

December 10, 2004

Mary Jo Kunkle
Executive Secretary
Michigan Public Service Commission
PO Box 30221
Lansing, MI 48909-7721

Re: Case No. U-14250
Shell Gas Bulk Boyne Valley Township Certificate Proceeding
Direct Testimony of James E. Zuidema

Dear Ms. Kunkle:

Enclosed please find original and four copies of Petition to Withdraw Application for Certificate of Public convenience and Necessity and Proof of Service in the above-referenced matter. This testimony will also be electronically filed.

If you have any questions, please contact me.

Sincerely,

DYKEMA GOSSETT PLLC

Christine Mason Soneral

CMMA:jmb

cc: James E. Zuidema
Stacy Owen
Parties of Record

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter of the application of)
SHELL GAS (LPG) BULK, L.L.C.)
for a certificate of public convenience)
and necessity relative to Boyne Valley Township)
Charlevoix County.)

Case No. U-14250

**PETITION TO WITHDRAW APPLICATION
FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

Shell Gas (LPG) Bulk, L.L.C. (“Shell”) withdraws its request for a certificate of public convenience and necessity under 1929 PA 69 (“Act 69”) relative to Boyne Valley Township, saying:

1. On August 24, 2004, Shell filed an Act 69 application seeking a certificate of public convenience and necessity to provide propane gas service to a new development located in Boyne Valley Township, Charlevoix County, Michigan. The development is identified as the Pine Valley Site Condominiums (“Pine Valley”).

2. Pine Valley’s developer approached Shell and requested service because the construction quote given to it by Michigan Consolidated Gas Company (“MichCon”) was not economical or feasible for the project.

3. Because the developer requested service from Shell, and Shell currently does not possess a certificate of public convenience and necessity for Boyne Township, Shell submitted its application in August 2004 to the Commission requesting the same.

4. In November 2004, the developer informed Shell that MichCon substantially reduced its construction quote and the developer was going to go with MichCon for gas service.

5. MichCon has confirmed to Shell that the Pine Valley developer accepted its quote and it has or will be installing main to the development.

6. Although Shell would liked to have received an Act 69 certificate to serve the Pine Valley development, there is no longer a customer to serve.

7. Shell is hereby withdrawing its application in this case.

WHEREFORE, Shell respectfully requests that this Honorable Commission:

- A. Issue an order allowing Shell to withdraw its application in this docket; and
- B. Grant such further relief as it deems appropriate.

Respectfully submitted,

SHELL GAS (LPG) BULK, L.L.C.

Dated: December 10, 2004

By: _____

Albert Ernst (P24059)
Christine Mason Soneral (P58820)
DYKEMA GOSSETT PLLC
124 W. Allegan, Suite 800
Lansing, Michigan 48933
(517) 374-9155 or (517) 374-9184

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
SHELL GAS (LPG) BULK, L.L.C.)
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_____)

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PROOF OF SERVICE

STATE OF MICHIGAN)
) SS.
COUNTY OF INGHAM)

Jeanne M. Beachnau, an employee of Dykema Gossett PLLC, being first duly sworn, deposes and says that on the 10th day of December, 2004, she served a copy of Petition to Withdraw Application for Certificate of Public Convenience and Necessity upon persons listed in the attached Service List at their respective addresses, by enclosing copies of the same in an envelope properly addressed, and by depositing said envelope in the United States Mail with postage thereon having been fully prepaid and electronic mail.

Jeanne M. Beachnau

Subscribed and sworn before
me this 10th day of December, 2004.

Trace Graham, Notary Public, Ingham Co., MI
Acting in Ingham County, Michigan
My Commission Expires: 08/20/06

SERVICE LIST

Mr. Richard J Aaron
Honigman Miller Schwartz and Cohn LLP
222 North Washington Square
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Mr. Richard P. Middleton, Esq.
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Hon. Sharon Feldman
Administrative Law Judge
Michigan Public Service Commission
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