

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY	:	
COMMISSION	:	
	:	
V.	:	Docket No. R-00049783
	:	
COLUMBIA GAS OF PENNSYLVANIA, INC.	:	

**ANSWER OF NATIONAL ENERGY MARKETERS ASSOCIATION
IN OPPOSITION TO MOTION TO STRIKE PORTIONS OF ANSWER
OF COLUMBIA GAS OF PENNSYLVANIA, INC.**

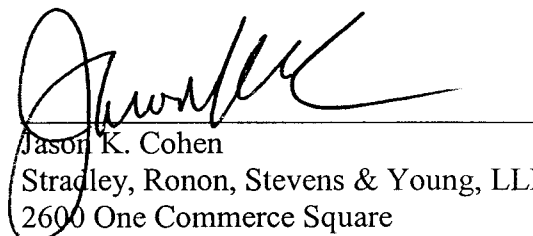
TO ADMINISTRATIVE LAW JUDGE KANDACE F. MELILLO:

The National Energy Marketers Association (NEM) hereby submits its Answer in Opposition to the Motion to Strike Portions of Answer and Memorandum of Law of Columbia Gas of Pennsylvania, Inc. dated March 28, 2005. NEM filed its Answer and Memorandum of Law in response to questions raised with respect to its standing to participate in the proceeding by the Administrative Law Judge at the prehearing conference of March 15, 2005. As memorialized in the Procedural Order issued on March 17, 2005, the Administrative Law Judge, “requested a list of all NEM members who are also licensed Pa. Suppliers in Columbia’s service territory in Pa. and who are not otherwise represented by any party in this proceeding.” (Procedural Order, p. 7). The Administrative Law Judge also indicated she, “must ascertain whether NEM intends to represent the interests of these otherwise unrepresented NEM members, although I will take other factors into account.” (Id.)

Columbia argues that NEM’s Answer should be stricken because, “it present[s] argument beyond the information requested by the ALJ.” (Columbia Motion, p. 3). To the contrary, NEM submits that its Answer is directly responsive to the questions raised by

the Administrative Law Judge and should not be stricken. The information offered by NEM in its Answer clarifies its position with respect to the Administrative Law Judge's questions – it explains the proprietary nature of NEM's membership list and, more importantly, why production of the membership list is not relevant to NEM's standing in the case. NEM's Answer explains that its membership collectively, unrepresented members individually (including those not currently doing business in Columbia's territory but that may contemplate doing so if the market is structured to be sufficiently competitive), and NEM's corporate mission to present its unique, regionally diverse, competitively neutral, market-based policy positions will be directly, immediately and materially adversely impacted by Columbia's rate proposal. This explanation is provided to respond to the Administrative Law Judge's inquiry about NEM's membership and to explain the propriety of NEM's intervention in relation thereto.

WHEREFORE, NEM respectfully requests that Columbia's Motion to Strike be denied.



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Dated: April 1, 2005

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing document via electronic mail and first class mail upon the following persons:

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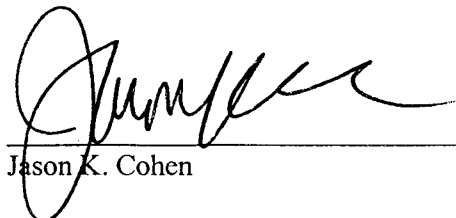
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