

North American Energy Standards Board

1100 Louisiana, Suite 3625, Houston, Texas 77002
Phone: (713) 356-0060, Fax: (713) 356-0067, E-mail: naesb@aol.com
Home Page: www.naesb.org

TO: Business Practices Subcommittee Chairs, Interested Industry Participants
FROM: Rae McQuade, Executive Director
RE: Final Minutes from the Business Practices Subcommittee Meeting, May 16-17, 2002
DATE: May 16, 2002

1. Administrative¹

Ms. Van Pelt opened the meeting at 9:20 a.m. CCT and gave the anti-trust advice. Participants in the meeting and on the telephone introduced themselves. The agenda was adopted was modified to change the time of the second meeting day (May 17, 2002) from 8:30 a.m. – 12:30 p.m. to 9:00 a.m. – 3:00 p.m. and was adopted as modified. Modifications were made to the May 10, 2002 minutes. No modifications were made to the attachments. The minutes and attachments were adopted as modified.

2. Resolution of Action Items for Discussion and Possible Vote

Reput 1

Reput 1	P 64	Determine whether a schedule or timeline for reput notification is necessary.
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It was discussed that there seems to be sufficient time for the releasing shipper to either acquire or re-acquire replacement capacity and that there doesn't seem to be a need for any additional reput standards other than the proposed standards 5.3.7, 5.3.z6, and 5.3.z7.

Recall 2

The discussion then turned to the recall 2 action item and the Duke Energy Marketing and Trade posted workpaper. Each item on the workpaper was discussed one by one. See the proposals and results below.

Proposal:

5.3.3.6 Proposed Modified Standard from DETM workpaper

Transportation Service Providers should support the concurrent sending of electronic notification of recalled capacity, intraday bumps, operational flow orders and other critical notices to two Internet E-Mail addresses for each affected party.

Results:

Proposed modified standard 5.3.36 was withdrawn because proposed standards 5.3.z3 and 5.3.z4 were developed to take care of this concern.

¹ Each BPS meeting regarding Order 587N is being transcribed. For a full accounting of the discussion from today's meeting, contact the NAESB office for information on ordering the transcript. These minutes will record the discussion points, motions, and voting results. The detailed discussion is captured in the transcripts.

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Proposal:

1.3.51 Proposed Modified Standard from DETM workpaper

Recalled capacity notices and Intraday bump notices should indicate whether penalties will apply for the gas day for which quantities are reduced.

Results:

It was discussed that the proposed modification should be made in a separate standard so that a capacity recall standard won't be buried in the nominations standard. After discussion, the following standard was proposed:

5.3.z10 Proposed Standard

Recalled capacity notices should indicate whether penalties will apply for the gas day for which quantities are reduced due to a capacity recall.

Proposal:

1.3.52 Proposed Modified Standard from DETM workpaper

On the Scheduled Quantity Web page, a mechanism should exist to allow the display of those line items that result in nomination reductions due to recalled capacity first, followed by intraday bumps before all other line items are displayed, or to allow the selection of only those line items that have been reduced due to capacity recall or intraday bumps.

Results:

After discussion, proposed modified standard 1.3.52 was withdrawn.

Proposal:

5.3.34 Proposed Modified Standard from DETM workpaper

Transportation Service Providers should provide affected parties with notification of recalled capacity, intraday bumps, operational flow orders and other critical notices through the affected party's choice of Electronic Notice Delivery mechanism(s).

5.3.39 Proposed Modified Standard from DETM workpaper

Transportation Service Providers may offer notification mechanisms in addition to those referenced in GISB Standard 5.3.34 (e.g., EBB/EDM, FF/EDM). TSPs should include at least the same level of information for notification of recalled capacity, an intraday bump, operational flow order or other critical notice regardless of the method of notification.

Results:

The proposed modified standards were withdrawn because proposed standard 5.3.z3 was modified to accomplish the suggested changes. See the modified standard below:

5.3.z3 Proposed Modified Standard

When a Transportation Service Provider (TSP) sends Internet E-mail notification for recalling of capacity to each affected Replacement Shipper, the subject line of the E-mail should include the following information separated by commas in the following order: (1) "Recall", (2) the recall cycle indicator, (3) the Effective Date in YYYYMMDD format, (4) the name or abbreviation of the TSP (excluding commas), and (5) the TSP's D-U-N-S® Number.

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The body of such E-mail notification should contain at least the affected Replacement Shipper's Contract Number, the quantity being recalled, and the Offer Number or Award Number, if necessary to uniquely identify the capacity being recalled.

Where supported by the TSP, for recalls that are effective at non-standard times, the appropriate recall cycle indicator should be included in the subject line and the effective time of the recall should be in the body of the E-mail.

Where TSPs offer capacity recall notification mechanisms in addition to Internet E-mail, the notification should include at least the same level of information.

Proposal:

5.3.z11 Proposed Standard from DETM workpaper (listed as 5.3.z10 in workpaper)

Recalls of released capacity will not be permitted to reduce already scheduled quantities for a replacement shipper unless the replacement shipper is provided with at least one opportunity in each nomination cycle to reschedule any recalled quantity within the same gas day.

Results:

There was discussion that the proposed standard 5.3.z8 could accommodate the requirements of the proposed standard. However, this proposed standard will stay on the table until the timeline is more firm.

5.3.z11 Proposed Standard

Recalls of released capacity will not be permitted to reduce already scheduled quantities for a replacement shipper unless the replacement shipper is provided with at least one opportunity in each nomination cycle to reschedule any recalled quantity within the same gas day.

Proposal:

5.3.z12 Proposed Standard from DETM workpaper (listed as 5.3.z11 in workpaper)

A replacement shipper must be given advance notification of any recall and cannot have scheduled quantities reduced pursuant to such recall unless they have been given an opportunity to reschedule their gas within the same gas day.

Results:

It was discussed that this standard is redundant to what is included in 5.3.z1, 5.3.z2, 5.3.z8, and 5.3.z9. After discussion, Ms. Jacquet's concerns were not allayed. It was discussed that replacement shippers should be added to the 2 hour notice in 5.3.z8. There was further discussion the replacement shipper cannot be notified at the same time the transportation service provider gets the notification. Again the results of this discussion are dependent on which strawman timeline is chosen. This proposed standard will stay on the table until the timeline is more firm.

5.3.z12 Proposed Standard

A replacement shipper must be given advance notification of any recall and cannot have scheduled quantities reduced pursuant to such recall unless they have been given an opportunity to reschedule their gas within the same gas day.

Proposal:

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5.3.8 Version 2 or 5.3.z13 Proposed Standard from DETM workpaper

A releasing shipper may, to the extent permitted as a condition of the capacity release, recall scheduled released capacity so long as the replacement shipper can obtain capacity to replace recalled capacity at the same nomination cycle for the same gas day. Unscheduled capacity may be recalled at any cycle as long as the transportation service provider and replacement shipper are notified two hour prior to the nomination deadline.

Results:

5.3.z8/5.3.z13 from workpaper will be replaced with modified 5.3.z8 and 5.3.z9 below. Again, it was discussed that the transportation service provider cannot notify the replacement shipper at the same time it is that the TSP is notified by the releasing shipper.

5.3.z8 Proposed Standard - Modified

A releasing shipper may, to the extent permitted as a condition of the capacity release, recall scheduled released capacity so long as the replacement shipper has an opportunity to obtain capacity to replace recalled capacity at the same nomination cycle for the same gas day.

5.3.z9 Proposed Standard - Modified

Unscheduled capacity may be recalled at any nomination cycle so long as the transportation service provider and first replacement shipper (via copied Internet E-mail) are notified by the releasing shipper two hours prior to the nomination deadline.

Proposal:

Replace Standard 1.3.19 with the proposed principle below:

1.3.19 Proposed Modified Standard

~~Overrun quantities should be requested on a separate transaction~~

1.3.z1 Proposed Principle

Overrun quantities may be requested on a separate transaction.

Results:

No further discussion was held on the proposal.

At this point, a motion was made.

Motion:

Narrow the timeline strawmen to B and G, including the following proposed principles, definitions, standards, and instructions:

- Deletion of NAESB WGQ Standard No. 5.3.6,
- Modified NAESB WGQ Standard No. 5.3.7,
- Proposed Modified Standard 5.3.z1 (will be further modified for the timeline selected),
- Proposed Standard 5.3.z2,
- Proposed Modified Standard 5.3.z3,
- Proposed Standard 5.3.z4,
- Proposed Standard 5.3.z5,
- Proposed Standard 5.3.z6,
- Proposed Standard 5.3.z7,

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Proposed Standard 5.3.z10,
Proposed Principle 5.1.z1,
Proposed Instruction IR 1,
Proposed Instruction IR 2, and
Proposed Instruction IR 3.

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	For	Against	Total	Balancing Determinant	Balanced For	Balanced Against	Balanced Total
End Users	3	0	3	2	2.00	0.00	2
LDCs	4	0	4	2	2.00	0.00	2
Services	1	0	1	1	1.00	0.00	1
Pipelines	17	0	17	2	2.00	0.00	2
Producers	0	0	0	0	0.00	0.00	0
	25	0	25	7	7.00	0.00	7

motion passes

Discussion turned to which standards would apply to which timeline strawman. It was discussed that the deletion of NAESB WGQ Standard No. 5.3.6 would apply to both B and G. Modified NAESB WGQ Standard No. 5.3.7 would apply to both B and G. Proposed Modified Standard 5.3.z1 (which will be further modified for the timeline selected) applies to B. It would have to be modified to add the early evening cycle if G is selected (see example of standard directly below). Proposed Standards 5.3.z2, 5.3.z3, 5.3.z4, 5.3.z5, 5.3.z6, 5.3.z7, 5.3.z10, Proposed Principle 5.1.z1, and Proposed Instructions IR 1, IR 2, and IR 3 would all apply to both B and G.

5.3.z1 Proposed Standard - Modified for use for Timeline Strawman G

All Transportation Service Providers (TSPs) should support the following recall cycles for scheduled capacity:

(i) Timely Recall Cycle:

- (a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 8:30 a.m.;
- (b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 9:30 a.m. (Central Clock Time);

(ii) Early Evening Recall Cycle:

- (a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 3:00 p.m.;
- (b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 4:00 p.m. (Central Clock Time);

(iii) Evening Recall Cycle:

- (a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 5:00 p.m.;
- (b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 6:00 p.m. (Central Clock Time);

(iv) Intraday 1 Recall Cycle:

- (a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 7:00 a.m. on a Business Day;
- (b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 8:00 a.m. on a Business Day. (Central Clock Time); and

(v) Intraday 2 Recall Cycle:

- (a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 2:30 p.m. on a Business Day;
- (b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 3:30 p.m. on a Business Day. (Central Clock Time).

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The question was asked why “on a Business Day” isn’t being deleted from the Intraday 1 Recall Cycle and the Intraday 2 Recall Cycle pieces of the proposed 5.3.z1. Further discussion was held regarding the use of Business Day in the current 5.3.2 standard. It was discussed that if we eliminate “Business Day” in 5.3.2, it should be limited to the non-biddable portion of the standard due to credit evaluation considerations.

It was proposed that we remove “on a Business Day” from Intraday 1 and Intraday 2 for 5.3.z1 (strawman B) and the modified 5.3.z1 (strawman G) without modifying 5.3.2. It was discussed that some feel that Standard 5.3.2 should be modified to remove “on a business day”. Mike Novak suggested that if 5.3.z1 was modified to remove “on a business day” from the ID1 and ID2 cycle, that 5.3.2 must be modified to permit non-biddable capacity releases on non-business days. It was noted that some pipeline tariffs have been approved that permit recalls on weekends without an opportunity to acquire replacement capacity. Others stated that while that may be true, modification of 5.3.2 is still worthwhile but perhaps a separate request to NAESB (non-Order 587-N) would be a better way to proceed. It was discussed that timeline and evening recalls on weekends do not bump flowing gas. Therefore, modifying 5.3.2 is not necessary.

It was decided that “on a Business Day” will be an agenda topic for the Pittsburgh meeting.

3. Identification of Additional Action Items in Request R02002 and FERC Order No. 587-N

After some discussion, it was determined that Order 587-O has no impact on Request R02002 or our handling of Order 587-N. No additional action items were added.

Discussion Category Priority	Paragraph (P) and/or Footnote (F) Number	Proposed Issues
Recall 1	None	Explore whether we should standardize terms such as partial day recall or flowing day recall?
Recall 2	P 40; P 41	Review the order to determine if the timeline proposed for use in the interim can be used as the basis for the timeline for the period beyond the interim so that pipelines do not have to modify their systems a second time.
Recall 2	P 32	Review capacity release timeline in standard 5.3.2 and recall timeline in standard 5.3.6 for proposed modification. It was discussed that the replacement shipper receiving the recall notice should have the ability to obtain and reschedule capacity.
Recall 2	P 37	Review nomination timeline in standard 1.3.2 for proposed modification. It was discussed that the replacement shipper receiving the recall notice should have the same notification rights as an interruptible shipper.

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Recall 3	P 71	Should standards be considered for recalls at non-standard nomination times? It was discussed that whatever is decided in NAESB shouldn't preclude pipelines from allowing recalls at non-standard times.
Recall 4	P 41; P 37	Determine who supplies recall notification to the replacement shipper.
Recall 5	P 14, including F 22	It was discussed that the total volumes delivered do not exceed original contract MDQ.
Recall 6	P 33; P 66	Review standards to determine if any are affected by the penalty discussions in the order.
Recall 6	P. 66	What is the penalty exposure?
Recall 7	P 17, including F 25; P 41	Review standards 5.3.6 and 5.3.7 for proposed modification.
Recall 8	P 29; P 39	Review existing data sets and web site standards to determine if a release is recallable or not and to determine if the existing standards are sufficient to let the replacement shipper know the terms of the release upfront. It was discussed that we may need to pull some of the pieces of information related to recalls out of the special terms and conditions to be data elements or code values so that the replacement shipper can know the terms of the release upfront.
Recall 9	??	Should the recall notification be sent to the affected point operator(s) along with the affected replacement shipper(s)?
Reput 1	P 64	Determine whether a schedule or timeline for reput notification is necessary.
Last		Review of existing standards for consistency.

Once it was determined that no additional action items should be added, more discussion was held regarding how to modify proposed standard 5.3.z1 and 5.3.2 regarding "on a Business Day".

The following modifications to 5.3.z1 and 5.3.2 were proposed for discussion at the next meeting:

5.3.z1 Proposed Standard - Modified (modified to include the additions for strawman for illustrative purposes)

All Transportation Service Providers (TSPs) should support the following recall cycles for scheduled capacity:

(i) Timely Recall Cycle:

- (a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 8:30 a.m.;
- (b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 9:30 a.m. (Central Clock Time);

(ii) Early Evening Recall Cycle:

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- (a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 3:00 p.m.;
(b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 4:00 p.m. (Central Clock Time);
- (iii) Evening Recall Cycle:
(a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 5:00 p.m.;
(b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 6:00 p.m. (Central Clock Time);
- (iv) Intraday 1 Recall Cycle:
(a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 7:00 a.m. ~~on a Business Day;~~
(b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 8:00 a.m. ~~on a Business Day.~~ (Central Clock Time); and
- (v) Intraday 2 Recall Cycle:
(a) A Releasing Shipper recalling capacity should provide notice to the TSP and the first Replacement Shipper of such recall no later than 2:30 p.m. ~~on a Business Day;~~
(b) The TSP should provide notification to all affected Replacement Shippers of such recall no later than 3:30 p.m. ~~on a Business Day.~~ (Central Clock Time).

5.3.2 For biddable releases (less than 1 year):

- offers should be tendered by 12:00 P.M. on a Business Day;
- open season ends no later than 1:00 P.M. on a Business Day (evaluation period begins at 1:00 P.M. during which contingency is eliminated, determination of best bid is made, and ties are broken);
- evaluation period ends and award posting if no match required at 2:00 P.M.;
- match or award is communicated by 2:00 P.M.;
- match response by 2:30 P.M.;
- where match required, award posting by 3:00 P.M.;
- contract issued within one hour of award posting (with a new contract number, when applicable); nomination possible beginning at the next available nomination cycle for the effective date of the contract. (Central Clock Time)

For biddable releases (1 year or more):

- offers should be tendered by 12:00 P.M. four Business Days before award;
 - open season ends no later than 1:00 P.M. on the Business Day before timely nominations are due (open season is three Business Days);
- evaluation period begins at 1:00 P.M. during which contingency is eliminated, determination of best bid is made, and ties are broken;
- evaluation period ends and award posting if no match required at 2:00 P.M.;
- match or award is communicated by 2:00 P.M.;
- match response by 2:30 P.M.;
- where match required, award posting by 3:00 P.M.;
- contract issued within one hour of award posting (with a new contract number, when applicable); nomination possible beginning at the next available nomination cycle for the effective date of the contract. (Central Clock Time)

For non-biddable releases:

Timely Cycle

- posting of prearranged deals not subject to bid are due by 10:30 A.M. ~~on a Business Day;~~

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- contract issued within one hour of award posting (with a new contract number, when applicable); nomination possible beginning at the next available nomination cycle for the effective date of the contract. (Central Clock Time)

Evening Cycle

- posting of prearranged deals not subject to bid are due by 5:00 P.M. ~~on a Business Day~~;
- contract issued within one hour of award posting (with a new contract number, when applicable); nomination possible beginning at the next available nomination cycle for the effective date of the contract. (Central Clock Time)

Intraday 1 Cycle

- posting of prearranged deals not subject to bid are due by 9:00 A.M. ~~on a Business Day~~;
- contract issued within one hour of award posting (with a new contract number, when applicable); nomination possible beginning at the next available nomination cycle for the effective date of the contract. (Central Clock Time)

Intraday 2 Cycle

- posting of prearranged deals not subject to bid are due by 4:00 P.M. ~~on a Business Day~~;
 - a. contract issued within one hour of award posting (with a new contract number, when applicable); nomination possible beginning at the next available nomination cycle for the effective date of the contract. (Central Clock Time)

There was discussion that any recalls on non-business days are disruptive. It was also discussed that the order already permits this recalls on non-business days. It was suggested that this may be an issue that we report back to FERC instead of making the decision in NAESB.

Discussion then turned to proposed standard 5.3.z5: The Releasing Shipper should provide capacity recall notification to the Transportation Service Provider (TSP) through the TSP's Customer Activities Website. The questions of how transportation service providers would handle it when their customer activities web sites were down was asked. It was answered that TSPs have already been asked by FERC to state how they would handle Customers Activities web site outages in their tariffs.

The following motion was then made:

Motion:

Motion to adopt package of standards, principle, and instructions with strawman timeline G and eliminate strawman B as an option.

There was testimony both in favor and opposed to Strawman G.

The discussion in opposition to the Strawman G explained that adding the Early Evening Cycle was adding un-needed complexity to the timeline and that the time can be negotiated between the parties. Those who argued in favor of Strawman G said that the complexity was necessary.

	For	Against	Total	Balancing Determinant	Balanced For	Balanced Against	Balanced Total
End Users	2	0	2	2	2.00	0.00	2
LDCs	2	0	2	2	2.00	0.00	2
Services	2	0	2	2	2.00	0.00	2
Pipelines	3	10	13	2	.46	1.54	2
Producers	0	0	0	0	0.00	0.00	0

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	9	10	19	8	6.46	1.54	8
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motion passes

The discussion turned once again to how to handle “on a Business Day” in standard 5.3.2 and the modified 5.3.z1. It was discussed that some people didn’t feel that the Commission anticipated that the capacity release timeline would have to be modified to handle recalls. There was also discussion that some parties feel that if recalls are allowed in the timely and evening cycles on weekends, but there is no opportunity to get capacity on a weekend that this is not acceptable.

It was also discussed as to whether recalls of scheduled capacity in the Intraday 2 cycle on a non-Business Day shouldn’t be allowed. It was observed that some parties didn’t realize that we are not allowing recalls of unscheduled capacity in Intraday 1 and Intraday 2 on non-business days with the proposed modified 5.3.z1.

The discussion then turned to how to handle grandfathered agreements. It was noted that this is referenced in paragraph 61 and that implementation of the order is prospective and doesn’t change already negotiated agreements. The question of if we affected the grandfathered contracts reference in the order was asked. We need to discuss this further in Pittsburgh.

4. Next Meeting(s) and Agenda

Agenda:

- Discussion of Outstanding Issues 5.3.z1 and 5.3.2
- Discussion of “Grandfathered” Contract issue
- Review of existing standards for consistency

Meeting – May 22-23, 2002, Dominion Gas Transmission – Pittsburgh, PA

9:00 a.m.-5:00 p.m.

9:00 a.m.-3:00 p.m.

5. Adjourn

The meeting was adjourned.

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Meeting Attendees and Voting Record

Attendee	Organization	05/16 (nv) – not voting	5/17	NAESB Member?
Pipelines:				
Kim Van Pelt	CMS-Panhandle Eastern	√	√	√
Mark Wilke	CMS-Trunkline Gas	√	√	X
Kathryn Burch	Texas Eastern	√		√
Marcy McCain	Algonquin Gas Transmission	√	√	√
Bill Griffith (phone)	Colorado Interstate Gas	√	√	√
Randy Young	Gulf South Pipeline	√	√	√
Donna Scott	Enron-Transwestern	√	√	√
Elizabeth Brown	Florida Gas Transmission	√ (nv)	√ (nv)	
Larry Berger	Northern Natural Gas	√		
Prince McDougal (phone)	Southern	√	√	√
Kelly Wachter (phone)	Williston Basin	√	√	√
Sheila Jangula (phone)	Williston Basin	√		√
Charlie Bass	ANR	√	√	√
Mark Gracey	Tennessee Gas Pipeline		√	
Dale Davis	Williams Gas Pipeline	√	√	√
Christopher Burden	Williams Gas Pipeline	√ (nv)	√ (nv)	√
Iris King	Dominion Transmission	√	√	√
Jon Keeler	Great Lakes Gas	√	√	√
Joe Kardas	National Fuel Gas Supply	√	√	√
Tom Gwilliam (phone)	Iroquois Gas Transmission	√	√	√
Paul Love	Natural Gas Pipeline	√	√	√
Michele Winckowski (phone)	Northern Natural Gas	√	√	X
Judy Hickman	Columbia Gas	√ (nv)	√ (nv)	√
Jon Young	Columbia Gas	√	√	√
Services:				
Tammy Lee Jaquet	Duke Energy Trading & Mktg	√	√	√
Producers:				
End Users:				
Tina Burnett (phone)	Boeing	√	√	√
Kirstin Gibbs	Sutherland Asbill & Brennan	√	√	X
Gary Hinners	Reliant Energy Wholesale Group	√	√	√
LDCs:				
Mike Novak	National Fuel Gas Dist.	√	√	√
Dolores Chezar	KeySpan	√	√	√
Pete Connor	NiSource	√	√	√
Audrey Bragg (phone)	Washington Gas	√		√
Associations:				
GISB Office:				

Bold signifies a BPS Chair