

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE WESTERN STATES WHOLESALE)	
NATURAL GAS ANTITRUST)	MDL Docket No. 1566
LITIGATION)	
_____)	Case No. CV-S-03-1431 PMP-(PAL)
)	BASE FILE
)	
THIS DOCUMENT RELATES TO:)	
)	
<i>Abelman Art Glass Co. v EnCana Corp., et al.</i>)	2:05-cv-00437-PMP-PAL
)	
<i>Fairhaven Power Co. v. EnCana Corp., et al.</i>)	2:05-cv-00243-PMP-PAL
)	
<i>Utility Savings & Refund Services LLP v.</i>)	2:05-cv-00110-PMP-PAL
<i>Reliant Energy Services, et al.</i>)	
)	
<i>Ever-Bloom, Inc., et al. v. AEP Energy Services,</i>)	2:05-cv-001169- PMP-PAL
<i>Inc., et al.</i>)	
)	
<i>Texas-Ohio Energy, Inc. v. AEP Energy Services,</i>)	2:04-cv-00465- PMP-PAL
<i>Inc., et al.</i>)	
_____)	

QUESTIONS? CALL TOLL-FREE 1-877-893-2672 OR VISIT WWW.FEDERALNATURALGASSETTLEMENTS.COM

PROOF OF CLAIM FORM

NOTICE: YOU MAY BE ENTITLED TO RECOVER UNDER ONE OR MORE SETTLEMENTS. PLEASE READ THIS FORM CAREFULLY.

Fill out this Proof of Claim ONLY if you are a natural gas customer who purchased natural gas:

- 1. Directly from any of the defendants, named non-party co-conspirators, or their affiliates;**
- 2. In California or at the California border;**
- 3. During the period between September 1, 1996 and January 26, 2009;**
- 4. For use, resale, or for generation of electricity for resale; and**
- 5. You are not one of the entities excluded from the settlements: Pacific Gas & Electric Co., San Diego Gas & Electric, Southern California Gas Company, Southern California Edison, Southwest Gas Corporation, federal, state and local governments and governmental agencies (including municipal utilities), defendants, or named non-party co-conspirators.**

Class action lawsuits have been consolidated in the District Court, District of Nevada, before the Hon. Philip M. Pro (the "Court"), in MDL Proceeding No. 1566.

On September 5, 2007, the Court certified a settlement class and approved six settlements between Plaintiffs and the following Defendants and their related entities:

- (1) The Williams Companies, Inc. and Williams Power Company, Inc. (the "**Williams Defendants**");
- (2) Encana Corporation and WD Energy Services Inc. (the "**Encana Defendants**");
- (3) Dynegy Inc. (incorrectly named as Dynegy Inc. Holding Company); Dynegy Holdings Inc. (incorrectly named as Dynegy Holding Co.) and Dynegy Holding Co., Inc.); Dynegy Marketing and Trade; Dynegy Power Marketing, Inc.; Cabrillo Power I Llc; Cabrillo Power II LLC; El Segundo Power I LLC; El Segundo Power II LLC; Long Beach Generation LLC; WCP (Generation) Holdings LLC; And West Coast Power LLC (the "**Dynegy Defendants**");
- (4) Coral Energy Resources L.P. ("**Coral**");
- (5) CMS Energy Resources Management Company; CMS Enterprises Group, Inc.; CMS Marketing Services & Trading Co.; CMS Field Services, Inc.; Cantera Natural Gas, Inc.; and CMS Energy Corporation (the "**CMS Defendants**"); and
- (6) Aquila Merchant Services, Inc. ("**AMS**").

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On May 7, 2009, the Court certified a class and four subclasses for settlement purposes only, and preliminarily approved six additional settlements, between Plaintiffs and the following defendants and their related entities:

- (1) Duke Energy Trading and Marketing, L.L.C. and Duke Energy Carolinas, LLC (the **“Duke Defendants”**);
- (2) Reliant Energy, Inc., Reliant Resources Inc., and Reliant Energy Services, Inc. (the **“Reliant Defendants”**);
- (3) American Electric Power Company, Inc. and AEP Energy Services, Inc. (the **“AEP Defendants”**);
- (4) El Paso Corporation f/k/a El Paso Energy Corporation, EP Tennessee Pipeline Company, El Paso Marketing, L.P. f/k/a El Paso Merchant Energy, L.P. and f/k/a El Paso Merchant Energy-Gas, L.P., El Paso Merchant Energy North America Company, L.L.C. f/k/a El Paso Merchant Energy Holding Company, El Paso Merchant Energy Company, El Paso Natural Gas Company, Mojave Pipeline Company, El Paso Mojave Pipeline Company, Mojave Pipeline Operating Company, and EPNG Mojave, Inc. (the **“El Paso Defendants”**);
- (5) Sempra Energy, Southern California Gas Company, San Diego Gas & Electric Company, and Sempra Energy Trading LLC, formerly Sempra Energy Trading Corp. (the **“Sempra Defendants”**) and
- (6) e prime, inc., Xcel Energy Inc., e prime Energy Marketing, Inc. and Northern States Power Company (the **“e prime Defendants”**).

IF YOU WANT TO RECOVER UNDER ONE OR MORE OF THESE TWELVE SETTLEMENTS, YOU MUST FILL OUT A PROOF OF CLAIM. PLEASE READ CAREFULLY THE FOLLOWING INSTRUCTIONS ABOUT HOW TO SUBMIT A PROOF OF CLAIM.

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GENERAL INSTRUCTIONS

The Proof of Claim must be completed and returned if you want to share in the settlement proceeds (the "Settlement Fund"). A completed, signed and certified proof of claim must be returned to the Claims Administrator, **postmarked no later than October 15, 2009**, at the following address:

In re Western State Wholesale Natural Gas Antitrust Litigation
c/o Epiq Class Action and Claims Solutions, Inc.
PO Box 3775
Portland, OR 97208-3775

For your convenience, we have created a form that you can download to your computer from <http://www.federalnaturalgassettlements.com>. This form will enable you to provide the information requested in the Proof of Claim using your computer. At that site, please click on the link to "Claim Form" and follow the instructions. Also at that site, you will be given instructions how to upload the form to the Claims Administrator's site after completion.

Please submit only one claim form, together with supporting documentation (for example, contracts, supplier invoices, or utility invoices) to the Claims Administrator even if you have more than one facility. This Proof of Claim, even if prepared by a third party, must be completed, signed and certified by the Class Member. You should submit the Proof of Claim either at the return address above or by uploading the form electronically as described above.

You may call the Claims Administrator at 877-893-2672 if you have any questions about how to complete your Proof of Claim.

THE CLAIMS ADMINISTRATOR IS AUTHORIZED TO REQUEST FROM PERSONS OR ENTITIES SUBMITTING PROOFS OF CLAIM ANY DOCUMENTATION NECESSARY TO VERIFY ALL INFORMATION APPEARING IN THE PROOF OF CLAIM OR TO PREVENT CONSIDERATION OF DUPLICATE CLAIMS SUBMITTED BY A CLASS MEMBER. FAILURE TO PROVIDE SUCH INFORMATION IN RESPONSE TO SUCH REQUEST MAY CONSTITUTE GROUNDS FOR REJECTION OF THE PROOF OF CLAIM.

THE COMPLETED PROOF OF CLAIM AND THE INFORMATION IT CONTAINS WILL BE TREATED AS CONFIDENTIAL AND WILL BE USED SOLELY FOR PURPOSES OF ADMINISTERING THIS SETTLEMENT.

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PROOF OF CLAIM

A. CLAIMANT INFORMATION

Please type or neatly print all information.

1. Company name: _____

2. Mailing address: _____

3. City, State and Zip: _____

4. Tax ID: _____

5. Contact Person: _____ Title _____

6. Phone number: _____ E-mail _____

7. List each year in business since September 1, 1996:

8. Are you a reseller? (State yes or no) _____

9. Are you an electric generator or a cogenerator? (State yes or no) _____

10. For each facility, please provide the following information:

(a) Name of facility: _____

(b) Distribution Utility: _____

(c) Distribution Utility account no.: _____

(d) Distribution Utility Transportation or Facility I.D.: _____

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B. CLAIMANT PURCHASES

You can download this portion of the Proof of Claim to your computer from <http://www.federalnaturalgassettlements.com>. Click on the link to “Claim Form” and follow the instructions on the website.

Alternatively, if you prefer to fill out the hard copy of the form, please use the chart below. Please state below the amount of your yearly gas purchases in dollars, and other information requested, using a separate line for each supplier.

C. GLOSSARY

The Proof of Claim chart asks you to provide specific information about your purchases:

Supplier: List every defendant, defendant’s affiliate, and/or co-conspirator who directly sold natural gas to you or your company. Defendants and their affiliates include:

- AEP Energy Services, Inc.; American Electric Power, Inc.;
- Aquila Merchant Services, Inc.;
- CenterPoint Energy, Inc.;
- CMS Energy Resources Management Company; CMS Enterprises Group, Inc.; CMS Marketing Services & Trading Co.; CMS Field Services, Inc.; Cantera Natural Gas, Inc.; and CMS Energy Corporation;
- Coral Energy Resources L.P.;
- Duke Energy Trading and Marketing LLC; Duke Energy North America, LLC; Duke Energy Field Services, LLC; Duke Energy Corporation;
- Dynegy Inc. (incorrectly named as Dynegy Inc. Holding Company); Dynegy Holdings Inc. (incorrectly named as Dynegy Holding Co. and Dynegy Holding Co., Inc.); Dynegy Marketing and Trade; Dynegy Power Marketing, Inc.; Cabrillo Power I LLC; Cabrillo Power II LLC; El Segundo Power I LLC; El Segundo Power II LLC; Long Beach Generation LLC; WCP (Generation) Holdings LLC; and West Coast Power, LLC;
- El Paso Corporation f/k/a El Paso Energy Corporation, EP Tennessee Pipeline Company, El Paso Marketing, L.P. f/k/a El Paso Merchant Energy, L.P. and f/k/a El Paso Merchant Energy-Gas, L.P., El Paso Merchant Energy North America Company, L.L.C. f/k/a El Paso Merchant Energy Holding Company, El Paso Merchant Energy Company, El Paso Natural Gas Company, Mojave Pipeline Company, El Paso Mojave Pipeline Company, Mojave Pipeline Operating Company, and EPNG Mojave, Inc.;
- Encana Corporation and WD Energy Services Inc.;
- Reliant Energy Services, Inc.; Reliant Energy, Inc.;
- Sempra Energy Corporation; Sempra Energy Trading Corporation; Southern California Gas Company;
- Williams Companies, Inc.; Williams Power Company, Inc.;

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- Xcel Energy, Inc.; and e prime, Inc.

Co-conspirators named in these cases included:

- Enron Corporation;
- Merchant Energy Group of the Americas, Inc.

Total annual gas purchase in dollars, by supplier: This is the total cost that you or your company paid for natural gas purchased from each supplier each year. This information will be on your supplier invoices.

Total annual amount of therms purchased: This is the total amount of natural gas that your company purchased each year, from each supplier, measured in therms. This information can be found on your supplier invoices. Please note that not all suppliers measure the amount of natural gas in therms. If your invoices measure natural gas consumption in DecaTherms or in MMBtu's, please convert this figure to therms by adding a "0" to the end of the number.

Distribution utility and tariff code: The tariff code is the code used by the distribution utility company (*e.g.*, Pacific Gas & Electric Co., Southern California Gas Company, San Diego Gas & Electric, etc.) to determine what type of services are provided. This code can be found on your distribution utility bill. It may also be referred to as a "rate schedule."

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PROOF OF CLAIM CHART

YEAR	SUPPLIERS— ON A SEPARATE LINE, LIST EACH DEFENDANT/ AFFILIATE WHO SOLD NATURAL GAS DIRECTLY TO YOU	TOTAL ANNUAL NATURAL GAS PURCHASES FROM EACH SUPPLIER, IN DOLLARS	TOTAL ANNUAL AMOUNT OF THERMS PURCHASED FROM EACH SUPPLIER	PRICING POINT FOR PURCHASES (Check applicable box)		DISTRIBUTION UTILITY AND TARIFF CODE
				Citygate Burner Tip	California Border	

9/1/96 to 12/31/96						
1997						
1998						
1999						
2000						
2001						
2002						
2003						

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YEAR	SUPPLIERS— ON A SEPARATE LINE, LIST EACH DEFENDANT/ AFFILIATE WHO SOLD NATURAL GAS DIRECTLY TO YOU	TOTAL ANNUAL NATURAL GAS PURCHASES FROM EACH SUPPLIER, IN DOLLARS	TOTAL ANNUAL AMOUNT OF THERMS PURCHASED FROM EACH SUPPLIER	PRICING POINT FOR PURCHASES (Check applicable box)		DISTRIBUTION UTILITY AND TARIFF CODE
				Citygate Burner Tip	California Border	

2004						
2005						
2006						
2007						
2008						
1/1/09 to 1/26/09						

**IF YOU NEED TO LIST ADDITIONAL SUPPLIERS FOR ANY YEAR,
USE ADDITIONAL PAPER AND ADD THEM IN THIS FORMAT:**

YEAR	SUPPLIERS— ON A SEPARATE LINE, LIST EACH DEFENDANT/ AFFILIATE WHO SOLD NATURAL GAS DIRECTLY TO YOU	TOTAL ANNUAL NATURAL GAS PURCHASES FROM EACH SUPPLIER, IN DOLLARS	TOTAL ANNUAL AMOUNT OF THERMS PURCHASED FROM EACH SUPPLIER	PRICING POINT FOR PURCHASES (Check applicable box)		DISTRIBUTION UTILITY AND TARIFF CODE
				Citygate Burner Tip	California Border	

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C. CERTIFICATION

By signing below, I hereby swear and affirm that: (1) I have authority to submit this Proof of Claim; (2) the information contained in this Proof of Claim and any attachments is accurate, based on records maintained by or otherwise available to me; (3) I submit to the jurisdiction of the United States District Court for the District of Nevada (the "Court") for all purposes associated with this Proof of Claim, including resolution of disputes relating to this Proof of Claim; and (4) I am NOT subject to backup withholding under the provisions of Section 3406(a)(1)(c) of the Internal Revenue Code because: (a) I am exempt from backup withholding; or (b) I have not been notified by the I.R.S. that I am subject to backup withholding as a result of a failure to report all interest or dividends; or (c) the I.R.S. has notified me that I am no longer subject to backup withholding.

NOTE: If you have been notified by the I.R.S. that you are subject to backup withholding, please strike out the language in clause (4) above that you are not subject to backup withholding in the certification above.

I acknowledge that any false information or representations may subject me to sanctions, including the possibility of criminal prosecution. I hereby agree to supplement this Proof of Claim by furnishing documentary proof for the information provided, upon request of the Claims Administrator.

Name: _____ Capacity or Title: _____

(Print or type)

Signature: _____ Date: _____