

# STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

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May 24, 2012

SENT VIA ELECTRONIC FILING

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
Room 1-A209  
888 First Street, N.E.  
Washington, D.C. 20426

Re: Docket No. RP12-88-000  
National Fuel Gas Supply Corporation

Dear Ms. Bose:

Attached please find the Comments of the New York Public Service Commission to the offer of settlement filed on May 22, 2012, in the above-entitled proceeding. Should you have any questions, please feel free to contact me at (518) 474-1585.

Very truly yours,

Alan T. Michaels  
Assistant Counsel

Attachment

UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

National Fuel Gas Supply                    ) Docket No. RP12-88-000  
Corporation                                    )

COMMENTS OF  
THE NEW YORK PUBLIC SERVICE COMMISSION  
TO THE OFFER OF SETTLEMENT  
OF NATIONAL FUEL GAS SUPPLY CORPORATION

Pursuant to Rule 602(f) of the Federal Energy Regulatory Commission's ("FERC" or the "Commission") Rules of Practice and Procedure,<sup>1</sup> the New York State Public Service Commission ("NYPSC") hereby submits comments to the Offer of Settlement filed by National Fuel Gas Supply Corporation ("NFG Supply" or the "Company") on May 22, 2012 regarding the proceeding noted above.

BACKGROUND

On October 31, 2011 NFG Supply filed a general rate case under Section 4 of the Natural Gas Act, in docket number RP12-88. The participants of this matter held extensive negotiations, and on May 22, 2012, the Company filed an Offer of Settlement pursuant to Rule 602. The offer of settlement consisted of the following documents: (1) Stipulation and Agreement with Appendices, (2) Explanatory Statement, and (3) a

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<sup>1</sup> 18 C.F.R. §385.602(f) (2011).

Proposed Order. The NYPSC does not object to the offer of settlement presented by NFG Supply.

### INTRODUCTION AND DISCUSSION

Once the Company filed its rate case, FERC Trial Staff initiated settlement conferences. After a series of negotiations at FERC offices facilitated by FERC Trial Staff, the parties reached an agreement. All active parties had numerous opportunities to propose changes to the offer of settlement. The filed documents reflects the settlement agreement reached by the parties..

With the substantial involvement of multiple parties throughout the settlement process, it is doubtful there will be any contesting parties. There is presently no known opposition to the Settlement.

The NYPSC was actively involved in the settlement negotiations, and does not object to the outcome as it is recorded in the Offer of Settlement. Since the Settlement appears to be uncontested and resolves the issues presented in this matter in a fair and equitable manner, NYPSC holds no objection to the certification of the Settlement by the Presiding Judge. NYPSC further does not object to the Commission's approval of the Settlement.

Respectfully submitted,



Peter McGowan  
Peter McGowan  
General Counsel  
Public Service Commission  
of the State of New York

By: Alan T. Michaels  
Assistant Counsel  
3 Empire State Plaza  
Albany, NY 12223-1305  
(518) 474-1585

Dated: May 24, 2012  
Albany, New York

CERTIFICATE OF SERVICE

I, Alan T. Michaels, do hereby certify that I will serve on May 24, 2012, the foregoing Comments of the New York Public Service Commission upon each of the parties of record indicated on the official service list compiled by the Secretary in this proceeding.

Dated: May 24, 2012  
Albany, New York

  
Alan T. Michaels