13 JUL A1

PRIORITY OVERNIGHT

TRK# 7986 1491 3532

0201

17120

PA-US

MDT

**16 MDTA**

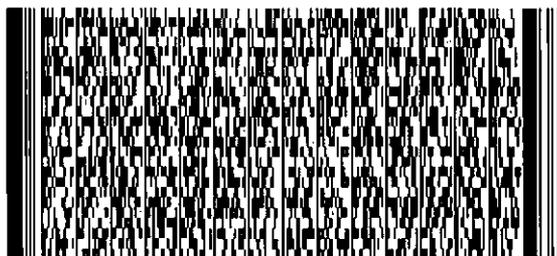


515G1/E052/AA44

SHIP TO: (000) 000-0000

BILL SENDER

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
400 NORTH ST FL 2  
2ND FLOOR NORTH  
HARRISBURG, PA 17120



After printing this label:

1. Use the "Print" button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

*Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.*