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Office of the People's Counsel
District of Columbia



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Elizabeth A. Noël
People's Counsel

November 4, 2005

Freda A. James
Acting Commission Secretary
Public Service Commission
of the District of Columbia
1333 H Street, N.W.
Second Floor West
Washington, D.C. 20005

05/11/05 PM 5:07
CLERK
MOSKIN

Re: **Formal Case No. 1037, In the Matter of the Investigation Into the Omnibus Utility Emergency Amendment Act of 2005, Specifically Regarding The Establishment of the Natural Gas Trust Fund Programs**

Dear Ms. James:

Enclosed for filing in the above-referenced proceeding is an original and fifteen (15) copies of the "Motion of the Office of the People's Counsel For Clarification of the Commission's October 25, 2005 Notice of Informational Hearing."

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

Sincerely,

Brian O. Edmonds
Assistant People's Counsel

Enclosure

cc: Parties of record

05 NOV -4 PM 5:07
PUBLIC SERVICE COMMISSION
CLERK

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

In the Matter of §
§
The Investigation Into §
The Omnibus Utility Emergency §
Amendment Act of 2005, Specifically §
Regarding The Establishment of the §
Natural Gas Trust Fund Programs §
and §

Formal Case No. 1037

In the Matter of §
§
The Petition of the Office of the People's §
Counsel Requesting An §
Investigation Into §
The Impact of Rising Natural Gas §
Prices on the District of Columbia's §
Natural Gas Consumers §
For The Purpose Of Developing §
Solutions To Minimize The Impact §

Formal Case No. 1043

**MOTION OF THE OFFICE OF THE PEOPLE'S COUNSEL
FOR CLARIFICATION OF THE COMMISSION'S OCTOBER 25, 2005
NOTICE OF INFORMATIONAL HEARING**

Pursuant to Rule 105.8 of the Public Service Commission of the District of Columbia's ("Commission") Rules of Practice and Procedure,¹ the Office of the People's Counsel for the District of Columbia ("OPC" or "Office"), the statutory representative of District of Columbia ratepayers and consumers², respectfully files this motion requesting the Commission clarify its intent with respect to whether stakeholders other than the Natural Gas Trust Fund ("NGTF") Working

¹ 15 D.C.M.R. §§ 101.1, 101.2, and 101.4 (2004).

² D.C. Code § 34-804 (2005).

Group members are invited to the November 10, 1005 Informational Hearing. Commission Order No. 13785 indicated the Commission would convene a roundtable subsequent to the submission of the NGTF Working Group Report due on November 7, 2005, “to discuss the report and entertain any other recommendations by interested parties.”³ The October 25, 2005 Notice of Information Hearing (“Notice”) announces the Commission’s Information Hearing to be held on November 10, 2005, “to consider options for minimizing the impact of significantly higher natural gas bills expected during the 2005-2006 winter heating season.”⁴ However, it is unclear if members of the public other than the NGTF Working Group members are invited to attend and make recommendations to the Commission as per Order No. 13785.

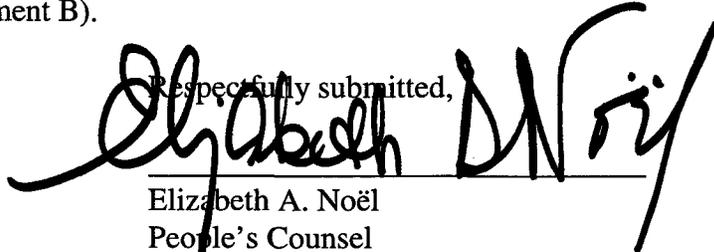
Obviously this matter has broad public implications. OPC notes that on November 2, 2001, in response to another crisis situation, the Commission published in the *D.C. Register* a Notice of Public Comment and Hearing in Formal Case No. 1007 requiring the attendance of public utilities and inviting parties with statutory standing and any other interested parties to discuss what utility companies were doing to assist District residents and businesses that had been affected by the events of September 11, 2001 (“Formal Case No. 1007 Notice”). A copy of the Formal Case No. 1007 Notice is attached as Attachment A. The Formal Case No. 1007 Notice also indicated what issues the Commission expected participants to address and what participants were required to do to be included on the list of participants or to submit written statements. OPC submits that participation

³ *Formal Case No. 1037, In the Matter of the Investigation Into the Omnibus Utility Emergency Amendment Act of 2005, Specifically Regarding The Establishment of the Natural Gas Trust Fund Programs; Formal Case No. 1043, In The Matter of the Petition of the Office of the People’s Counsel Requesting an Investigation Into The Impact of Rising Natural Gas Prices on District of Columbia Consumers For The Purpose Of Developing Solutions To Minimize The Impact*, Order No. 13785 at ¶ 1, rel. Oct. 14, 2005.

⁴ *Formal Case No. 1037 and Formal Case No. 1043*, Notice of Informational Hearing, rel. Oct. 25, 2005.

by stakeholders other than the NGTF Working Group would benefit the Commission in developing a full and complete record from which to make reasoned decisions in these proceedings.

A number of stakeholders will be attending the November 8, 2005, OPC-DC Consumers and Stakeholders Energy Summit 2005: *Answering the Wake Up Call to Assist D.C. Energy Consumers in 2005 and Beyond* (See Attachment B).

Respectfully submitted,


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Dated: November 4, 2005

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received
11/1/01

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA
1333 H STREET, N.W., 2nd FLOOR, WEST TOWER
WASHINGTON, D.C. 20005

NOTICE OF PUBLIC COMMENT AND HEARING

**IN THE MATTER OF A PROPOSED PUBLIC UTILITY EMERGENCY RELIEF
PLAN**

1. The Public Service Commission of the District of Columbia ("Commission") hereby gives notice of an informational hearing to be held pursuant to Section 103.6 of the Commission's Rules of Practice and Procedure, 15 DCMR § 103.6 (1998), regarding any existing and proposed public utility relief plans for District ratepayers who are affected by the economic downturn resulting from the terrorist attacks of September 11. This hearing will be held on Monday, November 19, 2001, at 10:00 a.m. in the 7th Floor Hearing Room located at the District of Columbia Public Service Commission, 1333 H Street, N.W., East Tower, Washington, D.C. 20005.
2. The Commission requires the attendance of Verizon-Washington, D.C. ("Verizon"), the Potomac Electric Power Company ("PEPCO"), and the Washington Gas Light Company pursuant to Section 103.8 of the Commission's rules, 15 DCMR § 103.8 (1998). The Commission also extends an invitation to the Office of the People's Counsel ("OPC"), the Office of the Mayor, the District Council, and any other interested parties. All hearing participants are requested to address the following issues:
- (a) The hearing participants are asked to provide information, and to make inquiries about, what utility companies are doing to assist District residents and businesses that have been affected by the events of September 11;
- (b) The Commission is interested in obtaining comments regarding a proposed ad hoc committee to develop initiatives for an emergency relief plan to assist adversely affected District ratepayers with their utility obligations;¹ and
- (c) Participants are asked to comment on whether the current discount programs that are offered in the District, provide sufficient assistance to ratepayers, in consideration of the volatile energy prices of the past winter season, and what efforts should the Commission undertake to assist residents who have been disconnected from energy services.

¹ See, Letter to Chairman Angel M. Cartagena, Jr., re: Request to Have the Public Service Commission Establish An Ad Hoc Committee To Formulate A Temporary Public Utility Emergency Relief Plan For District Ratepayers Affected By The Events of September 11, 2001, from Elizabeth A. Noel, Esq., Office of the People's Counsel, filed October 18, 2001.

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3. The Commission also encourages hearing participants to raise any other issues related to the economic distress caused by the tragic events of September 11 and their effect on the ability of District ratepayers to pay for their telecommunications and energy service usage. We especially desire hearing all ideas on how we might address the challenges caused by this economic distress.

4. Those who wish to testify should contact Mr. Jesse P. Clay, Jr., Commission Secretary, by close of business, Monday, November 5, 2001 at (202) 626-5151. Witnesses should bring fifteen (15) copies of their written testimony to the Hearing. Representatives of organizations shall be permitted a maximum of five (5) minutes for oral presentation. Individuals shall be permitted a maximum of three (3) minutes for oral presentation. If you are unable to offer comment at the Hearing, written statements are acceptable and will be made a part of the record. Written statements should be submitted to Mr. Jesse P. Clay, Jr., Commission Secretary, District of Columbia Public Service Commission, 1333 H Street, N. W., Suite 200, West Tower, Washington, D.C. 20005.

OPC-DC Consumer and Stakeholders Energy Summit 2005:
Answering the Wake Up Call to Assist D.C. Energy Consumers in 2005 and Beyond

R.S.V.P. List

1. **Potomac Electric Power Company** - Tom Graham, President
2. **YMCA Metropolitan** - Angie Reese-Hawkins, President & CEO (+1)
Janice Williams, Director of Programs
3. **Washington Gas** - Steven Jumper, Director, Government Affairs
4. **United Planning Organization** - Dana M. Jones, Chief Executive Officer (+3)
Nicky McKenzie, Outreach Manager for the D.C.
Reach Program
Wayne Thompson, Director of the Office of Business
Theresa H. Jones, Public Policy Analyst
5. **American Public Power Association** - Diane Moody, Director, Statistical Analyst
6. **Metropolitan Washington Council of Governments** - George Nichols, Principal
7. **Washington Gas Energy Service** - Harry Warren, President (+2)
8. **Salvation Army** - Bonita Johnson, Seasonal Coordinator
9. **AARP**- Ann Mclarty Jackson
10. **Office of Business Support** -Wayne Thompson, Director-
11. **DC Energy Office** - Chuck Clinton, Director
12. **Dittus Communications Inc.**- Megan Doern (+1)
Rev. Anthony Motley
13. **CUB** - Herbert Harris, Chairman
14. **Office of Civil Rights and Multicultural Affairs** - Arnoldo Ramos, Family and
Community Engagement Specialist
15. **NASUCA**- Charlie Acquard, Executive Director
16. **Mayor's Office of Latino Affairs**- Kathy Ruffner, Senior Outreach Specialist
17. **Mayor's Committee on Persons with Disabilities** - Rhonda Stewart
18. **Mayor's Committee on Persons with Disabilities** - Darnise H. Bush, Statewide
Independent Council
19. **Council on Latino Agencies** - Eugenio Arene, Executive Director
20. **Asian Services Center** - Tracy Downs, Recreational Services Coordinator
21. **DC Department of Housing Community Development**- Bob Mulderig, Residential &
Community Services
22. **Downtown Cluster of Congregation** - Terry Lynch, Director
23. **DC WASA** - Michele Quander-Collins, Director Public Affairs
24. **DC Office of the Attorney General**- Bennett Rushkoff, Section Chief
25. **Legal Aid** - Jennifer Mezey
26. **DC Office on Aging** - Betty Reeves, Community Relations Officer
27. **Office of the People's Counsel**

CERTIFICATE OF SERVICE

Formal Case No. 1037, In the Matter of the Investigation Into the Omnibus Utility Emergency Amendment Act of 2005, Specifically Regarding The Establishment of the Natural Gas Trust Fund Programs

Formal Case No. 1043, In The Matter of the Petition of the Office of the People's Counsel Requesting an Investigation Into The Impact of Rising Natural Gas Prices on District of Columbia Consumers For The Purpose Of Developing Solutions To Minimize The Impact

I hereby certify that on this 4th day of November, 2005, a copy of the "Motion of the Office of the People's Counsel For Clarification of the Commission's October 25, 2005 Notice of Informational Hearing" was served on the following parties of record by hand delivery or first class mail, postage prepaid:

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