

**Regulatory Commission of Alaska**  
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STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

Before Commissioners: Kate Giard, Chairman  
Dave Harbour  
Mark K. Johnson  
Anthony A. Price  
James S. Strandberg

In the Matter of the Gas Sales Agreement )  
between ENSTAR Natural Gas Company, a ) U-03-84  
division of SEMCO ENERGY, INC. and )  
NORTHSTAR ENERGY GROUP, INC. filed as ) ORDER NO. 13  
TA125-4 )  
\_\_\_\_\_ )

**ORDER REOPENING DOCKET, APPROVING COMPLIANCE FILING,  
CLARIFYING EFFECTIVE DATE AND RECLOSING DOCKET**

BY THE COMMISSION:

Summary

We reopen Docket U-03-84 to approve the parties' compliance filing and clarify the effective date of the agreement and revised tariff sheets filed in TA125-4. We reclose this docket.

Background

On August 8, 2003, ENSTAR filed Tariff Advice Letter TA125-4, requesting approval of revised tariff Sheet Nos. 89, 221, and 228, and a new gas sales agreement (Agreement)<sup>1</sup> between ENSTAR and NorthStar Energy Group, Inc.

<sup>1</sup>Gas Sales Agreement between NorthStar Energy Group, Inc. and ENSTAR Natural Gas Company, a Division of SEMCO Energy, Inc., executed July 31, 2003.

1 (NorthStar). We suspended the Agreement for investigation for six months,<sup>2</sup> and we  
2 scheduled a hearing,<sup>3</sup> which was held January 13 through 15, 2004.

3 On March 23, 2004, we approved the Agreement on the condition that the  
4 parties execute and file an addendum to the contract for our approval.<sup>4</sup> In the same  
5 order, we approved the changes to ENSTAR's Gas Cost Adjustment and the addition of  
6 a surcharge to the Homer service area, also on the condition that an addendum was  
7 filed and approved.<sup>5</sup> On September 16, 2004, we accepted the parties' compliance  
8 filing<sup>6</sup> and closed this docket.<sup>7</sup>

9 Discussion

10 We reopen the docket in this proceeding because we inadvertently  
11 accepted, rather than approved, the addendum to the Agreement in Order U-03-84(12).

12 \_\_\_\_\_  
13 <sup>2</sup>See Order U-03-84(1), *Order Opening Docket and Suspending TA 125-4*, dated  
September 18, 2003.

14 <sup>3</sup>See Order U-03-84(2), *Order Affirming Electronic Ruling Denying*  
15 *Reconsideration and Affirming Bench Order Adopting Filing and Procedural Schedules*,  
dated October 31, 2003.

16 <sup>4</sup>See Order U-96-108(12)/U-03-84(7), *Order Conditionally Approving Gas Sales*  
17 *Agreement, Inclusion of Costs of Gas Sales Agreement in Gas Cost Adjustment, and*  
18 *Homer Area Surcharge; Denying, Without Prejudice, the Request to Amend Service*  
*Area; Vacating Previous Filing Requirement; and Requiring Filings*, dated  
March 23, 2004.

19 Docket U-96-108 is titled *In the Matter of the Application by ENSTAR NATURAL*  
20 *GAS COMPANY to Amend its Natural Gas Public Utility Certificate of Public*  
21 *Convenience and Necessity No. 4 to Include Additional Areas in and Around Homer and*  
*Seward*.

22 <sup>5</sup>These changes mirror the revisions ENSTAR proposed in its revised tariff Sheet  
Nos. 89, 221, and 228, which were filed with the Agreement in TA125-4.

23 <sup>6</sup>*Third Amendment to the Gas Sales Agreement Effective July 31, 2003 Between*  
24 *NorthStar Energy Group, Inc. and ENSTAR Natural Gas Company, a Division of*  
*SEMCO Energy, Inc.*, filed August 24, 2004.

25 <sup>7</sup>See Order U-03-84(12), *Order Accepting Compliance Filing, Affirming Electronic*  
26 *Rulings, Allocating Costs and Closing Docket*, dated September 16, 2004.

1 We therefore now approve the parties' compliance filing and grant final approval of the  
2 Agreement, effective the date of this Order. We also clarify that the effective date of the  
3 Agreement and revised tariff Sheet Nos. 89, 221, and 228, conditionally approved in  
4 Order U-96-108(12)/U-03-84(7), is the date of this Order.

5 With the approval of ENSTAR's compliance filing and the effective date  
6 clarification, there are no outstanding substantive or procedural issues remaining in this  
7 proceeding, and there are no allocable costs under AS 42.05.651 and 3 AAC 48.157.  
8 Therefore, this docket should be reclosed.

9 **ORDER**

10 THE COMMISSION FURTHER ORDERS:

- 11 1. Docket U-03-84 is reopened.
- 12 2. The *Third Amendment to the Gas Sales Agreement Effective*  
13 *July 31, 2003 Between NorthStar Energy Group, Inc. and ENSTAR Natural Gas*  
14 *Company, a Division of SEMCO Energy, Inc.*, filed August 24, 2004, is approved,  
15 effective the date of this Order.
- 16 3. The effective date of the *Gas Sales Agreement between NorthStar*  
17 *Energy Group, Inc. and ENSTAR Natural Gas Company, a Division of SEMCO Energy,*  
18 *Inc.*, executed July 31, 2003, and revised tariff Sheet Nos. 89, 221 and 228, is clarified  
19 to be the date of this Order.<sup>8</sup>

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25 <sup>8</sup>A validated copy of the approved special contract and tariff sheets will be  
26 returned to the utility under separate cover.

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4. Docket U-03-84 is reclosed.

DATED AND EFFECTIVE at Anchorage, Alaska, this 11th day of October, 2004.

BY DIRECTION OF THE COMMISSION  
(Commissioners Mark K. Johnson and  
Anthony A. Price, not participating.)

( S E A L )