

# Office of the People's Counsel District of Columbia



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**Elizabeth A. Noël**  
People's Counsel

April 13, 2009

## VIA ELECTRONIC FILING

Dorothy Wideman  
Commission Secretary  
Public Service Commission  
of the District of Columbia  
1333 H Street, N.W.  
Seventh Floor East  
Washington, D.C. 20005

**Re: Formal Case No. 977, In the Matter of the Investigation into the Quality of Service of Washington Gas Light Company, District of Columbia Division, in the District of Columbia**

Dear Ms. Wideman:

Enclosed for filing in the above-referenced proceeding are an original and three (3) copies of the "Reply Comments of the Office of the People's Counsel on the Commission's Proposed Natural Gas Service Quality Standards."

If there are any questions regarding this matter, please contact me at (202) 727-3071.

Sincerely,

Jennifer L. Weberski  
Assistant People's Counsel

Enclosure

cc: Parties of record

**BEFORE  
THE DISTRICT OF COLUMBIA  
PUBLIC SERVICE COMMISSION**

|  |                       |   |
|--|-----------------------|---|
| <b>In the Matter of</b>  | §                     |   |
|  | §                     |   |
| <b>The Investigation into the<br/>Quality of Service of Washington<br/>Gas Light Company, District of<br/>Columbia Division, in the<br/>District of Columbia</b> | §<br>§<br>§<br>§<br>§ | <b>Formal Case No. 977<br/>(Comments)</b> |

**REPLY COMMENTS OF THE OFFICE OF THE PEOPLE’S COUNSEL  
ON THE COMMISSION’S PROPOSED  
NATURAL GAS QUALITY OF SERVICE STANDARDS**

Pursuant to the Amended Notice of Proposed Rulemaking (“Amended NOPR”) published in the *D.C. Register* on February 27, 2009<sup>1</sup>, the Office of the People’s Counsel for the District of Columbia (“OPC” or “Office”), the statutory representative of District of Columbia ratepayers and consumers<sup>2</sup>, respectfully files its reply comments on the Natural Gas Quality of Service Standards (“NGQSS”) proposed by the Public Service Commission of the District of Columbia’s (“Commission” or “PSC”).

OPC submits the NGQSS is a significant body of regulations that has widespread impact on all D.C. consumers, the Washington Gas Light Company (“Washington Gas” or “Company”) and energy suppliers operating in the District of Columbia. While OPC will not repeat all of the issues identified in its previous Comments, OPC incorporates those Comments in its present assessment of the February 27, 2009 NGQSS NOPR (hereinafter, “February 2009 NGQSS NOPR”).

The Commission issued its first NOPR regarding Natural Gas Quality of Service Standards on May 11, 2007. Subsequently, the Commission has issued four amended NGQSS

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<sup>1</sup> 56 *D.C. Register* 1827-1851.

<sup>2</sup> D.C. Code § 34-804.

NOPR's. Now is the time for the Commission to issue a final rulemaking and adopt the NGQSS NOPR proposed on February 27, 2009. The consumers and natural gas utilities operating in the District need to have final, permanent quality of service rules in place, such as electric consumers and electric utilities already enjoy.

## **II. DISCUSSION**

The Office is deeply troubled by the prevailing theme of WGL's March 30, 2009 Comments regarding the NGQSS<sup>3</sup>. WGL recommends changes to the following provisions: 3702.2, 3702.10, 3702.15, 3702.16, 3704.1, 3704.2, 3704.7, 3704.9, 3704.13, 3704.17, 3706.2, 3706.8, 3708.1, and the definitions of Abandoned Calls and Normal Business Hours. OPC agrees with the proposed clarification language suggested for the two definitions. Further, OPC supports the proposed language for 3702.10, in order for the provision to be in compliance with Department of Transportation 192 rule. However, OPC strongly disagrees with all other proposed modifications by WGL.

Based upon the Comments of WGL, the prevailing reason WGL proposes the changes is to adapt the NGQSS to its current guidelines and policies. The Commission is not constructing the NGQSS for the ease of WGL to comply with, but rather to adopt quality of service standards for all natural gas utilities and providers and for the benefit of consumers. WGL complains about how its data bases are structured or "significant time"<sup>4</sup> to comply with the proposed NGQSS. WGL has offered no concrete data regarding costs or time to adopt the proposals. Rather, WGL relies upon vague generalities to propose alternative language that allows WGL to continue its current practices. The Office supports the Amended NOPR as written by the

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<sup>3</sup> F.C. 977, In the Matter of the Investigation Into the Quality of Service of Washington Gas Light Company, District of Columbia Division, in the District of Columbia, Comments of Washington Gas Light Company on the Commission's Proposed Natural Gas Quality of Service Standards, filed March 30, 2009.

<sup>4</sup> Id at 4.

Commission.

While OPC will not rehash every alternative proposed by WGL, as each alternative has previously been proposed by WGL in earlier Comments and subsequently not adopted by each successive NGQSS, one new proposal must be addressed further. Suddenly, WGL objects to provision 3704.1, which states “The natural gas utility shall maintain a customer service (walk-in) office physically located in the District of Columbia.” For the past two years, WGL has never objected to this provision. Now, WGL wants to amend the provision to allow “walk-in services at facilities physically located...”<sup>5</sup>

In other words, WGL would rely on third-party payment providers and not have a WGL walk-in center. OPC is outraged by WGL’s tactics. It appears as though the Company is attempting an end run around previous Commission holdings regarding customer service centers in the District of Columbia. WGL’s alternative language could translate to no payments at headquarters or the Anacostia Office. WGL’s proposal is unacceptable and flies in the face of the Commission’s holding in Commission Order No. 12688.<sup>6</sup>

The Commission found in Order No. 12688 that closure of the Anacostia Office “would not be in the public interest and would have a negative impact on the quality of service.”<sup>7</sup> OPC applauded the Commission on its well-reasoned decision in Order No. 12688, supported the Commission’s holding before the D.C. Court of Appeals in 03-AA-788<sup>8</sup>, and continues to support the Commission in the adoption of NGQSS provision 3704.1. The Commission should not allow WGL to usurp its previous holding, supported by the D.C. Court of Appeals, by weakening provision 3704.1.

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<sup>5</sup> Id at 5.

<sup>6</sup> **Error! Main Document Only.**F.C. 1014, In the Matter of the Investigation Into The Payment Center Operations of Washington Gas Light Company, District of Columbia Division, Order No. 12688, rel. March 21, 2003.

<sup>7</sup> Order No. 12688 at 10.

<sup>8</sup> WGL’s appeal of Order No. 12688.

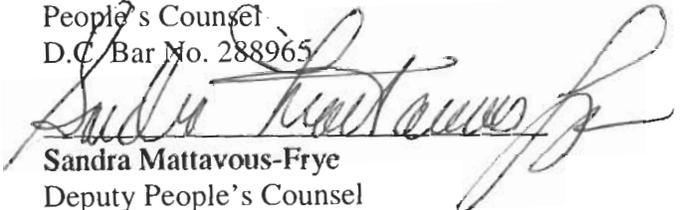
OPC strongly urges the Commission to adopt the strongest possible quality of service standards, not the weakened proposals of WGL.

### III. CONCLUSION

Wherefore, for the reasons stated herein, OPC requests the Commission adopt the NGQSS.

Respectfully submitted,

Elizabeth A. Noël  
People's Counsel  
D.C. Bar No. 288965



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Dated: April 13, 2009

**CERTIFICATE OF SERVICE**

**Formal Case No. 977, In the Matter of the Investigation into the Quality of Service of Washington Gas Light Company, District of Columbia Division, in the District of Columbia**

I hereby certify that on this 13th day of April, 2009, a copy of the "Reply Comments of the Office of the People's Counsel on the Commission's Proposed Natural Gas Service Quality Standards" was served on the following parties of record by electronic mail, hand delivery or first class mail, postage prepaid:

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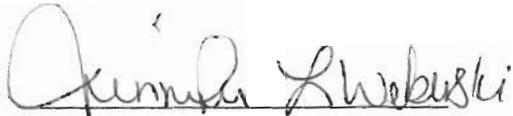
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A handwritten signature in black ink that reads "Jennifer L. Weberski". The signature is written in a cursive style with a large initial "J".

Jennifer L. Weberski, Esq.  
Assistant People's Counsel