

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

North Shore Gas Company	)	
	)	
The Peoples Gas Light	)	
and Coke Company	)	Docket No. 10-0565
	)	and 10-0566 (cons.)
Petition Pursuant to Rider EEP	)	
of Schedule of Rates for Gas	)	
Service to Initiate a Proceeding to	)	
Determine the Accuracy of the	)	
Rider EEP Reconciliation Statement	)	

**MOTION TO WITHDRAW PANEL TESTIMONY AND FILE SUBSTITUTE TESTIMONY  
OF NORTH SHORE GAS COMPANY  
AND THE PEOPLES GAS LIGHT AND COKE COMPANY**

Pursuant to Section 200.190 of the Illinois Commerce Commission's ("Commission") Rules of Practice (83 Ill. Admin. Code §200.190), North Shore Gas Company and The Peoples Gas Light and Coke Company move to withdraw the panel testimony and exhibits of Patrick E. Michalkiewicz and Annette Beitel, filed in each of the captioned dockets prior to their consolidation, and replace such panel testimony with the direct testimony and exhibits of Patrick E. Michalkiewicz and the direct testimony and exhibits of Annette Beitel in the above-captioned consolidated proceeding.

On September 30, 2010, North Shore Gas Company ("North Shore") filed a Petition to initiate an annual reconciliation proceeding to determine the accuracy of the statement that North Shore submitted pursuant to Rider EEP of its Schedule of Rates for Gas Service. North Shore also filed on that date the Direct Testimony of Edward M. Korenchan (NS Ex. 1.0) and the Rider EEP reconciliation statement (NS Ex. 1.1) and the Direct Testimony of Patrick E. Michalkiewicz and Annette Beitel (NS Ex. 2.0) and, as

an exhibit to their testimony, the Statement of Activity under Rider EEP (NS Ex. 2.1). The Commission docketed the filing as Docket No. 10-0565.

Similarly, on September 30, 2010, The Peoples Gas Light and Coke Company (“Peoples Gas”) filed a Petition to initiate an annual reconciliation proceeding to determine the accuracy of the statement that Peoples Gas submitted pursuant to Rider EEP of its Schedule of Rates for Gas Service. Peoples Gas also filed on that date the Direct Testimony of Edward M. Korenchan (PGL Ex. 1.0) and the Rider EEP reconciliation statement (PGL Ex. 1.1) and the Direct Testimony of Patrick E. Michalkiewicz and Annette Beitel (PGL Ex. 2.0) and, as an exhibit to their testimony, the Statement of Activity under Rider EEP (PGL Ex. 2.1). The Commission docketed the filing as Docket No. 10-0566.

At a prehearing conference on October 26, 2010, the Administrative Law Judge granted an unopposed motion to consolidate Docket Nos. 10-0565 and 10-0566. At the prehearing conference, Staff counsel requested that the panel testimony of Mr. Michalkiewicz and Ms. Beitel be separated.

In response to Staff’s concern about the panel testimony, North Shore and Peoples Gas move to withdraw that testimony and replace it with: (1) the Direct Testimony of Patrick E. Michalkiewicz (NS-PGL Ex. 2.0) and two exhibits (NS-PGL Ex. 2.1 and NS-PGL Ex. 2.2); and (2) the Direct Testimony of Annette Beitel (NS-PGL Ex. 3.0) and two exhibits (NS-PGL Ex. 3.1 and NS-PGL Ex. 3.2). As the North Shore and Peoples Gas proceedings are now consolidated, the replacement testimony is filed in the consolidated dockets. North Shore and Peoples Gas are not proposing to replace Mr. Korenchan’s direct testimony and exhibits that North Shore filed in Docket No. 10-

0565 and that Peoples Gas filed in Docket No. 10-0566.

The panel testimony of Mr. Michalkiewicz and Ms. Beitel included a Statement of Activity, one for North Shore and one for Peoples Gas, that Rider EEP requires the utilities to file. It is not feasible to divide these documents between the witnesses, and each witness will sponsor the statements of activity. Specifically, NS-PGL Ex. 2.1, which Mr. Michalkiewicz will jointly sponsor with witness Annette Beitel (it is NS-PGL Ex. 3.1 of her testimony), is North Shore's Rider EEP Statement of Activity for the program period from July 1, 2009, through June 30, 2010. NS-PGL Ex. 2.2, which Mr. Michalkiewicz will jointly sponsor with witness Annette Beitel (it is NS-PGL Ex. 3.2 of her testimony), is Peoples Gas' Rider EEP Statement of Activity for the program period from July 1, 2009, through June 30, 2010.

Attached to this Motion are the Direct Testimony and Exhibits of Patrick E. Michalkiewicz and the Direct Testimony and Exhibits of Annette Beitel.

WHEREFORE, North Shore Gas Company and The Peoples Gas Light and Coke Company respectfully request leave to withdraw the panel testimony and exhibits of Mr. Michalkiewicz and Ms. Beitel and file the Direct Testimony and Exhibits of Patrick E. Michalkiewicz and the Direct Testimony and Exhibits of Annette Beitel in the above-captioned consolidated proceeding.

Respectfully submitted,

North Shore Gas Company  
The Peoples Gas Light and Coke  
Company

By: /S/ MARY KLYASHEFF

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Dated at Chicago, Illinois  
this 7th day of December, 2010

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**NOTICE OF FILING AND CERTIFICATE OF SERVICE**

I hereby certify that North Shore Gas Company and The Peoples Gas Light and Coke Company filed their Motion to Withdraw Panel Testimony and File Substitute Testimony on the Illinois Commerce Commission's e-docket system and served by electronic mail upon each person designated in the official service list compiled in this proceeding, Docket Nos. 10-0565 and 10-0566 (Cons.), in accordance with requirements of the Commission's Rules of Practice.

Dated at Chicago, Illinois, this 7th day of December, 2010.

By: /S/ MARY KLYASHEFF

Mary Klyasheff  
An Attorney for  
North Shore Gas Company  
The Peoples Gas Light  
and Coke Company