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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION 8: 25

SECRETARY'S BUREAU

Equitable Gas Company, a Division of
Equitable Resources, Inc.

v.

C-20031128

The Peoples Natural Gas Company d/b/a
Dominion Peoples

DOCUMENT

DOCKETED

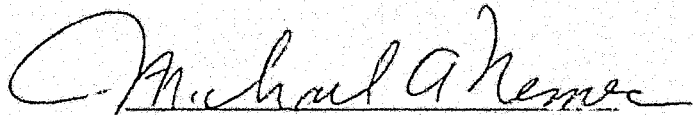
JUN 01 2004

INTERIM ORDER GRANTING MOTION FOR GENERAL STAY

The Equitable Gas Company and the Peoples Natural Gas Company have joined in a motion for a general continuance of the present litigation. The joint movants request that a stay of all procedural matters be granted. I note that would include my ruling on Equitable's motion to bifurcate. The joint movants represent that they will use the period of the continuance to attempt to reach a mutually acceptable resolution of the dispute. The joint movants also represent that they will file a status report on the first of each calendar month during the stay.

No intervener has filed any response to the motion. As this Commission favors settlements, and as no party has objected, the requested general continuance is granted. The joint movants should file the original of their respective monthly status report with the Secretary of the Commission, attention Docketing Section, with copies to the other parties and me.

Dated: April 14, 2004



Michael A. Nemec
Administrative Law Judge

Hawke
 Mckeon
 Sniscak &
 Kennard LLP
ATTORNEYS AT LAW

William T. Hawke
Kevin J. McKeon
Thomas J. Sniscak
Norman James Kennard
Lillian Smith Harris
Scott T. Wyland
Todd S. Stewart
Craig R. Burgraff
Steven D. Snyder
Janet L. Miller
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William E. Lehman
Rikardo J. Hull
Katherine E. Lovette

100 North Tenth Street, Harrisburg, PA 17101 Phone: 717.236.1300 Fax: 717.236.4841 www.hmsk-law.com

May 3, 2004

VIA FEDERAL EXPRESS

Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

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MAY 03 2004

PA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

Attention: Docketing Section

Re: Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant v.
The Peoples Natural Gas Company, d/b/a Dominion Peoples; Docket No. C-
20031128; STATUS REPORT

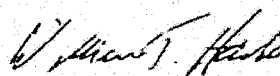
Dear Judge Nemeec:

In accordance with your Order dated April 14, 2004, the purpose of this letter on behalf of the Complainant and the Respondent is to inform you that settlement discussions are being initiated which could lead to a mutually acceptable resolution of the matter. A further report will be provided on June 1, 2004.

DOCKETED

JUL 02 2004

Very truly yours,



William T. Hawke

DOCUMENT

WTH/tap

cc: Honorable Michael Nemeec (via federal express)
Eric A. Rohrbaugh, Esq.
Sue George, Esq.

MAILING ADDRESS: P.O. BOX 1778 HARRISBURG, PA 17105

160

ORIGINAL

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document upon the person and in the manner indicated below.

SERVICE BY FACSIMILE AND FIRST CLASS MAIL

Charles E. Thomas, Jr.
Thomas T. Niesen
Thomas, Thomas, Armstrong & Niesen
212 Locust Street, Suite 500
P. O. Box 9500
Harrisburg, PA 17108-9500
(717) 236-8278 - facsimile

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MAY 08 2004

PA PUBLIC UTILITY COMMISSION
GENERAL COUNSEL

BY FIRST CLASS MAIL

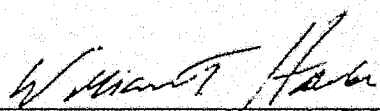
Daniel L. Frutchey
Senior Vice President and General Counsel
Equitable Gas Company,
a division of Equitable Resources, Inc.
200 Allegheny Center Mall
Pittsburgh, PA 15212

Anthony P. Picadio, Esq.
4710 US Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Kevin J. Moody, Esquire
Wolf, Block, Schorr & Solis-Cohen LLP
Locust Court Building, Suite 300
212 Locust Street
Harrisburg, PA 17101

Dennis S. Shilobod, Esq.
PACT
806 Law & Finance Building
Pittsburgh, PA 15219



William T. Hawke

DATED: May 3, 2004

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

SUITE 500
212 LOCUST STREET
P. O. BOX 9500
HARRISBURG, PA 17108-9500

CHARLES E. THOMAS, JR.
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CHARLES E. THOMAS
(1913 - 1998)

May 28, 2004

BY FEDERAL EXPRESS

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCKETED
JUL 09 2004

SECRETARIAT'S BUREAU
09 JUL 11 10:09:45

**DOCUMENT
FOLDER**

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

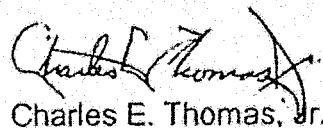
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we are pleased to report that settlement discussions are ongoing at this time. A further report will be provided on July 1, 2004.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchev (w/encl.)

040528-Nemeec.wpd

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division : Docket No. C-20031128
of Equitable Resources, Inc., :
Complainant :
v. :
The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

SECRETARY'S BUREAU

04 JUN -1 11:09:45

CERTIFICATE OF SERVICE

I hereby certify that I have this 28th day of May, 2004, served a true and correct copy of the foregoing letter upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

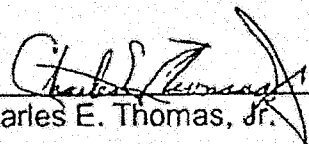
Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222

Johnnie E. Simms, Senior Prosecutor
Office of Trial Staff
Pennsylvania Public Utility Commission
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400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

Anthony P. Picadio, Esquire
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600 Grant Street
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Dennis S. Shilobod, General Counsel
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Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
212 Locust Street
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Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

June 30, 2004

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCKETED
JUL 23 2004

**DOCUMENT
FOLDER**

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

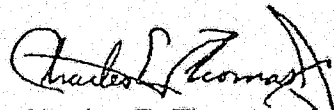
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we are pleased to report that settlement discussions remain ongoing at this time. A further report will be provided on August 1, 2004.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey (w/encl.)

049630-Nemeec.wpd

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JUL 23 3 37 PM '04
SECRETARY'S OFFICE

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division : Docket No. C-20031128
of Equitable Resources, Inc., :
Complainant :
v. :
The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of June, 2004, served a true and correct copy of the foregoing letter upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
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100 North Tenth Street
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BY FIRST CLASS MAIL

Susan G. George, Esquire
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Office of Trial Staff
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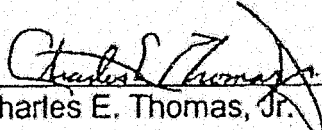
SECRETARY'S BUREAU

2004 JUN 30 PM 4: 16

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FAX (717) 236-8278

CHARLES E. THOMAS
(1913-1998)

DOCUMENT

August 2, 2004

SECRETARIAT'S BUREAU

OCT 04 2004 9:12

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OCT 04 2004

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we are pleased to report that settlement discussions remain ongoing at this time. A further report will be provided on September 1, 2004.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

Charles E. Thomas, Jr. / Hum

Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey (w/encl.)

Dennis S. Shilobod, General Counsel
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806 Law & Finance Building
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Charles E. Thomas, Jr. /Hum
Charles E. Thomas, Jr.

PLEASE DOCKET

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office of Administrative Law Judge

1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222

Tel: 412-565-3550
Fax: 412-565-5692
IN REPLY PLEASE
REFER TO OUR FILE



DOCUMENT

August 17, 2004

Anthony P. Picadio, Esq.
4710 USX Tower
600 Grant Street
Pittsburgh, PA 15219-2702

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BUREAU
AUG 19 2004 9:27

Re: Equitable Gas Company v. The Peoples Natural Gas Company
Docket No. C-20031128

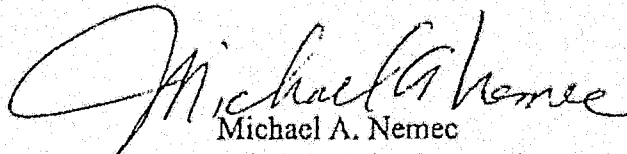
Dear Mr. Picadio:

I appreciate the concern expressed in your letter dated August 12, 2004.

You may or may not be aware that some, if not all, of the issues present in the above case have been raised by the parties to Peoples' current gas cost rate proceeding docketed at R-00049153. As part of the Joint Petition for Settlement, the parties have agreed to support the concept of a generic Commission investigation on competition among natural gas distribution companies with overlapping service territories. The joint petition has been forwarded to the Commission as of the end of July, along with my recommendation that the settlement be accepted. The Commission will act on the proposal before October 1, 2004. Until it does act, I believe that I have no choice but allow the continuance of this proceeding to remain in place.

As the Office of Trial Staff has taken the lead in bringing the matter of competition between the natural gas distribution companies to the Commission's attention, you may wish to discuss the matter further with the Office of Trial Staff.

Sincerely yours,


Michael A. Nemecek
Administrative Law Judge

cc: Service List
Wanda Zeider, Docketing Manager ✓

DOCKETED

AUG 31 2004

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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CHARLES E. THOMAS
(1913 - 1998)

September 1, 2004

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeč
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

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SEP 30 2004
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SECRETARY'S BUREAU

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

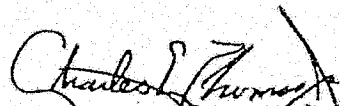
Dear Judge Nemeč:

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Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant	:	Docket No. C-20031128
	:	
v.	:	
	:	
The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of September, 2004, served a true and correct copy of the foregoing letter upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
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100 North Tenth Street
Harrisburg, PA 17101

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Susan G. George, Esquire
The Peoples Natural Gas Company
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625 Liberty Avenue
Pittsburgh, PA 15222

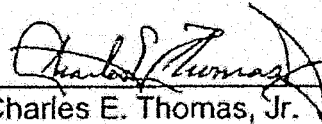
Johnnie E. Simms, Senior Prosecutor
Office of Trial Staff
Pennsylvania Public Utility Commission
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SECRETARY'S BUREAU

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Attorneys and Counsellors at Law

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FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

September 30, 2004

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DEC 03 2004

**DOCUMENT
FOLDER**

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeč
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

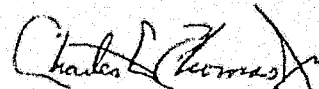
Dear Judge Nemeč:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we are pleased to report that settlement discussions remain ongoing at this time. A further report will be provided on November 1, 2004.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant	:	Docket No. C-20031128
	:	
v.	:	
	:	
The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent	:	

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Norman James Kennard, Esquire
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100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

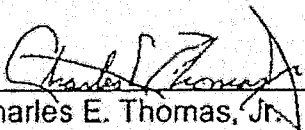
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Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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CHARLES E. THOMAS, JR.

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FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

November 1, 2004

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeč
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

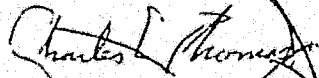
Dear Judge Nemeč:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on December 1, 2004.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchev, Esquire

041023-Nemeč.wpd

DOCKETED
DEC 15 2004

DOMINION

RECEIVED
2004 NOV 11 PM 4:11
SECRETARY'S BUREAU

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division : Docket No. C-20031128
of Equitable Resources, Inc., :
Complainant :
v. :
The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of November, 2004, served a true and correct copy of the foregoing letter upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

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Susan G. George, Esquire
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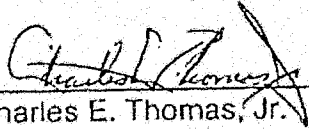
SECRETARY'S BUREAU

NOV 1 2004 - 1 PM 4:11

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Dennis S. Shilobod, General Counsel
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806 Law & Finance Building
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
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Attorneys and Counsellors at Law

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CHARLES E. THOMAS, JR.
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E-Mail: cthomasjr@ttanlaw.com

www.ttanlaw.com
FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

December 1, 2004

DOCKETED
JAN 03 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

**DOCUMENT
FOLDER**

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

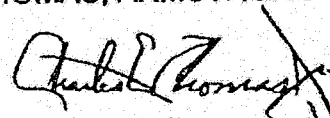
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on January 3, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

041201-Nemeec.wpd

RECEIVED
2004 DEC -2 AM 8:57
SECRETARY'S BUREAU

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant	:	Docket No. C-20031128
	:	
v.	:	
	:	
The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of December, 2004, served a true and correct copy of the foregoing letter upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222

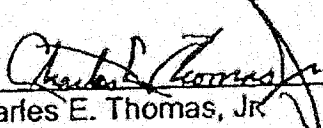
Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

RECEIVED
2004 DEC -2 AM 8:51
SECRETARY'S BUREAU

Dennis S. Shilobod, General Counsel
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806 Law & Finance Building
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
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Harrisburg, PA 17101


Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
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FAX (717) 236-8278

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2005 JAN -6 AM 11:31

SECRETARY'S BUREAU

CHARLES E. THOMAS
(1913 - 1998)

January 3, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCKETED
MAR 03 2005

**DOCUMENT
FOLDER**

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

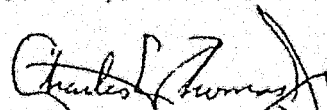
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on February 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By

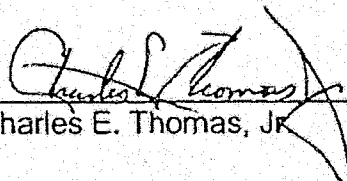

Charles E. Thomas, Jr.

cc: Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

050103-Nemeec.wpd

Dennis S. Shilobod, General Counsel
PACT
806 Law & Finance Building
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
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Charles E. Thomas, Jr.

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Attorneys and Counsellors at Law

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FAX (717) 236-8278

CHARLES E. THOMAS
(1913-1998)

February 1, 2005

DOCKETED
AUG 18 2005
**DOCUMENT
FOLDER**

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeč
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

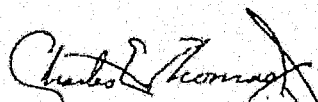
Dear Judge Nemeč:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on March 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

050201-Nemeč.wpd

SECRETARY'S BUREAU

2005 FEB -2 PM 9:18

RECEIVED

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031128

~~DOCKETED~~
AUG 18 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of February, 2005, served a true and correct copy of the foregoing letter upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

RECEIVED
2005 FEB -2 11 9:18
SECRETARY'S OFFICE

BY FIRST CLASS MAIL

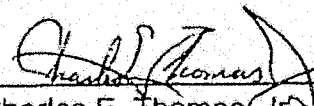
Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Dennis S. Shilobod, General Counsel
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806 Law & Finance Building
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
212 Locust Street
P. O. Box 3265
Harrisburg, PA 17101

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222


Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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CHARLES E. THOMAS, JR.
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FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

March 1, 2005

DOCKETED
AUG 19 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

**DOCUMENT
FOLDER**

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

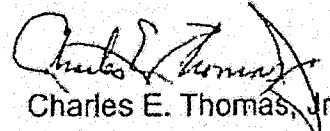
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on April 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

050301-Nemeec.wpd

RECEIVED
MAR 2 2005
SECRETARY'S JUROR

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031128

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of March, 2005, served a true and correct copy
of the foregoing letter upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

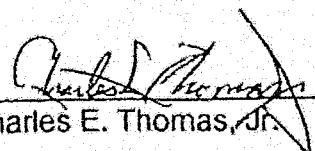
Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
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P. O. Box 3265
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Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222

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Pittsburgh, PA 15219

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265


Charles E. Thomas, Jr.

RECEIVED
JUREK

MAR-2 PM 10:12

RECEIVED

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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HARRISBURG, PA 17108-9500

CHARLES E. THOMAS, JR.
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FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

March 31, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCKETED
OCT 13 2005

DOCUMENT
FOLDER

RECEIVED
05 APR - 1 AM 10:14
I.A.P.U.C.
SECRETARY'S BUREAU

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

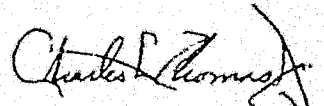
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on May 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

050331-Nemeec.wpd

RJP

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

Docket No. C-20031128

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

RECEIVED
05 APR - 1 AM 10:14
PA P.U.C.
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I have this 31st day of March, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Dennis S. Shilobod, General Counsel
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806 Law & Finance Building
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
212 Locust Street
P. O. Box 3265
Harrisburg, PA 17101

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222


Charles E. Thomas, Jr.

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CHARLES E. THOMAS, JR.
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FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

May 2, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeo
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCKETED
SEP 28 2005

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

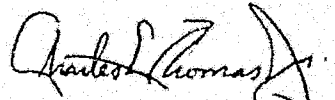
Dear Judge Nemeo:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on June 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchev, Esquire

050502.Nemeo.wpd

**DOCUMENT
FOLDER**

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031128

CERTIFICATE OF SERVICE

I hereby certify that I have this 2nd day of May, 2005, served a true and correct copy
of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
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Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
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625 Liberty Avenue
Pittsburgh, PA 15222

Dennis S. Shilobod, General Counsel
PACT
806 Law & Finance Building
Pittsburgh, PA 15219

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265



Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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HARRISBURG, PA 17108-0500

CHARLES E THOMAS, JR.
Direct Dial: (717) 255-7615
E-Mail: cthomasjr@ttanlaw.com

www.ttanlaw.com
FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

June 1, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCUMENT
FOLDER

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

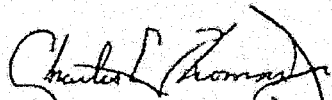
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on July 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

050502-Nemeec.wpd

SECRETARY'S BUREAU

2005 JUN 1 11:3:53

RECEIVED

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031

SECRETARY'S BUREAU

2005 JUN -1 PM 3:53

RECEIVED

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of June, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

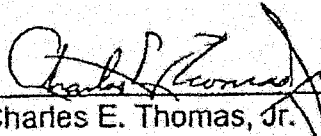
Anthony P. Picadio, Esquire
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Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Dennis S. Shilobod, General Counsel
FACT
806 Law & Finance Building
Pittsburgh, PA 15219

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Harrisburg, PA 17105-3265

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Pittsburgh, PA 15222


Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

June 30, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

**DOCUMENT
FOLDER**

PA P.U.C.
SECRETARY'S BUREAU

2005 JUL -5 AM 9:58

RECEIVED

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

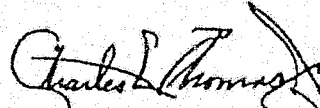
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on August 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division : Docket No. C-20031128
of Equitable Resources, Inc., :
Complainant :
v, :
The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of June, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

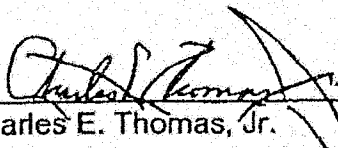
Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

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Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
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Johnnie E. Simms, Director
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Pennsylvania Public Utility Commission
Commonwealth Keystone Building
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Susan G. George, Esquire
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625 Liberty Avenue
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Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
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CHARLES E. THOMAS, JR.
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www.ttanlaw.com
FIRM (717) 255-7600
FAX (717) 236-8278

CHARLES E. THOMAS
(1913-1998)

August 2, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeč
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCKETED
AUG 04 2005

**DOCUMENT
FOLDER**

SECRETARY'S BUREAU
05 AUG -3 AM 8:49

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

Dear Judge Nemeč:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on September 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



for
Charles E. Thomas, Jr.

RJP

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031128

CERTIFICATE OF SERVICE

I hereby certify that I have this 2nd day of August, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
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213 Market Street, 9th Floor
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625 Liberty Avenue
Pittsburgh, PA 15222

Dennis S. Shilobod, General Counsel
PACT
806 Law & Finance Building
Pittsburgh, PA 15219

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265



Michael L. Swindler

05 AUG - 3 AM 8:10
SECRETARY'S BUREAU

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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HARRISBURG, PA 17108-9500

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FAX (717) 236-8278

CHARLES E. THOMAS, JR.

Direct Dial. (717) 255-7615
E-Mail: cthomasjr@ttanlaw.com

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05 AUG 32 AM 9:07
PA.P.U.C.
SECRETARY'S BUREAU

CHARLES E. THOMAS
(1913-1998)

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SEP 01 2005

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

August 31, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCUMENT
FOLDER

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

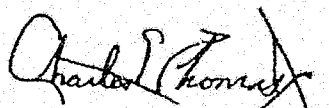
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on October 3, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

: Docket No. C-20031128
:
:
:
:
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:

CERTIFICATE OF SERVICE

I hereby certify that I have this 31st day of August, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
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BY FIRST CLASS MAIL

Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

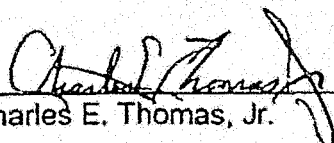
Daniel C. Clearfield, Esquire
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Wolf, Block, Schorr and Solis-Cohen, LLP
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Harrisburg, PA 17101

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The Peoples Natural Gas Company
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Dennis S. Shilobod, General Counsel
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Pittsburgh, PA 15219

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
05 AUG 32 AM 9:07
PA P.U.C. BUREAU
SECRETARY'S BUREAU


Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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HARRISBURG, PA 17108-9500

CHARLES E. THOMAS, JR.
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FAX (717) 236-8278

CHARLES E. THOMAS
(1913 - 1998)

October 3, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

**DOCUMENT
FOLDER**

RECEIVED
05 OCT -4 AM 9:40
PA.P.U.C.
SECRETARY'S BUREAU

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

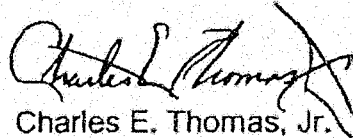
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on November 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division : Docket No. C-20031128
of Equitable Resources, Inc., :
Complainant :
v. :
The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 3rd day of October, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

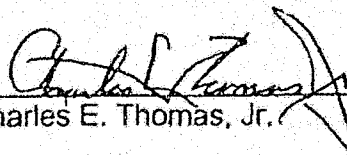
Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
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Pittsburgh, PA 15219

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265


Charles E. Thomas, Jr.

RECEIVED
05 OCT -4 AM 9:40
PA.P.U.C.
SECRETARY'S BUREAU

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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FAX (717) 236-8278

CHARLES E. THOMAS
(1913-1998)

THOMAS T. NIESEN

Direct Dial: (717) 255-7641
E-Mail: tniesen@ttanlaw.com

November 1, 2005

RECEIVED
2005 NOV -2 AM 10:06
PA P.U.C.
SECRETARY'S BUREAU

BY FAX AND FIRST CLASS MAIL

DOCUMENT
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Honorable Michael A. Nemeck
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

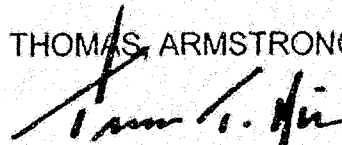
Dear Judge Nemeck:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on December 1, 2005.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Thomas T. Niesen

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

051101-Nemeck.wpd

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division : Docket No. C-20031128
of Equitable Resources, Inc., :
Complainant :
v. :
The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of November 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

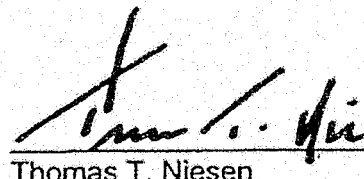
Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
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Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265


Thomas T. Niesen

PA P.U.C.
SECRETARY'S BUREAU

2005 NOV -2 AM 10:06

RECEIVED

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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HARRISBURG, PA 17108-9500

CHARLES E. THOMAS, JR.
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FAX (717) 236-8278

CHARLES E. THOMAS
(1913-1998)

December 1, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeo
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

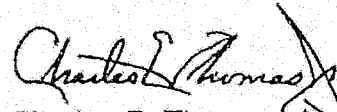
Dear Judge Nemeo:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on January 3, 2006.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchev, Esquire

C51201-Nemeo.wpd

DOCUMENT
FOLDER

RECEIVED
2005 DEC -5 AM 9:06
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SECRETARY'S BUREAU

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031128

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of December, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

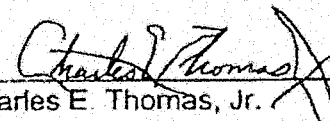
Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
213 Market Street, 9th Floor
Harrisburg, PA 17101

Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222

Dennis S. Shilobod, General Counsel
PACT
806 Law & Finance Building
Pittsburgh, PA 15219

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2005 DEC -5 AM 9:06
PA P.U.C.
SECRETARY'S BUSINESS


Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

SUITE 500
212 LOCUST STREET
P. O. BOX 9500
HARRISBURG, PA 17108-9500

CHARLES E. THOMAS, JR.

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www.ttanlaw.com

FIRM (717) 255-7600

FAX (717) 236-8278

CHARLES E. THOMAS
(1913-1998)

DOCUMENT
FOLDER

December 30, 2005

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeck
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

RECEIVED
2006 JAN -3 AM 9:57
FA P.U.C.
SECRETARY'S BUREAU

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

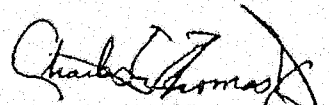
Dear Judge Nemeck:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on January 31, 2006.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

051201-nemeck.wpd

DOCKETED
APR 5 2006

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division : Docket No. C-20031128
of Equitable Resources, Inc., :
Complainant :
v. :
The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of December, 2005, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

PA P.U.C.
SECRETARY'S BUREAU

2006 JAN -3 AM 9:57

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BY FIRST CLASS MAIL

Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

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Office of Trial Staff
Pennsylvania Public Utility Commission
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Susan G. George, Esquire
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d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222


Charles E. Thomas, Jr.

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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HARRISBURG, PA 17108-9500

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FAX (717) 236-8278

THOMAS T NIESEN

Direct Dial: (717) 255-7641

E-Mail: tniesen@ttanlaw.com

CHARLES E. THOMAS
(1913 - 1998)

February 1, 2006

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCUMENT
FOLDER

RECEIVED
2006 FEB -2 AM 9:50
SECRETARY'S BUREAU

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

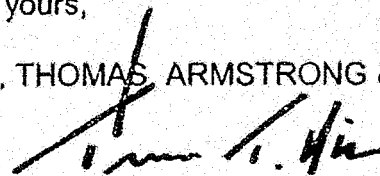
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on March 1, 2006.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Thomas T. Niesen

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031128

SECRETARY'S BUREAU

2006 FEB -2 PM 9:50

RECEIVED

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of February, 2006, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

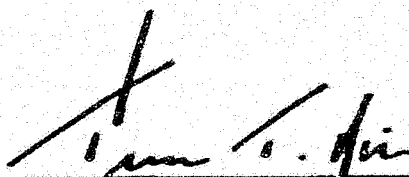
Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
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Harrisburg, PA 17105-3265

Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222



Thomas T. Niesen

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

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www.ttanlaw.com

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FAX (717) 236-8276

CHARLES E. THOMAS, JR.
Direct Dial. (717) 255-7615
E-Mail: cthomasjr@ttanlaw.com

CHARLES E THOMAS
(1913 - 1998)

March 1, 2006

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

DOCUMENT
FOLDER

RECEIVED
2006 MAR -2 AM 9:01
PA.P.U.C.
SECRETARY'S BUREAU

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

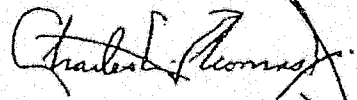
Dear Judge Nemeec:

In accordance with your Order, dated April 14, 2004, and on behalf of the Complainant and the Respondent in the above matter, we can again report that settlement discussions remain ongoing at this time. A further report will be provided on April 3, 2006.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By


Charles E. Thomas, Jr.

cc: Certificate of Service
Docketing Section, Pennsylvania
Public Utility Commission
Eric A. Rohrbaugh, Esquire
Daniel L. Frutchey, Esquire

Before The
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Equitable Gas Company, a Division
of Equitable Resources, Inc.,
Complainant

v.

The Peoples Natural Gas Company,
d/b/a Dominion Peoples,
Respondent

Docket No. C-20031128

PA.P.U.C.
SECRETARY'S BUREAU

2006 MAR -2 AM 9:02

RECEIVED

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of March, 2006, served a true and correct copy of the foregoing letter, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

BY FIRST CLASS MAIL

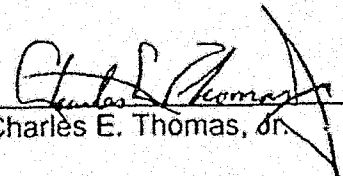
Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
600 Grant Street
Pittsburgh, PA 15219

Dennis S. Shilobod, General Counsel
PACT
806 Law & Finance Building
Pittsburgh, PA 15219

Daniel C. Clearfield, Esquire
Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis-Cohen, LLP
213 Market Street, 9th Floor
Harrisburg, PA 17101

Johnnie E. Simms, Director
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222


Charles E. Thomas, Jr.

MEMORANDUM

COMMONWEALTH OF PENNSYLVANIA
PA Public Utility Commission

DATE: October 10, 2006

SUBJECT: Equitable Gas Company v. The Peoples Natural Gas Company
Docket No. C-20031128

TO: James J. McNulty
Secretary

FROM: Michael A. Nemecek *MAN*
Administrative Law Judge

Please file the enclosed four-page correspondence dated October 5, 2006, in the above captioned case.

MAN:aje

Enclosures

cc: Eric Rohrbaugh

DOCUMENT
FOLDER

DENNIS S. SHILOBOD
ATTORNEY AND COUNSELOR AT LAW
206 NORTH MAIN STREET
GREENSBURG, PA 15601
724-830-9703

Fax Cover Sheet

TO: MICHAEL A. NEMEC, ADMINISTRATIVE LAW JUDGE
PA P.U.C.
FAX: 412-565-5692
DATE: October 5, 2006
RE: Equitable Gas Company v The Peoples Natural Gas Company
Docket No. C-20031128
PAGES: 3 (INCLUDING THIS COVER SHEET)
4

MESSAGE:

Dear Judge Nemeec:

Pittsburgh Allegheny County Thermal, Ltd. ("PACT") is an Intervenor in the above matter, and as such is entitled to the rights of all other participants.

As an Intervenor, PACT cannot at this time agree that the above-captioned can be dismissed.

After the proceedings before you were stayed, without any notice to PACT, Peoples obtained a ruling in its 1307(f) proceedings, which arguably authorized it to file a tariff change, directly dealing with one of the issues before you, on a one day non-public notice, without any notice to PACT, purporting to require an annual showing that PACT's agreement must result in a "positive benefit" to Peoples' other customers, otherwise Peoples would purportedly be enabled to charge PACT hundreds of thousands of dollars per year for lost and unaccounted for gas, contrary to a material term of the agreement that was entered into between PACT and Peoples before the revised tariff filing. This gave Equitable a major part of what it was asking for in the proceedings before you, without allowing PACT to participate in the hearings or decision-making.

Furthermore, Equitable and Peoples obtained decisions from the PA PUC in the 1307f proceedings that assert that competition between the public utility companies is "inefficient". As can be seen from your hearing notices, the question of propriety of

competition between Equitable and Peoples was another one of the issues you were to decide, as indicated in your schedule notice sent to all parties.

Equitable and Peoples are now attempting to utilize those PUC decisions, condemning competition, as a basis for approval of Equitable's acquisition of Peoples at Application Docket No. A-122250F5000, which proceeding before ALJ John Corbett.

The placement of a stay on the proceeding before you, with the two utilities obtaining decisions and rulings on issues before you, in side proceedings before this Commission, without prior notice to PACT or an opportunity to be heard, is in violation of due process of law. See *Duquesne Light Company v PA P.U.C.*, 715, A.2d 540 (Cmwlth. Ct. 1998), and *Joseph Horne Company v PA P.U.C.*, 521 Pa. 632, 558 A.2d 533 (S. Ct. 1989)

Consequently, PACT cannot consent to the dismissal of the complaint proceedings at this stage because its opposition to the side decision-making has been raised by PACT in the Joint Application proceeding before the Commission at Docket No. A-122250F5000 in which Equitable Resources, Inc. and the Peoples Natural Gas Company are seeking approval of Equitable's acquisition of Peoples with a planned subsequent merger, as described in their Joint Application.

You will recall that when PACT asked to revive the proceedings before you because of the excessive time given to the utilities to discuss the case between themselves, you wrote that you could not do so, but suggested that I check with the PUC staff to see if there were any actions before the PUC that had a bearing on the case assigned to you. I did then call Johny Simms, of the PUC Trial Staff, and in response to my inquiries all that he would say was "the only matter we have on-going at this time with Equitable Gas are the 1307f proceedings." Efforts get him to say anything beyond that were fruitless. A plain reading of Section 1307 would never inform anyone that those proceedings would be utilized to make broad policy decisions that "competition is inefficient" between the gas utility companies, or that specific tariff provisions would be changed that directly affected PACT's agreement with Peoples, that was, when entered into, fully in accord with PUC tariffs and regulations, and the subject matter of the case assigned to you. PACT acted in reliance on that agreement and invested approximately \$1.6 million, only now to be faced with claims that whoever controls Peoples has to prove, each year, that other customers of Peoples realize "positive benefits" from PACT's agreement, or else Peoples can add hundreds of thousands of dollars/year to PACT's gas transportation bills. Certainly, there are no incentives for either utility to realistically attempt to prove any such thing once their Joint Application is approved.

Both Peoples and Equitable thus "won", at the PUC level, one of the issues that was to be determined in the proceedings before you, with no opportunity for PACT to participate in the determinations made.

Equitable Resources, Inc. has indicated to PACT in the Joint Application proceedings its intent to declare PACT's agreement with Peoples void. That issue is also another issue

that PACT believes you should be deciding based upon the Complaint before you and PACT's Petition to Intervene.

Hence PACT's opposition to your proposed dismissal of the case.

Copies of this fax are being sent by email to all parties, as indicated below.

Sincerely,
Dennis S. Shilobod, for PACT

Dennis S. Shilobod certifies that a copy of this fax transmission has already been sent by email to the following attorneys this 5th day of October, 2006:

Charles E. Thomas:	cthomasjr@tuanlaw.com
William T. Hawke	wthawke@hmsk-law.com
Anthony P. Picadio	picadio@psmn.com
Kevin J. Moody	kmoody@woifblock.com
Susan G. George	susan_g_george@dom.com
Johnnie E. Simms	josimms@state.pa.us
Louise A. Knight:	lknight@saul.com

[Print](#) | [Close Window](#)

Subject: Equitable Gas Co v Peoples Gas Co.- Complaint Docket No. C-20031128

From: dennis@shilobod.com

Date: Thu, Oct 05, 2006 2:18 pm

To: cthomasjr@tlanlaw.com, wrhawke@hmsk-law.com, picadio@psmn.com, kmoody@wolfblock.com,
susan_g_george@dom.com, joslmms@state.pa.us, fknight@saul.com

To the above attorneys:

Attached is the fax I am sending to ALJ Nemec in response to his letter to all of us dated October 2, 2006.

If any of you want a hard copy of the fax, please advise me and it will be sent to you today.

Dennis S Shilobod
206 North Main Street
Greensburg, PA 15601

724-830-9703

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office of Administrative Law Judge
1103 Pittsburgh State Office Building, 300 Liberty Avenue
Pittsburgh, PA 15222

Tel. 412-565-3550
Fax. 412-565-5692

IN REPLY PLEASE
REFER TO OUR FILE

DOCUMENT
FOLDER

October 24, 2006

TO ALL PARTIES OF RECORD:

Re: Equitable Gas Company v.
The Peoples Natural Gas Company
Docket No. C-20031128

SECRETARY'S BUREAU

2006 OCT 26 AM 8:30

RECEIVED

On August 21, 2006, I wrote to counsel for Equitable to enquire as to whether Equitable might consider the above captioned case moot. Copies of the letter were sent to all parties of record. As no response of any kind was received as of October 2, 2006, I again wrote to the parties inviting comments on how or whether to proceed with the case.

On October 5, 2006, I received a FAX from counsel for Pittsburgh Allegheny County Thermal, Ltd. ("PACT"), to the effect that PACT opposed the dismissal of the proceeding without an adjudication of the issues it wished to pursue, namely PACT's gas supply arrangement with Peoples. The communication also states that matters of concern to PACT were adjudicated in the 1307(f) proceedings of both Equitable and Peoples without notice to PACT. PACT asserts that it has raised the "side-decision making" as well as its concerns with its present gas supply arrangement in the pending acquisition/merger proceeding regarding Equitable and Peoples at Docket No. A-122250F5000.

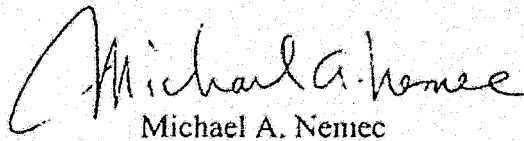
On October 9, 2006, counsel for Equitable wrote to state that Equitable intends to withdraw its complaint at C-20031128 if: (1) this Commission approves its acquisition of the stock of Peoples and Hope Gas Company without any unacceptable terms and conditions, (2) any related proceedings and/or appeals are resolved in favor of Equitable Resources, and (3) the stock acquisition is consummated.

It appears that PACT has raised its concerns in a proceeding that will directly affect it. No other party has expressed an interest in this complaint proceeding going forward at this time. As a result, it seems that this matter must await the outcome of the acquisition/merger matter. Further, I would draw the parties' attention to the provisions of Section 5.92 of the Commission's regulations, 52 Pa. Code § 5.92, that provide a procedure for the withdrawal of a pleading in a contested proceeding.

BTL

My inclination at present is to enter a stay pending the outcome of the acquisition/merger. I would be happy to consider any comments from any of the parties that they provide to me in writing within the next twenty (20) days.

Very truly yours,


Michael A. Nemecek
Administrative Law Judge

MAN:ajc

cc: Service List
James J. McNulty, Secretary ✓
Eric A. Rohrbaugh, Legal Division Supervisor

Thomas, Thomas, Armstrong & Niesen
Attorneys and Counsellors at Law

SUITE 500
212 LOCUST STREET
P. O. BOX 9500
HARRISBURG, PA 17108-9500

www.ttanlaw.com

FIRM (717) 255-7600

FAX (717) 236-8278

CHARLES E. THOMAS, III

Direct Dial: (717) 255-7611
E-Mail: cet3@ttanlaw.com

CHARLES E. THOMAS
(1913 - 1998)

November 17, 2006

James J. McNulty
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

In re: Docket No. C-20031128
Equitable Gas Company, a Division of Equitable Resources, Inc., Complainant
v. The Peoples Natural Gas Company, d/b/a Dominion Peoples, Respondent

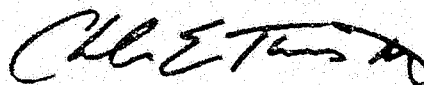
Dear Secretary McNulty:

Enclosed for filing on behalf of Equitable Gas Company are an original and three (3) copies of its Petition for Leave to Withdraw Complaint in the above referenced proceeding. Copies of the Petition are being served upon the persons and in the manner set forth on the Certificate of Service attached to it.

Very truly yours,

THOMAS, THOMAS, ARMSTRONG & NIESEN

By



Charles E. Thomas, III

Encl.

cc: Certificate of Service
Daniel L. Frutchey (w/encl.)

081117 McNulty.wpc

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

20031117 Pr. 3:31
SECURITY'S BUREAU

Equitable Gas Company, a Division :
of Equitable Resources, Inc., :
Complainant :

v. :

Docket No. C-20031128

The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

EQUITABLE GAS COMPANY'S
PETITION FOR LEAVE TO WITHDRAW COMPLAINT

AND NOW, comes Equitable Gas Company, a Division of Equitable Resources, Inc. (hereinafter "Equitable" or the "Company"), by its attorneys, and, pursuant to 52 Pa. Code §5.94, petitions the Pennsylvania Public Utility Commission ("Commission") for leave to withdraw its Complaint in the above referenced proceeding. In support thereof, Equitable submits as follows:

1. This proceeding involves the Complaint of Equitable against The Peoples Natural Gas Company, d/b/a Dominion Peoples ("Dominion Peoples") concerning Dominion Peoples' displacement of Equitable's service to Pittsburgh Allegheny County Thermal ("PACT"). Equitable's original Complaint, filed with the Commission on August 29, 2004, contained four counts: Count I - Duplication of Facilities; Count II - Predatory Pricing; Count III - Unfair Competition; and Count IV - Rate Discrimination. On January 22, 2004, Equitable filed an Amendment to the Complaint setting forth an additional Count V - Lack of Service Authority.

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2. The Commission's Office of Trial Staff ("OTS") entered its appearance in the matter on September 23, 2003. Shortly thereafter, on October 2, 2003, PACT filed a Petition to Intervene in the matter.

3. A Prehearing Conference was scheduled and held in Pittsburgh on November 20, 2003, with Administrative Law Judge Michael A. Nemeec presiding. Counsel for Equitable, Dominion Peoples, PACT and the Commission's Office of Trial Staff ("OTS") appeared and participated in the Prehearing Conference. By Interim Order dated January 21, 2004, NRG Center-Pittsburgh LLC ("NRG") was granted status as an intervenor. A Second Prehearing Conference was held on March 15, 2004, before Judge Nemeec. Counsel for Equitable, Dominion Peoples, PACT, OTS and NRG appeared and participated in the Second Prehearing Conference.

4. On March 30, 2004, Equitable and Dominion Peoples filed a Joint Motion requesting that the Commission continue the proceeding generally and stay all procedural matters, including, without limitation, the propounding and answering of discovery and pleadings related thereto, the answering of any outstanding motions and pleadings and the preparation of testimony. The parties agreed to use the period of the continuance to attempt to reach a mutually acceptable resolution of the matter and would file status reports with Judge Nemeec on the first of each calendar month.

5. By Order entered April 14, 2004, Judge Nemeec granted the Joint Motion for General Continuance

6. Subsequently, Equitable and Dominion Peoples engaged in a series of settlement discussions which included not only the above-referenced proceeding but other matters involving the parties.

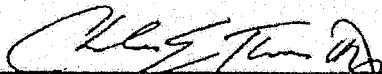
7. The parties and intervenors have successfully reached a resolution of various issues including those at issue in the above-referenced proceeding, thus

negating the need to pursue the Complaint and avoiding the expenditure of additional time and resources for all involved.

8. All parties to this proceeding are in agreement that the Complaint should be withdrawn at this time, and Equitable has been authorized to advise that there are no objections to the Petition for Leave to Withdraw the subject Complaint with prejudice.

WHEREFORE, Equitable Gas Company, a Division of Equitable Resources, Inc., prays that the Pennsylvania Public Utility Commission grant this Petition for Leave to Withdraw Complaint with prejudice.

Respectfully submitted,

By  FOR

Charles E. Thomas, Jr., Esquire
PA Attorney ID No. 07262
Thomas T. Niesen, Esquire
PA Attorney ID No. 31379
THOMAS, THOMAS, ARMSTRONG & NIESEN
212 Locust Street, Suite 500
P.O. Box 9500
Harrisburg, PA 17108-9500

Daniel L. Frutchey, Esquire
PA Attorney ID No. 69074
Senior Vice President and General Counsel
EQUITABLE GAS COMPANY
225 North Shore Drive
Pittsburgh, PA 15212

*Attorneys for
Equitable Gas Company,
a Division of Equitable Resources, Inc.*

DATE: November 16, 2006

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

20061117 P: 3:31
SECRETARY'S BUREAU

Equitable Gas Company, a Division :
of Equitable Resources, Inc., :
Complainant :

v. :

Docket No. C-20031128

The Peoples Natural Gas Company, :
d/b/a Dominion Peoples, :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I have this 17th day of November, 2006, served a true and correct copy of the foregoing Petition for Leave to Withdraw Complaint, upon the persons and in the manner set forth below:

BY FAX AND FIRST CLASS MAIL

Honorable Michael A. Nemeec
Administrative Law Judge
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

Susan G. George, Esquire
The Peoples Natural Gas Company
d/b/a Dominion Peoples
625 Liberty Avenue
Pittsburgh, PA 15222


Anthony P. Picadio, Esquire
Picadio Sneath Miller & Norton, P.C.
Suite 4710 U.S. Steel Tower
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Pittsburgh, PA 15219

William T. Hawke, Esquire
Norman James Kennard, Esquire
Hawke McKeon Sniscak & Kennard LLP
100 North Tenth Street
Harrisburg, PA 17101

Johnnie E. Simms, Senior Prosecutor
Office of Trial Staff
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P. O. Box 3265
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Kevin J. Moody, Esquire
Wolf, Block, Schorr and Solis Cohen, LLP
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Harrisburg, PA 17101

Dennis S. Shilobod, General Counsel
PACT
806 Law & Finance Building
Pittsburgh, PA 15219



Charles E. Thomas, III
PA Attorney I.D. No. 201014

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: November 29, 2006
SUBJECT: C-20031128
Equitable Gas Company v. The Peoples Natural Gas Company
TO: Wanda Zeiders
Docket Management
FROM: Dawn M. Reitenbach, ALJ Support Staff
Office of Administrative Law Judge

DOCUMENT
FOLDER

On November 29, 2006, a Certificate of Satisfaction was filed in the above-captioned proceeding. If no objection is filed to this certificate within 10 days of the filing, this proceeding will be closed.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

Attachment

pc: ALJ Michael A. Nemeec
Beth Plantz
Case File

DOCKETED
DEC 05 2006



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

January 26, 2007

C-20031128

DANIEL L. FRUTCHEY VP & GENRL CNSL
200 ALLEGHENY CENTER MALL
PITTSBURGH PA 15212-5352

DOCKETED
JAN 24 2007

EQUITABLE GAS COMPANY
v.
THE PEOPLES NATURAL GAS COMPANY

DOCUMENT
FOLDER

TO WHOM IT MAY CONCERN:

Please be advised that the Commission has marked closed the above-entitled proceeding.

Very truly yours,

James J. McNulty
Secretary

cc: All parties of Record

nvl

BTL