

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV

2007 FEB 15 PM 3:54

PUCO

In the Matter of the Regulation of the)
Purchased Gas Adjustment Clauses)
Contained Within the Rate Schedules of) Case No. 04-221-GA-GCR
Columbia Gas of Ohio Inc. and Related)
Matters.)
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Purchased Gas Adjustment Clauses) Case No. 05-221-GA-GCR
Contained Within the Rate Schedules of)
Columbia Gas of Ohio Inc. and Related)
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MOTION FOR
SUBPOENA

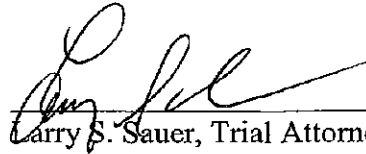
Now comes the Office of the Ohio Consumers' Counsel ("OCC") and, pursuant to Ohio Adm. Code 4901-1-25, hereby respectfully moves the Public Utilities Commission of Ohio ("Commission" or "PUCO"), any commissioner, the legal director, the deputy legal director, or the attorney examiner assigned to this case to issue a subpoena compelling Dale Arnold, to appear and provide oral testimony as on cross-examination on February 26, 2007 and attend the hearing from day to day until called to testify by the OCC at the Commission offices (180 E. Broad Street, 11th Floor, Columbus, Ohio 43215) to provide testimony concerning the witness' understanding of certain provisions of the 2003 Stipulation. The witness should be knowledgeable in the aforementioned matters.

Grounds for this Motion are set forth in the accompanying Memorandum in Support.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Filing Date 2/15/07 Date Enclosed 2/15/07

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL

A handwritten signature in black ink, appearing to read "Larry S. Sauer", is written over a horizontal line.

Larry S. Sauer, Trial Attorney

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**BEFORE
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MEMORANDUM IN SUPPORT

The OCC requests a subpoena, pursuant to Ohio Adm. Code 4901-1-25, to command Dale Arnold to appear and provide testimony as on cross-examination in the above cases on the 26th day in February 2007 when the PUCO commences to hear surrebuttal testimony and attend the hearing from day to day until called by OCC to testify at the offices of the Commission (180 E. Broad Street, 11th Floor, Columbus, Ohio 43215) by the OCC in the above-captioned proceedings.

The above-captioned cases involve the audit of Columbia Gas of Ohio Inc.'s ("Columbia" or "Company") uniform purchased gas adjustment clause.¹ Pursuant to Ohio Adm. Code 4901:1-14-07(D) the purpose of the management performance audit is as follows:

¹ Ohio Adm. Code 4901:1-14-01 et seq.

* * * The management/performance audit report shall identify and evaluate the specific organizational structure, management policies, procedures, and reasoning of the company's existing or proposed procurement strategy. The report shall also contain management recommendations based on an evaluation of the company's performance during the audit period pertaining to those areas designated by the commission. The management/performance audit shall review any specific areas of investigation as designated by the commission and selected aspects of the company's gas production and purchasing policies to ascertain whether:

- (1) Company purchasing policies were designed to meet objectives of the company's service requirements;
- (2) Procurement planning is sufficient to ensure reliable service at optimal prices and is consistent with the company's long-term strategic supply plan submitted pursuant to paragraph (H) of rule 4901:5-7-02 or paragraph (H) of rule 4901:5-7-05 of the Administrative Code; and
- (3) The company has reviewed existing and potential supply sources.

At hearing it is the Company's burden to demonstrate that its gas purchasing policies and procedures are fair, just and reasonable. Pursuant to Ohio Adm. Code 4901:1-14-08(B) it states:

The gas or natural gas company shall demonstrate at its purchased gas adjustment hearing that its gas cost recovery rates were fair, just, and reasonable and that its gas purchasing practices and policies promote minimum prices consistent with an adequate supply of gas.

The manner in which the 2003 Stipulation is implemented directly impacts the costs ultimately paid by the Company's GCR customers. Moreover, this witness is uniquely positioned to respond to matters raised by Columbia witnesses in their rebuttal testimony.

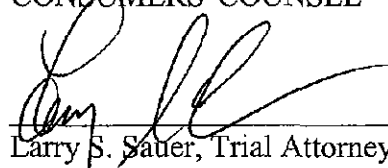
The Ohio Farm Bureau was a signatory party to the 2003 Stipulation, and Mr. Arnold participated in the collaborative discussions leading up to the execution of the

2003 Stipulation. During the proceedings in these cases, the understanding of the signatory parties regarding certain provisions of the 2003 Stipulation has been called into question, and Mr. Arnold, as a representative of a signatory party is positioned to render an opinion regarding the understanding of the Ohio Farm Bureau. Mr. Arnold's testimony would be critical to refuting the rebuttal testimony of Company witnesses.

Therefore, the witness's full participation in the examination will facilitate a full and complete development of these cases before the PUCO, including the ultimate record upon which the Commission will base its decision.

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER
CONSUMERS' COUNSEL



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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion for Subpoena, was served electronically
on the 15th day of February, 2007.


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