

2007 MAY 11 PM 3:38

GEORGE M. POND

DIRECT DIAL 518.429.4232
DIRECT FAX 518.427.3486
GPOND@HISCOCKBARCLAY.COM
ALSO ADMITTED IN: DISTRICT OF COLUMBIAOEE
ONADR
OGC
A+F
Gtw50 BEAVER STREET
ALBANY / NEW YORK 12207-2830
T 518.434.2163 / F 518.434.2621

May 10, 2007

Hon. Jaclyn A. Brillling
Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223

RE: Proceeding on Motion of the Commission as to Rates, Charges, Rules and
Regulations of National Fuel Gas Distribution Corporation for Gas Services
Case 07-G-0141

Dear Secretary Brillling:

Enclosed please find an original and five (5) copies of Application to Intervene of Direct Energy Services, LLC, for filing with the Commission in the above-referenced proceeding.

Copies of this Application have been served on all parties on the Commission's Official Service List in this proceeding.

Respectfully submitted,



George M. Pond

Attorney for Direct Energy Services, LLC

Encl./5 copies
cc: All parties in Case 07-G-0141

**BEFORE THE
PUBLIC SERVICE COMMISSION
STATE OF NEW YORK**

**Proceeding on Motion of the Commission
as to Rates, Charges, Rules and
Regulations of National Fuel Gas
Distribution Corporation for Gas Services**

Case No. 07-G-0141

**APPLICATION TO INTERVENE
OF DIRECT ENERGY SERVICES, LLC**

Direct Energy Services, LLC (“Direct Energy”) submits this Application to Intervene in the above-referenced proceeding pursuant to Rule 3.5 of the Commission’s Procedural Rules, 16 N.Y.C.R.R. § 3.5 (2006).

BACKGROUND

On January 29, 2007, National Fuel Gas Distribution Corporation (“NFGD”) submitted proposed amendments to its rate schedule for natural gas service designed to increase its total annual revenues by approximately \$ 52 million or 6.4 percent, while increasing delivery rates by approximately 19 percent. By order dated February 20, 2007, the Commission suspended these proposed rates and directed that a hearing be held on NFGD’s proposal.

INTERVENTION

Direct Energy is a retail marketer of electricity and is a wholly-owned, indirect subsidiary of Centrica plc, a publicly traded company and major supplier of energy and telecommunication

services in the United Kingdom. Centrica, through its affiliates, serves over 15 million natural gas and power customers in the United Kingdom. In North America, Centrica's subsidiaries provide electricity and natural gas services to 3.5 million customers. Direct Energy has received authority from the Commission to participate as an Energy Services Company ("ESCO") in the retail access programs of utilities regulated by the Commission, including NFGD, subject to Direct Energy's satisfaction of the detailed eligibility provisions of individual utility tariffs.

As an ESCO authorized by the Commission to do business in New York State, Direct Energy has a direct and substantial interest in the outcome of these proceedings that cannot adequately be represented by any other party.

COMMUNICATIONS

Communications with respect to this pleading should be addressed to the following individuals, whose names should be included on the Commission's official services list in these proceedings:

George M. Pond, Esq.
Hiscock & Barclay, LLP
50 Beaver Street
Albany, New York 12018
Telephone: (518) 429-4232
Facsimile: (518) 427-3486
gpond@hiscockbarclay.com

Seth R. Lamont, Esq.
Manager, Gov. & Reg. Affairs
Direct Energy Services, LLC
197 Lancaster Street
Albany, New York 12210
Telephone: (518) 618-0834
Facsimile: (518) 618-0515
seth.lamont@directenergy.com

Chris Kallaher, Esq.
Director, Gov. & Reg. Affairs
Direct Energy Services, LLC
236 Huntington Ave., Suite 306
Boston, MA 02115
Telephone: (617) 867-4677
Facsimile: same
Chris.kallaher@directenergy.com

Nancy L. Testani
Empire Advocates, LLC
50 Beaver Street
Albany, NY 12207
Telephone: (518) 429-4210
ntestani@empireadvocates.com

CONCLUSION

WHEREFORE, for the above-stated reasons, Direct Energy Services, LLC respectfully requests that it be allowed to intervene and participate in these proceedings with full rights as a party thereto, including the rights to cross-examine witnesses, to submit briefs and to participate in any settlement negotiations convened in these proceedings.

Respectfully submitted,



George M. Pond
Hiscock & Barclay, LLP
50 Beaver Street
Albany, New York 12207-2830
Telephone: (518) 429-4234
Facsimile: (518) 427-3486

Attorneys for Direct Energy Services, LLC

Dated: May 10, 2007
176848

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Application to Intervene of Direct Energy Services, LLC to be served by United States Mail, first class postage prepaid, on all parties on the Secretary's official service list in Case 07-G-0141.

Dated at Albany, New York this 11th day of May, 2007

A handwritten signature in cursive script that reads "Claudia McDowell". The signature is written in black ink on a white background. Below the signature is a horizontal line.

Claudia McDowell