

**COMMENTS OF IGS ENERGY
REGARDING THE NOVEMBER 12, 2013
STAFF VERSION OF THE PROPOSED REVISION TO
83 ILLINOIS ADMINISTRATIVE CODE PART 500**

Interstate Gas Supply, Inc. d/b/a IGS Energy ("IGS Energy") appreciates the continued opportunity to provide informal comments to assist the ongoing efforts of the Staff of the Illinois Commerce Commission ("Commission") regarding the proposed revisions to 83 Illinois Administrative Code Part 500 ("Part 500"). IGS Energy has participated actively in the Illinois competitive energy markets for well over a decade, having been licensed by the Commission as both an Alternative Gas Supplier ("AGS") and an Alternative Retail Electric Supplier ("ARES"), and is a licensed participant in the competitive natural gas and electric markets in ten other states.

As a seasoned market participant, IGS Energy has substantial experience with the practical realities of competitive energy markets, and has a keen interest in encouraging rules that foster market development, protect consumers, and treat all market participants fairly, in a competitively neutral manner. With that perspective, IGS Energy respectfully offers the following comments on the version of the proposed Part 500 Rule that was circulated by Staff on November 12, 2013 (hereafter, the "November 12 version of the proposed Part 500").

I. Section 500.10 - Definition Of "Complaint"

The issue of the definition of "Complaint" has been discussed at several of the Workshops relating to Part 500. At the most recent Workshop, on August 22, 2013, there was additional discussion regarding the appropriate definition of "Complaint." It was IGS Energy's understanding: (1) that Staff was amendable to removing the word "concern" from the definition; and (2) that Staff was amendable to considering additional proposed modifications to the definition to be submitted by IGS Energy to address issues raised by IGS Energy and other

participating AGS. Accordingly, on September 19, 2013, IGS Energy provided Staff with a further revised draft of the definition of "Complaint," which was supported by each of the other individual AGS and AGS-representative groups that have been active in the Part 500 Workshop process, including the Retail Energy Supply Association ("RESA"), Dominion Retail, and Nicor Advanced Energy. However, the November 12 version of the proposed Part 500 does not remove the word "concern" or adopt the additional revisions to the definition of "Complaint" submitted to Staff on September 19, 2013.

IGS Energy continues to believe that the revised version of the definition of "Complaint" that it submitted on September 19, 2013 is preferable to the current version of "Complaint" and is both fair and practical. The reasons supporting the revised version of "Complaint" have been discussed extensively both at the Workshops and in the previous written comments submitted by IGS Energy and other AGS. (*See, e.g.*, IGS Energy Second Round Comments at 1-3; IGS Energy Post-Workshop One Comments at 1-4; IGS Energy Post Workshop Two Comments at 1-3; Nicor Advanced Energy Round 3 Comments at 4; Nicor Advanced Energy Post Workshop 1 Comments at 4, all available at <http://www.icc.illinois.gov/NaturalGas/CodePart500.aspx>.)

The Part 500 Rules should make a practical and workable distinction between a customer contact with an actual bona fide complaint (which should trigger the complaint obligations under the rule), and a customer contact that is based upon a customer question or misunderstanding (which should not trigger Part 500 obligations). It would be unfair and misleading to attribute a "Complaint" to an AGS or Utility, when there simply is unfounded customer confusion or a misunderstanding, rather than some actual behavior on the part of the Utility or AGS which is inconsistent with governing rules of market engagement.

Accordingly, IGS Energy continues to believe that the definition that IGS Energy proposed on September 19, 2013, which was supported by RESA, Dominion Retail, and Nicor Advanced Energy, would provide further clarity without compromising customer rights or appropriate compliance obligations. The following definition of "Complaint" -- shown in legislative style against the definition in the November 12 version of the proposed Part 500 -- should be adopted:

"Complaint" means ~~an~~ good faith objection made to a natural gas public utility or Alternative Gas Supplier, by a customer or another entity, as to its charges, facilities or service, the disposal of which requires a follow up investigation or analysis, where there are reasonable grounds to believe that the circumstances underlying the objection constitute an act of noncompliance with statutory or regulatory requirements relevant to the objection; provided, however, it shall include a good faith objection that related to unauthorized customer switching, even if that objection is disposed of during the initial customer contact. Subject to the foregoing, Complaints include a customer or other entity identifying and asking a natural gas public utility or Alternative Gas Supplier to address or resolve a problem ~~or concern~~, and shall not include contacts that are limited to inquiry or seeking information.

II. Reservation of Rights

IGS Energy reserves the right to submit further comments and take further positions regarding proposed Part 500, including with respect to sections of Part 500 not addressed in these Comments, in any further rounds of informal comments, any additional workshop proceedings, any formal docketed proceedings, and any other venue.

CONCLUSION

IGS Energy appreciates Staff's continued efforts to advance the proposed revisions to Part 500 and looks forward to participating further as this matter proceeds

Respectfully submitted,

IGS ENERGY

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