

ORIGINAL



UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

COMMISSIONERS: Deborah Platt Majoras, Chairman
Pamela Jones Harbour
Jon Leibowitz
William E. Kovacic
J. Thomas Rosch

In the Matter of)
)
EQUITABLE RESOURCES, INC.,)
)
DOMINION RESOURCES, INC.,)
)
CONSOLIDATED NATURAL GAS COMPANY,)
)
and)
)
THE PEOPLES NATURAL GAS COMPANY,)
)
Respondents.)

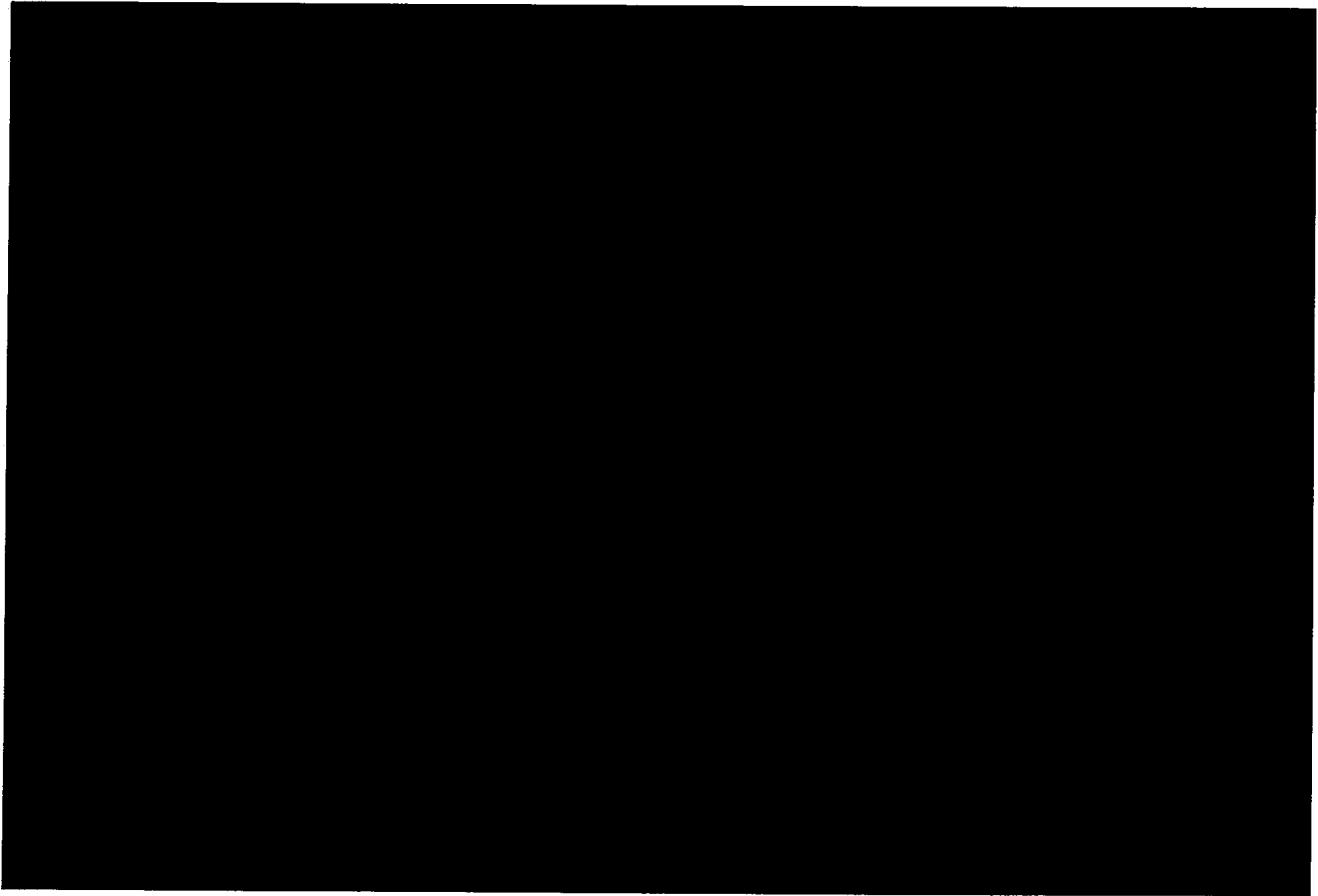
Docket No. 9322

PUBLIC

COMPLAINT COUNSEL'S UNOPPOSED MOTION TO DISMISS COMPLAINT

Complaint Counsel moves the Commission to dismiss the complaint in the above captioned matter due to a change in Respondents' circumstances. Respondents do not oppose this motion. On January 15, 2008, Respondents Equitable Resources, Inc. ("Equitable") and Dominion Resources, Inc. ("Dominion") announced that they had mutually terminated the March 1, 2006, agreement under which Equitable was to acquire The Peoples Natural Gas Company from Dominion, the proposed acquisition that is the subject matter of the complaint. Respondents notified the U.S. Court of Appeals for the Third Circuit on the same day, and on January 17, 2008, Equitable made a filing with the U.S. Securities and Exchange Commission ("SEC") disclosing the deal termination and including a copy of the parties' press release and

executed Mutual Termination Agreement. Both the letter to the court and Equitable's SEC filing are attached to this motion.





Accordingly, Complaint Counsel respectfully requests that the Commission dismiss the complaint. A proposed order is attached.

DATED: January 29, 2008

Jeffrey Schmidt
Director
Bureau of Competition

David P. Wales, Jr.
Deputy Director

Phillip L. Broyles
Assistant Director

Attachments

Respectfully submitted,

Patricia V. Galvan
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Federal Trade Commission
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COMPLAINT COUNSEL



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* ADMITTED ONLY TO A BAR OTHER THAN THAT OF THE DISTRICT OF COLUMBIA,
WORKING UNDER THE SUPERVISION OF PRINCIPALS OF THE WASHINGTON OFFICE.

January 15, 2008

VIA COURIER

The Honorable Marcia Waldron
Clerk of Courts
U.S. Court of Appeals for the Third Circuit
21400 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Re: Federal Trade Commission v. Equitable Resources, Inc. et al., No. 07-2499

Dear Ms. Waldron:

We write as counsel to the appellees in the above-captioned appeal to bring to the Court's attention a development in the transaction that is the subject of that appeal. We respectfully ask that you immediately bring this information to the attention of the panel considering this matter.

On January 15, 2008, the appellees, Dominion Resources, Inc. ("Dominion") and Equitable Resources, Inc. ("Equitable"), announced that they had mutually terminated the agreement under which Equitable was to acquire The Peoples Natural Gas Company and Hope Gas, Inc. The parties have informed appellant Federal Trade Commission ("FTC") of these developments. At this time, the FTC administrative proceeding challenging the transaction

