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**VIA ELECTRONIC FILING AND UPS DELIVERY**

Terry J. Romine  
Executive Secretary  
Public Service Commission  
William Donald Schaefer Tower  
6 St. Paul Street, 16th Floor  
Baltimore, Maryland 21202-6806

**Re: Administrative Docket PC 16 – Utility Supplier Diversity Public Conference  
Pivotal Utility Holdings, Inc. d/b/a Elkton Gas  
2009 Annual Report**

Dear Ms. Romine:

On behalf of Pivotal Utility Holdings, Inc., d/b/a Elkton Gas (“Elkton”), enclosed for filing with the Commission in the above-captioned docket are an original and eighteen (18) copies of Elkton’s 2009 Annual Report on its diverse supplier procurement.

This is the first such report by Elkton required by the Commission. Elkton regrets that it missed the deadline for this filing. This omission was inadvertent and Elkton has now instituted controls to ensure that future reports are timely filed. Any questions concerning this report may be directed to Emeka Igwilo, Program Manager, Supplier Diversity at (404) 584-4823 or [eigwilo@aglresources.com](mailto:eigwilo@aglresources.com).

We also submitted this filing via the Commission’s electronic filing system. Please date-stamp and return the extra copy of this filing to my attention. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Brian M. Quinn".

Brian M. Quinn

BMQ/cgc  
Enclosure

cc: Emeka Igwilo, AGL Resources

Annual Report for Calendar Year 2009 for Elkton Gas

(A wholly Owned Subsidiary of AGL Resources)

For Utilization of Diverse Suppliers

In response to the Memorandum Of Understanding executed by Elkton Gas – a wholly Owned Subsidiary of AGL Resources, the following is the current performance achieved by Elkton Gas over the period January 1 – December 31<sup>st</sup> 2009 for supplier diversity spend. For clarity the numbers have been stated two ways –

1. **Gas Purchase Inclusive:** These calculations of diversity spend **include** the purchase of gas by AGL from its subsidiary - Sequent Energy Management. Elkton Gas and all the other Local Distribution Companies (LDCs) owned by AGL Resources have a purchase agreement with. The practice of including the purchases of gas in the tabulation of diversity spend is not typical in the other jurisdictions within AGL Resources.

Vendor Category (FY 2009)	Amount	Spend %
Minority-Owned Businesses*	\$ -	0.0%
Women-Owned Businesses	\$ 5,061.00	0.1%
Service Disabled Veteran Owned Businesses	\$ -	0.0%
Others	\$7,734,181.96	99.9%
Total	\$7,739,242.96	100.0%

2. **Non Gas Purchase:** These calculations of diversity spend **exclude** the purchase of gas, a practice that is consistent in other jurisdictions and other reports e.g. GSA Summary Subcontracting Report (SSR 295).

Vendor Category (FY 2009)	Amount	Spend %
Minority-Owned Businesses*	\$ -	0.00%
Women-Owned Businesses	\$ 5,061.00	1.08%
Service Disabled Veteran Owned Businesses	\$ -	0.00%
Others	\$464,537.96	98.92%
Total	\$469,599.67	100%

Thanks

Sincerely

*Emeka Iquilo*

Program Manager, Supplier Diversity  
AGL Resources

\*AGL utilizes the GSA Federal Procurement definition of Minority Owned Businesses (MBE) for purposes of this report.