

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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2006 DEC 14 AM 10:32
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In the Matter of Review of Chapters 4901:5-)
17, 4901:5-19, 4901:5-21, 4901:5-23, 4901:5-)
25, 4901:5-29, 4901:5-33, 4901:5-35, and)
4901:5-37 of the Ohio Administrative Code.)

Case No. 06-1201-AU-ORD

INITIAL COMMENTS OF COLUMBIA GAS OF OHIO, INC.

On October 11, 2006, the Public Commission of Ohio ("Commission") issued an entry proposing amendments to the rules contained in Chapters 4901:5-17, 4901:5-19, 4901:5-21, 4901:5-23, 4901:5-25, 4901:5-29, 4901:5-33, 4901:5-35, and 4901:5-37, Ohio Administrative Code. In that entry the Commission established deadlines of November 21 and December 18, 2006 for initial and reply comments, respectively.

On November 14, 2006 the Commission issued an entry amending the schedule to allow initial comments through December 15, 2006, and reply comments through January 16, 2007. Columbia Gas of Ohio, Inc. ("Columbia") respectfully offers its initial comments as follows.

While Columbia supports the Commission's efforts to revise and clarify the existing rules, Columbia believes that the definition of "Customer" in Rule 4901:5-25-01 (C) should be broadened to include persons legally responsible to pay for gas delivery services. Columbia recommends replacing rule 4901:5-25-01 (C) with the following language, "Customer" means a person legally responsible to pay for gas or for gas delivery services.

Columbia is also concerned with the definition of "Gas Supplier" in Rule 4901:5-25-01 (F)(4). By including within the definition of a Gas Supplier, "any producer, gas broker, retail

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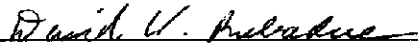
natural gas supplier, governmental aggregator, or person engaged in the business of supplying gas to gas companies, natural gas companies, pipeline companies or consumers within this state”, there is a potential for customer confusion at the time an energy emergency is declared. As an example, under rule 4901:5-25-02 (H), “Each gas supplier may disconnect service to non-priority use consumers who fail immediately to disconnect or curtail consumption after notification by the gas supplier pursuant to this chapter.” Historically it has been the Local Distribution Companies (“LDC”) role to implement a curtailment plan in compliance with its tariff if an energy emergency was declared and to disconnect or curtail consumption in accordance with the curtailment plan on file with the Commission. However, under the proposed rule, there is the risk that the customer will receive notices from multiple parties when a energy pre-emergency or energy emergency is declared, and as a result the customer may be confused as to what is the appropriate action to take.

Similarly, under rule 4901:5-25-04 (A), each Gas Supplier is required to, “Notify its consumers through reports in the new media, or written notice where appropriate, about an imminent shortage of gas or interruption of gas service and request its consumers to reduce their consumption of gas and implement energy conservation measures.” If each and every Gas Supplier, including, each producer, gas broker, retail natural gas supplier, governmental aggregator, or person engaged in the business of supplying gas sends a notification to its consumers, then more likely than not the consumer will be inundated with multiple notices containing multiple requests regarding the energy emergency.

To avoid such a result, Columbia respectfully recommends that the Commission delineate between the parties that have the ability to deliver gas from those parties that only buy and sell the gas, but have no ability to actually disconnect service to a customer who fails to comply with

the Commission's regulations, in its definition of those parties. Columbia recommends replacing rule 4901:5-01 (F)(4) with the following language, (F) "GAS SUPPLIER" MEANS: (4) ANY NATURAL GAS COMPANY, PIPELINE COMPANY OR OTHER PERSONS ENGAGED IN THE DELIVERY OF NATURAL GAS TO CONSUMERS WITHIN THIS STATE".

Respectfully submitted by,
COLUMBIA GAS OF OHIO, INC.


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