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NATIONAL FUEL GAS DISTRIBUTION CORPORATION

10 Lafayette Square

Buffalo, NY 14203

April 26, 1999

Via e-mail

Hon. Debra Renner

Acting Secretary

Public Service Commission

Three Empire State Plaza

Albany, New York 12223-1350

Re: Case 98-M-1343 - In the Matter of Retail Access Business Rules

Dear Secretary Renner:

National Fuel Gas Distribution Corporation ("Distribution" or the "Company") submits the following amendments to its tariff, P.S.C. No. 8 - GAS:

Leaf No. 12 - Revision 3
Leaf No. 16 - Revision 1
Leaf No. 24 - Revision 1
Leaf No. 25 - Revision 1
Leaf No. 26 - Revision 1
Leaf No. 28 - Revision 1
Leaf No. 36 - Revision 1
Leaf No. 40 - Revision 1
Leaf No. 41 - Revision 1
Leaf No. 53 - Revision 2
Leaf No. 63 - Revision 2
Leaf No. 132 - Revision 1
Leaf No. 133 - Revision 1
Leaf No. 134 - Revision 1
Leaf No. 135 - Revision 1
Leaf No. 136 - Revision 1
Leaf No. 269 - Revision 3
Leaf No. 270 - Revision 3
Leaf No. 273 - Revision 3

The revised tariff sheets are submitted as of today for an effective date of June 1, 1999. The purpose of this filing is described below.

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Proposed Revisions

The attached revisions comply with the Commission's requirement that local distribution companies submit filings to "modify existing tariff language to eliminate any inconsistencies with the uniform business practices we have adopted."¹ Either directly or by reference, the proposed revisions adopt the UBPs issued by the Commission on April 15, 1999.² UBPs that are not appropriately addressed in the tariff will be implemented through changes in operating procedures, as described below.

Distribution proposes to implement the UBPs through its tariff, operating agreements with marketers/suppliers and non-tariffed operating procedures, as permitted by the Commission. Op. 99-3 at 2. Tariff changes have been kept to a minimum in favor of referring to the UBPs. All fees and specific Company elections are expressly set forth in the tariff revisions.

Specific Changes

The Company proposes to implement the UBPs as follows:

Definitions

The "Definitions" section of the UBPs is adopted by reference together with the UBPs generally. The term "Marketer" is further defined in the Company's tariff to be interchangeable with "Supplier," a like term of identical meaning currently used by the Company. The term "Direct Customer" is adopted by reference, and further defined to identify the service classification under which such customers are receiving service.

Creditworthiness

The Company's current creditworthiness requirements are deleted and replaced by referring to the UBPs.

Customer Information

Service Classification No. 19, Supplier Transportation, Balancing and Aggregation ("STBA") is modified to set forth the fees to be charged for customer information. Procedures for transmission of customer information as provided in the UBPs are already in place and will be further modified as necessary to reach full compliance.

¹ Opinion 99-3, Case 98-M-1343, In the Matter of Retail Access Business Rules, Opinion and Order Concerning Uniform Business Practices (issued and effective February 16, 1999) at 2 ("Op. 99-3").

² Case 98-M-1343, In the Matter of Retail Access Business Rules, Order Granting Portions of Petitions for Rehearing (issued and effective April 15, 1999) (Appendix A).

Uniform Utility Billing and Collection Services and Charges

The Company's standard-form STBA contract is modified to incorporate the UBP billing and collection guidelines by reference. The Company's current billing and collection practices already meet or exceed the UBP requirements.

New Delivery Customer Requirements

The tariff revisions propose to modify the General Information section of Distribution's tariff by identifying a new category of new service requests (requests submitted by Marketers) and referring to the UBPs.

Switching Requirements

Both S.C. 19 and the standard-form STBA Agreement are modified to accommodate changes resulting from the UBP switching requirements. The STBA Agreement is modified to specify that switches shall occur on the customer's meter read date, as has been Distribution's practice. Switching fees are addressed in S.C. 19. Also, customers who voluntarily return to Distribution bundled merchant service will not be eligible to enroll in a STBA Group for one year. The special meter reading fee is set forth in the General Information section of the tariff with specific reference to the UBPs.

Slamming Prevention Process

Distribution's operating procedures will be modified to comply with the UBP Slamming Prevention Process. Specific reference to UBP slamming procedures and penalties has been inserted in the standard-form STBA Agreement.

Partial Requirements Customers

The Company's current practices are not inconsistent with the Partial Requirements guidelines.

Billing Agency Arrangements

Since 1996, the Company's STBA tariff has provided that marketers perform the retail billing function for all services. Accordingly, the Billing Agency provisions are not applicable to Distribution. If there comes a time when Distribution provides a billing function, the Company may consider adoption of a billing agency arrangement.

Metering

The GBPs metering guidelines do not modify current practices under Distribution's tariff.

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Discontinuance of Service

The standard-form STBA Agreement has been modified to provide that discontinuance procedure shall be governed by the UBPs. The Agreement's long-standing provision addressing discontinuance for failure to meet city gate delivery requirements is also modified in compliance with the UBPs.

Assignment of Marketer Contracts

The standard-form STBA Agreement has been modified to express that it is subject to the UBPs.

Dispute Resolution Process

The dispute resolution process is incorporated by reference into the standard-form STBA Agreement.

Comment Period

The tariff amendments described above will be served on the parties identified in Staff's service list distributed (via e-mail) on April 21, 1999. According to a Notice issued by the Commission on March 5, 1999, the parties may submit comments on Distribution's filing. During the comment period and before June 1, 1999, Distribution will be testing the UBPs by performing "dry run" and actual applications of the UBPs, where permissible. The Company reserves the right to further modify its filing if during the test period problems that necessitate correction are identified. Any such further revisions to the tariff will be noticed in accordance with the Commission's regulations.

Newspaper Publication

Op. 99-3 provided that the requirements of Section 66(12) of the Public Service Law as to newspaper publication of the proposed changes are waived. Accordingly, the Company is not publishing notice of the above changes. As a courtesy to marketers, however, notice will be posted on the Company's transportation services web site.

Company Contacts

All communications relating to this filing should be directed to the following individuals:

Service list contact:

Michael W. Reville
10 Lafayette Square
Buffalo, New York 14203
(716) 857-7313
E-mail: RevilleM@NatFuel.com

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For questions regarding application of the UBPs:

Michael E. Novak
10 Lafayette Square
Buffalo, New York 14203
(716) 857-7884
E-mail: NovakM@NatFuel.com

Conclusion

Distribution respectfully requests that the above tariff revisions be approved for an effective date of June 1, 1999.

Respectfully submitted,

Michael W. Reville

cc: April 21, 1999 Service List