|  |  |  |
| --- | --- | --- |
|  | **PENNSYLVANIA****PUBLIC UTILITY COMMISSION****Harrisburg, PA 17105-3265** |  |
|  |  |  |
|  |  |  |
|  | Public Meeting held October 31, 2013 |
| Commissioners Present: |  |
|  |
| Robert F. Powelson, ChairmanJohn F. Coleman, Jr., Vice ChairmanJames H. CawleyPamela A. Witmer Gladys M. Brown |
|  |
|  |
| Application of BP Energy Company to amend its Natural Gas Supplier license by adding service territories | A-125142  |
|  |  |

**ORDER**

**BY THE COMMISSION:**

On August 17, 2005, BP Energy Company (BP Energy) filed a License Application to operate as a supplier of natural gas services to large commercial (6,000 Mcf or more annually), industrial and governmental customers in all of the natural gas distribution company (NGDC) service territories in the entire Commonwealth of Pennsylvania. In a letter to the Commission on October 18, 2005, BP Energy changed its proposed service area from the entire Commonwealth of Pennsylvania to Columbia Gas of Pennsylvania. On September 4, 2007, BP Energy’s petition to add UGI Utilities Inc. to its NGDC service territories was approved by Secretarial Letter. In its most current filing, dated September 12, 2013, BP Energy is requesting the addition of Peoples Natural Gas Co. LLC and Peoples TWP, LLC to its NGDC service territories. This request for an amendment was filed pursuant to section 2208 of the Natural Gas Choice and Competition Act (Act) and Title 52, Chapter 62, Subchapter D.

 BP Energy has stated that upon approval of this Application, it proposes to provide natural gas supply services to large commercial (6,000 Mcf or more annually), industrial and governmental customers in the NGDC service territories of Columbia Gas of Pennsylvania, UGI Utilities Inc., Peoples Natural Gas Co. LLC and Peoples TWP, LLC within the Commonwealth of Pennsylvania.

Section 2208(c) (1), 66 Pa. C.S. §2208(c) (1), provides that a natural gas supplier license shall not be issued unless the applicant furnishes a bond or other security in a form and amount to ensure its financial responsibility. The criteria used to establish the form and amount of the bond or other security is set forth in the natural gas distribution company’s tariff. The amount and form of the bond or other security may also be mutually agreed to between the natural gas distribution company and the natural gas supplier. Section 2208 also provides that should the parties fail to achieve an agreement, then the form and amount of bond or other financial security “shall be determined by criteria approved by the Commission.” BP Energy has provided documentation to evidence its compliance with the Section 2208(c) bonding requirement for the additional natural gas distribution company service territories: Peoples Natural Gas Co. LLC and Peoples TWP, LLC within the Commonwealth of Pennsylvania.

 BP Energy has published notice of its application request for additional territories in Pennsylvania newspapers, and proofs of service to the interested parties as required by the Commission.

BP Energy has provided the required Pennsylvania Emergency Management Agency (PEMA) contact information.

As of October 22, 2013, no protests have been filed.

We find that BP Energy:

1. Is fit, willing and able to properly perform the service proposed in conformance with applicable provisions of the Public Utility Code and the Commission orders and regulations, specifically including 52 Pa. Code Chapter 56 (relating to Standards and Billing Practices for Residential Utility Service).

2. Has agreed to abide by all Commission regulations, and special conditions outlined in the order dated July 19, 2012, including Emergency Orders, which may be issued verbally or in writing during any emergency situations that may develop from time to time in the course of doing business in Pennsylvania.

3. Has proposed to offer natural gas supply services which, to the extent authorized by the license, will be consistent with the public interest and the policy declared in the Natural Gas Choice and Competition Act.

Upon full consideration of all matters of record, we find that approval of this application is necessary and proper for the service, accommodation and convenience of the public; **THEREFORE,**

**IT IS ORDERED:**

1. That BP Energy Company’s request for additional territories is hereby approved, consistent with this Order.

2. That BP Energy Company’s license be amended, authorizing BP Energy Company the right to begin to offer, render, furnish or supply natural gas supply services as a supplier, broker/marketer, and aggregator to the public, limited to large commercial (6,000 Mcf or more annually), industrial, and governmental customers within the following natural gas company distribution service territories: Columbia Gas of Pennsylvania, UGI Utilities Inc., Peoples Natural Gas Company LLC and Peoples TWP, LLC within the Commonwealth of Pennsylvania.

3. That this proceeding, at Docket No. A-125142 be closed.



 **BY THE COMMISSION,**

 Rosemary Chiavetta

 Secretary

(SEAL)

ORDER ADOPTED: October 31, 2013

ORDER ENTERED: October 31, 2013