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May 9, 2008

VIA HAND DELIVERY

Renée Jenkins

Secretary

Public Utilities Commission of Ohio

180 East Broad Street

Columbus, Ohio 43215-3973

RECEIVED-DOCKETING DIV
2008 MAY -9 PM 4:02
PUCO

Re: PUCO Case No. 08-407-GA-ATA and 89-8033-GA-TRF

Dear Ms. Jenkins:

Enclosed please find in final form four complete copies of the amended Tariff PUCO No. 1 for Orwell Natural Gas Company, with modifications as approved by the Commission's Finding and Order entered on May 7, 2008 in Case No. 08-497-GA-ATA. Please file one copy in each of the dockets listed above and designate the remaining two copies for distribution to the Commission Staff.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andrew J. Sonderman".

Andrew J. Sonderman

Counsel for Orwell Natural Gas Company

Enclosures

cc: Thomas J. Smith

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Thomas J. Smith, President

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION, SALE AND TRANSPORTATION OF
NATURAL GAS IN THE STATE OF OHIO

SECTION A -TRANSPORTATION SERVICE

1. DEFINITIONS. As used herein:

- (A) "Company" means Orwell Natural Gas Company
- (B) "Customer" means any individual, governmental, or corporate entity receiving transportation service hereunder.
- (C) "Mcf" means one thousand cubic feet of natural gas.
- (D) "Dekatherm" or "Dth" means one million British thermal units (Btu's).
- (E) "Authorized Daily Volume" means the volume of gas on any day that Company would deliver to Customer with no planned interruption of that volume.
- (F) "Customer's Facilities" means the Customer's property, factories, and buildings where natural gas is being consumed.
- (G) "Points of Receipt" means those locations where Customer-owned gas is delivered into Company's system.
- (H) "Local Market Area" means a continuous, physically interconnected system of Company-owned distribution piping through which the Company provides natural gas service to customers in a discrete geographic area, utilizing one or more common points of delivery from producers, interstate or intrastate pipeline supplier(s).
- (I) "PUCO" means Public Utilities Commission of Ohio.
- (J) "Company's Billing Cycle" means the Company's accounting revenue month.

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- (K) "Customer's Maximum Daily Requirement" means Customer's maximum estimated usage during any 24-hour period as determined by Company.
- (L) "Alternate Fuel Capabilities" means Customer has installed alternate fuel equipment, access to another gas source or has economically feasible access to another gas source.
- (M) "High Priority" means the Customer has contracted for a better quality of service. The order of interruption to be applied when necessary pursuant to Section A, Part 8 of this tariff, which determines the quality of service, is as follows, in ascending order of priority and quality of service:
- (1) All volumes exceeding Authorized Daily Volumes;
 - (2) Volumes consumed by or delivered to customers served under Rate Schedule LGTS and Rate Schedule GTS;
 - (3) Volumes consumed by or delivered to non-human needs customers and non-public welfare customers served under Rate Schedule LGS;
 - (4) Volumes consumed by or delivered to non-human needs and non-public welfare customers served under Rate Schedule GS;
 - (5) Volumes consumed by or delivered to human needs and public welfare customers served under Rate Schedule LGS and Rate Schedule GS; and
 - (6) Volumes consumed by or delivered to human needs and public welfare customers served under Rate SGS.
- (N) "Firm Sales Volumes" means the portion of a Customer's requirements that Customer has chosen to purchase under Company's Rate Schedule GS from Company on a firm regular basis.
- (O) "Local Usage Area" means an area of the Company's distribution system within which gas usage can be physically displaced from one customer to another without capacity constraints and without adversely
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affecting the Company's ability to provide reliable service to its firm customers. Such areas shall be shown on maps maintained by the Company, as modified from time to time due to changes in operating conditions.

- (P) "Daily Demand" means customer demand on any day.
- (Q) "Day" means a 24-hour period beginning at 10:00 a.m. Eastern standard or Daylight savings time.
- (R) "Marketer" means Customer's natural gas supplier if other than the Company.
- (S) "Residential Customer" means a customer using gas in a single-family residential dwelling or unit for space heating, air conditioning, cooking, water heating, incineration, refrigeration, laundry drying, lighting, incidental heating, or other domestic purposes. Includes a tenant billed for natural gas consumption or use by other tenants at the same premises.
- (T) "Commercial Customer" is a customer using gas through a single meter in commercial activities such as apartment buildings, rooming and boarding dwellings, residential hotels, multifamily row housing, doubles and duplexes. Combination commercial and residential accounts shall be considered commercial if usage is half or more than half of the total service. Includes warehousing, distributing or selling commodities, providing professional services, wholesale and retail stores, offices, office buildings, hotels, clubs, lodges, associations, restaurants, railroad and bus stations, banks, laundries, dry cleaners, mortuaries, garages for commercial activity, gasoline stations, theaters, bowling alleys, billiard parlors, motor courts, camps, bars, grills, taverns, retail bakeries, hospitals, schools, churches, religious and charitable institutions, governmental agencies or the like.
- (U) "Industrial Customer" means a customer using gas primarily in a process which either involves the extraction of raw or unfinished materials in another form or product through the application of heat or heat treating, steam agitation, evaporation, baking, extraction, drying, distilling, etc.
- (V) "Flowing Supply" means gas delivered from sources other than storage, generally via firm or interruptible transportation capacity.

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- (W) "Human Needs and Public Welfare Customer" means the category of any service account where the use of natural gas is for space heating of a permanent residence or for use by governmental agency or public service organization which provides emergency or life support services. Human needs customers shall include hospitals, nursing homes, and residential correctional institutions, but shall exclude hotels and motels.

2. REQUIREMENTS FOR TRANSPORTATION SERVICE.

- (A) Conditions of Service. All transportation Customers or their agents must have a personal computer which is capable of receiving notices from Company of any consumption limitations or interruptions imposed pursuant to Parts 8, 20 or 21, twenty-four hours a day, seven days a week. Pursuant to Part 10, all transportation Customers cash out any transportation imbalances on a monthly basis.
- (B) Daily Measuring Device. All Customers that elect to install a daily measuring device, must pay all costs associated with the purchase and installation of a Daily Demand reading meter (i.e., a meter equipped with an electronic measurement (EM) or automatic meter reading (AMR) device) and associated telemetering equipment. Such Customers shall also provide and pay for a dedicated telephone line and the necessary power to operate such electronic measurement and telemetering equipment. The meter, electronic measurement device (EM or AMR), and associated telemetering equipment shall be and remain the property of the Company. All Customers without daily measurement devices are subject to the issuance of Operation Flow Orders pursuant to Part 20. All Customers with daily measurement devices are subject to the issuance of Operation Matching Orders pursuant to Part 21.

3. APPLICATION FOR TRANSPORTATION SERVICE.

Before commencing transportation service hereunder, Customer shall execute an Application for Transportation Service. The Application for Transportation Service shall set forth:

- (A) the point(s) of receipt at which Company will accept delivery of Customer's gas;

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- (B) the point(s) at which Company will redeliver gas to Customer's facilities;
- (C) Customer's maximum daily and annual transportation volumes;
- (D) daily measuring device election;
- (E) the specific services and levels of such services for which customer has contracted;
- (F) daily and annual firm sales volumes;

The benefits and obligations of the Application for Transportation Service shall begin when Company commences to supply gas service. It shall inure to and be binding upon the successors survivors and executors or administrators, as the case may be and assigns, original parties thereto, respectively, for the full term thereof. However, no service may be assigned or transferred without the written consent of or approval of the Company which shall not be withheld unreasonably.

4. DELIVERIES OF CUSTOMER-OWNED GAS.

Subject to the limitations of Company's pipeline capacity in its system and its service obligations to other higher priority customers, Company will accept deliveries of Customer's gas at the point(s) of receipt for redelivery to Customer's facilities, in Mcfs, less shrinkage. Such gas volumes delivered to Company and redelivered to Customer shall be limited to maximum daily and annual transportation volumes for each facility. These volume levels shall represent the actual expected requirements of Customer's facilities and may be exceeded only with the prior consent of Company, which shall not be withheld unreasonably.

The volumes of Customer-owned gas transported by Company to Customer at its facilities during each monthly billing cycle will be considered the first gas through the meter.

5. MEASUREMENT.

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(A) Heat Content Adjustment. Unless otherwise agreed, when Company receives Customer's gas from an interstate pipeline on a dekatherm basis, Company will make a heat content adjustment in accordance with the procedures set forth below in order to deliver to Customer volumes of gas, in Mcfs, equal in heat content to the gas delivered to Company for the account of Customer. The monthly heating value of gas measured and calculated by the pipeline which delivers Customer's gas to Company will be used each billing month to establish the heating value of the gas delivered by the Company to the Customer. If however, locally produced gas or gas from pipelines other than the delivering pipeline is introduced into Company's pipeline serving Customer's facilities, so as to raise a question as to the applicability of the heating value determined by the delivering pipeline, either Company or Customer may request that gas samples be taken to determine the heating value of the gas received by Customer at its facilities. The following provisions will apply in the event either party elects to have gas samples taken: The party requesting the sample(s) will pay all costs connected with obtaining the sample(s) and having the sample(s) analyzed.

1. The gas sample(s) shall be obtained at or in the vicinity of Customers facilities during normal operating hours of the facilities.
2. The gas sample(s) will be analyzed at a Company testing facility or at a testing facility approved by the Company.
3. If the analysis is done by an outside testing facility, the testing facility will forward the results directly to Company and Customer, using a format provided by Company for recording the results of the analysis. If Company performs the analysis, the Company testing facility will forward the results directly to Customer.
4. Multiple samples taken during any billing month will be averaged to obtain a Btu value, which will be applied only for that particular billing month. No retroactive adjustments based on Btu readings obtained in a current billing month will be made to billings for any prior month.
5. The average Btu value obtained from sample(s) during any billing month shall be used to determine the volumes delivered by Company to Customer only if such Btu value is more than

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103% or less than 97% of the Btu value without adjustment for water vapor content provided by the delivering pipeline for that month. Otherwise the delivering pipeline's Btu value will be used.

6. When Company receives Customer's gas directly into its system, from point(s) of receipt other than an interstate pipeline, on an Mcf basis, rather than a Dekatherm basis, no heat content adjustment shall be made. Company will redeliver to Customer volumes of gas equal to the Mcf volume of gas delivered to Company by Customer.
- (B) Measurement at Point(s) of Receipt with an Interstate Pipeline. When Company receives Customer's gas at a point(s) of receipt with an interstate pipeline, all measurement shall be performed in accordance with the terms of Company's agreement with the interstate pipeline and shall be conclusive for purposes of this tariff.
- (C) Measurement at Other Point(s) of Receipt. When Company receives Customer's gas directly into its system, from point(s) of receipt other than those with an interstate pipeline, and Company owns the measuring station, then Company shall read the meter, furnish, place and remove all recording charts, and calculate the deliveries at no cost to the Customer pursuant to the measurement standards set forth in Section II, Part 1. Should Customer challenge the accuracy of the measuring device or devices used, Company shall test the meter. A representative of Customer may be present at the test. If the measuring equipment is found to be in error, and the resultant aggregate error in computed deliveries at the recording rate corresponding to the average hourly rate of gas flow for the period since the preceding test is not more than three percent (3%), then previous deliveries shall be considered accurate, and Customer shall pay the cost of testing the meter. If, however, any measuring equipment is found to be in error, and the resultant aggregate error in computed deliveries exceeds the three percent (3%) tolerance, then the previous computed deliveries shall be adjusted by Company to zero error and the cost of testing the meter shall be borne by Company. Such adjustment shall be made for a period not to exceed thirty (30) days prior to the date of challenge by Customer. All equipment shall, in any case, be adjusted at the time of test to record correctly.
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Upon written request from Customer, Company shall forward copies of meter charts to Customer for inspection. Company shall keep the original meter charts on file for four (4) years after the date of delivery, during which time they will be open for inspection by Customer upon prior request.

Customer's gas delivered directly into Company facilities shall be at commercial operating pressures sufficient to deliver volumes at regulated pressures at the point(s) of receipt.

- (D) Accounting for Monthly Deliveries. Meter reading dates at the point(s) of receipt may not match the Customer's billing cycle. However, Company's accounting system used for crediting Customer's gas to Customer's account will be applied on a consistent basis, and will be used by Company in determining deliveries and deficiencies in deliveries.

6. QUALITY OF GAS DELIVERED TO COMPANY.

- (A) Quality of Gas at Point(s) of Receipt with an Interstate Pipeline. Gas delivered by or on behalf of Customer to Company at point(s) of receipt with an interstate pipeline shall conform to the interstate pipeline's gas quality standards.
- (B) Quality of Gas at Other Point(s) of Receipt. Gas delivered by or on behalf of Customer to Company at point(s) of receipt other than an interstate pipeline shall be commercially free from oil, water, air, salt, dust, gum, gum-forming constituents, harmful or noxious vapors, or other solid or liquid matter which might interfere with its merchantability or cause interference to or with, proper operation of the pipelines, regulators, meters, and other equipment of Company or its customers. Customer will indemnify and hold Company harmless from any suits, actions, debts, accounts, damages, costs, losses and expenses, including but not limited to, attorneys' fees and expenses, arising from personal injury, death, or damage to Company's equipment or facilities or arising from personal injuries, death, or damage to the facilities, products, or equipment of Company's other customers or third parties, or arising from additional hours worked by Company or its other customers or third parties, caused as a result of Customer's gas failing to meet the quality specifications set forth herein.

However, pursuant to the Commission's opinion and order in Case No. 85-1406-AU-001, approval of the above tariff language by the Commission does not constitute a determination by the Commission that the

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limitation of liability imposed by the Company should be upheld in a court of law. Approval by the Commission merely recognizes that since it is a court's responsibility to adjudicate negligence and consequent damage claims, it is also the court's responsibility to determine the validity of the exculpatory clause.

To assure that the gas delivered by Customer to Company conforms to the quality it specifications of this Section, Customer's gas shall be analyzed at the point(s) of receipt from time-to-time as Company deems necessary. Such analysis will be performed by Company at its expense. If, however, such analysis by Company discloses quality deficiencies, the cost of subsequent re-testing to assure conformity with this Section shall be borne by Customer. The gas delivered shall not contain in excess of:

1. Seven (7) pounds of water per million cubic feet of gas at the base pressure and temperature of fourteen and seventy-three hundredths (14.73) psia and sixty (60) degrees Fahrenheit. The water vapor will be determined by the use of the Bureau of Mines type dewpoint apparatus or in accordance with other approved methods generally in use in the natural gas industry;
2. Three percent (3%) by volume of a combined total of carbon dioxide and nitrogen components;
3. Twenty-five hundredths (.25) grains of hydrogen sulfide per one hundred (100) cubic feet of gas; and
4. Ten (10) grains of total sulfur per one hundred (100) cubic feet of gas.

The Total Heating Value of the gas shall be determined by taking samples of the gas at the point(s) of receipt at such reasonable times as may be designated by Company. The Btu content per cubic foot shall be determined by an accepted type of chromatograph or other suitable instrument for a cubic foot of gas at a temperature of sixty (60) degrees Fahrenheit when saturated with water vapor and at a pressure of 14.73 psia. The Btu determination designated by Company shall be made by Company at its expense. Any additional Btu determinations requested by Customer shall be at Customer's expense.

Customer's gas delivered to Company shall have a total heating value of not less than one thousand (1,000) Btu per standard cubic foot. However, Company shall not be obligated to accept gas which it

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believes may adversely affect the standard of public utility service offered by Company, or gas which it believes may adversely affect the operation of the gas-burning equipment of its customers.

If any gas delivered hereunder fails to meet the quality specifications set forth herein, Company may, at any time, elect to refuse to accept all or any portions of such gas until Customer brings the gas into conformity with such specifications.

7. AUTHORIZED DAILY VOLUME. Customer's Authorized Daily Volume on any day consists of the sum of Customers transported volumes (as determined herein) plus any additional volumes that Company, in its sole discretion, authorizes Customer to use on that day. Delivery of Customers Authorized Daily Volume is firm, with no planned interruptions, except as provided in Part 8 hereof. Consumption at Customer's facility in excess of the Authorized Daily Volume is interruptible service, and upon notice to Customer, Company may require Customer to reduce consumption to Customer's Authorized Daily Volume whenever Company, in its discretion, deems necessary to do so. Company may, at its option, require such reductions in consumption by LGTS Customers prior to imposing similar reductions on GTS Customers.

For purposes of this section, the portion of Customer's Authorized Daily Volume attributable to transported gas delivered to Company shall consist of two parts. The first part shall consist of volumes (adjusted for shrinkage) delivered at receipt points where the upstream transporter, producer, or other delivering entity does not report deliveries to Company on a daily basis. The portion of Customer's Authorized Daily Volumes attributable to this part shall be determined by dividing the volume of gas delivered to Customer in the most recent month for which information is available by the number of days in that month.

The second part shall consist of volumes (adjusted for shrinkage) delivered by upstream transporters which report Customer's deliveries to Company on a daily basis. If the upstream transporter's reporting system is acceptable to Company, Company may, at its option, utilize such system to determine Customer's deliveries on it any day. If Company elects not to utilize such reporting system, it shall determine Customer's deliveries using the best information available, as determined by Company.

In the event actual gas deliveries to Customer are in excess of the Authorized Daily Volume on any day on which the Company requires Customer to limit gas consumption to that Authorized Daily volume, Customer

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shall be liable for all penalties and fines incurred by Company as a result of Customer's deliveries in excess of its Authorized Daily Volume.

8. INTERRUPTION. Notwithstanding the provisions of Part 7 hereof, all deliveries by Company to Customer, including Customer's Authorized Daily Volumes, are subject to partial or complete interruption during force majeure situations, herein defined to mean acts of God, strikes, lockouts, or other labor disturbances, acts of a public enemy, war, blockages, insurrections, riots, epidemics, fire, storms, floods, washouts, civil disturbances, explosions, breakage or accidents to machinery or pipelines, freezing of wells or pipelines, partial or entire failure of such wells, or any other cause not otherwise provided for herein, whether of the kind herein enumerated or otherwise, not reasonably within the control of Company. All deliveries are also subject to complete or partial interruption whenever service to higher priority customers as defined in Section A, Part 1(M) of this tariff in the same local market area is threatened.

Company may, at its option, interrupt LGTS Customers prior to interrupting GTS Customers.

When Company interrupts deliveries pursuant to this section, Customer shall be liable to Company for all fines and penalties incurred by Company as a result of any failure by Customer to interrupt its usage when directed to do so.

9. DEFICIENCIES IN DELIVERIES TO COMPANY.

Any volumes of gas that are delivered by Company to Customer in any monthly billing cycle that are in excess of any volumes delivered to Company by Customer for that billing cycle, shall be considered a deficiency in deliveries.

10. IMBALANCES

In months when Customer's deliveries are less than Customer's usage, the Company may sell gas to the Customer at the current month's indexed gas cost, as published in the first gas market report each month in Inside FERC's Gas Market Report, for Louisiana Onshore gas entering applicable interstate pipeline, times 120%, or the Company's highest incremental cost of gas, whichever is greater, plus firm transportation charges, commodity and demand charges, upstream penalty charges, adjusted for shrinkage to the city gate,

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plus excise tax; plus the applicable transportation rate identified in the Application for Transportation Service.

In months when Customer's deliveries are greater than Customer's usage, Company may, at its option purchase the excess volumes at a rate determined by adding the current month's indexed gas cost, as published in Inside FERC's Gas Market Report, for Louisiana Onshore gas entering applicable interstate pipeline, times 80%, or the Company's lowest incremental cost of gas, whichever is lower, plus the released firm transportation commodity charge to transport gas on applicable interstate pipeline, adjusted for shrinkage.

In addition, if, in any month the Company incurs a storage overrun or excess storage injection penalty from applicable interstate pipeline in that month, Customer is subject to its prorata share of the penalty

As an alternative to the monthly reconciliation procedure set forth in the preceding paragraphs of this Part of Section A, the Company and Customer may enter into a special arrangement for the balancing of receipts and deliveries subject to the approval of the Public Utilities Commission of Ohio pursuant to Ohio Rev. Code Section 4905.31.

11. WARRANTY OF TITLE.

Customer warrants that it will have good and merchantable title to all natural gas delivered to Company for redelivery to Customer's facilities, that such gas will be free and clear of all liens, encumbrances and claims whatsoever, and that it will indemnify Company and hold it harmless from all suits, actions, debts, accounts, damages, costs, losses and expenses arising from or out of adverse claims of any and all persons to said gas.

12. LATE PAYMENT CHARGE.

For all transportation services set forth herein, a late payment charge will be levied in accordance with the provisions set forth in Section V.

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13. CHARGES FOR THIRD PARTY SERVICES.

If furnishing service to Customer pursuant to this tariff requires Company to use transportation service provided it by another entity, any cost incurred by, or billed to Company with regard thereto, shall be billed to Customer by Company and paid by Customer. Such costs shall include, without limitation, transportation or delivery charges, retainage for shrinkage, filing fees, and penalties incurred as a result of gas volume imbalances or other factors set forth in the applicable rate schedule or contract of such other entity. Customer shall also reimburse Company for any filing fees paid by Company to another entity when necessary to commence or continue gas transportation service to Customer. Company shall obtain service provided by another entity or the occurrence of additional filing fees.

14. PROVISION FOR HUMAN NEEDS AND PUBLIC WELFARE CUSTOMERS.

Customers who are human needs and public welfare Customers as described in Part 1(W) are required to have installed alternate fuel equipment or Firm Sales Volumes under the SGS, GS and LGS rate schedules. This requirement shall not apply to any meter that serves only uses which are not classified as Human Needs and Public Welfare Customers.

15. TERMINATION OF SERVICE. Company may terminate service hereunder for any of the following reasons:

- (A) Any violation of or refusal by Customer to comply with its Application for Service or any tariff, rule, or regulation on file with the PUCO that applies to Customer's service;
- (B) Any use of gas by Customer in a manner detrimental to the service of other customers;
- (C) When providing service is in conflict or incompatible with any order of the PUCO, the laws of the State of Ohio, or any political subdivision thereof, or the laws or rules of the federal government or any of its agencies;

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- (D) When Customer has moved from the premises;
- (E) When supplying gas to Customer creates a dangerous condition on Customer's premises or where, because of dangerous conditions beyond Customer's premises, termination of the supply of gas is reasonably necessary. Service will not be restored until such dangerous condition or conditions have been corrected;
- (F) In accordance with the provisions of Ohio Administrative Code Section 4901:1-18, if Customer resorts to fraudulent practice in obtaining the gas supplied, or is the beneficiary of any such fraudulent practice, or Company's meter, metering equipment, or property used to supply service has been damaged by Customer, its servants or agents. Service will not be restored until Customer has given satisfactory assurance that such fraudulent or damaging practice will be discontinued, and has paid Company an amount estimated by Company to be reasonable compensation for service fraudulently obtained and not paid for and for any damage to property of Company including any cost to repair the damage;
- (G) For repairs, provided that Customer will be given 24-hours written notice prior to scheduled maintenance interruptions in excess of six hours;
- (H) Upon the request of Customer in accordance with its Application for Service; and
- (I) For nonpayment of charges for transportation service or for gas sold to Customer, including nonpayment of late payment charges of security deposits required as a condition for continued service, upon ten (10) days written notice to Customer.

16. ADDITION AND REPLACEMENT OF FACILITIES.

Where it is necessary, and if Customer and Company agree in writing that it should be done, Company will construct additions, replacements or betterments of its facilities located at the point(s) of receipt in order to accommodate the volumes of Customer-owned gas to be delivered to Company pursuant to the Application for Transportation Service. Customer shall pay Company the estimated cost of such additions, replacements or betterments, including an adjustment for federal income tax, prior to the installation thereof.

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Such estimate shall be accompanied by supporting data in such detail as Customer shall reasonably require. If the actual cost including an adjustment for federal income tax is less than the estimate, Company shall refund any overpayment to Customer. If the actual cost is greater than the estimate, Customer shall reimburse Company for the additional cost, including an adjustment for federal income tax. Such facilities shall remain the property of Company.

17. OPERATION AND MAINTENANCE COSTS.

When Company receives Customer's gas directly into its system from point(s) of receipt other than interstate pipeline, and Company owns the measuring station, Company shall assume all responsibilities associated with the operation and maintenance of said measuring station. Normal operation and maintenance such as pressure checks, grass cutting, routine inspections and routine maintenance will be performed by Company at its expense. Customer shall reimburse Company for major and unusual nonrecurring operation and maintenance costs. Customers shall pay for such costs within thirty (30) days of the billing date.

18. OTHER RULES AND REGULATIONS.

Except to the extent superseded herein, Sections I through V of Company's Rules, Regulations, and Rates Governing the Distribution and Transportation of Gas and such other Commission rules and guidelines as are applicable shall apply to any gas transportation service provided hereunder.

19. OBLIGATION TO SERVE FOLLOWING TERMINATION OF TRANSPORTATION AGREEMENT.

Following the cancellation of any Application for Service entered into and the termination of gas transportation service hereunder, Company shall have no obligation to sell or deliver gas to Customer under any other contract or rate schedule at Company's GCR Rate, as set forth in Part V.

The Company may provide gas from the GCR regulated system supply to former transportation or bypass customers if: (i) such provision does not negatively impact the GCR rate for continuing GCR-served customers; or (ii) Company can demonstrate that any increased costs are offset by credits, refunds, or other factors providing a benefit to continuing GCR-served customers; or (iii) if the former transportation or

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bypass customers absorb the increased cost incurred by Company to obtain additional supplies to serve such customers.

20. OPERATIONAL FLOW ORDERS.

Customers without daily measuring devices are subject to Company's issuance of operational flow orders (OFO) which will direct Customers to adjust scheduled volumes to match their estimated usage. An OFO may include the scheduling of supply quantities in excess of daily contract quantities when operating conditions exceed design criteria. Failure to comply with an OFO will result in the billing of the following charges to the OFO shortfall which is defined as the difference between the daily OFO volume and actual daily deliveries:

- (A) The payment of a gas cost equal to the highest incremental cost paid by Company on the date of non-compliance;
- (B) One month's demand charges on the OFO shortfall, except in instances where OFOs require scheduling of volumes in excess of daily contracted quantities. This charge shall not be imposed more frequently than once in any thirty day period; and
- (C) The payment of all other charges incurred by Company on the date of the OFO shortfall. If a customer complies with an OFO it shall not be subject to any penalty or additional cost.

21. OPERATIONAL MATCHING ORDERS.

Customers with daily measuring devices meters are subject to Company's issuance of operational matching orders (OMO) which will direct Customers to adjust usage to match volumes flowing on pipelines. Failure to comply with an OMO will result in the billing of the following charges to the OMO excess which is to be defined as the difference between the actual daily usage and the daily flowing volume:

- (A) The payment of a gas cost equal to the highest incremental cost paid by Company on the date of non-compliance.

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- (B) One month's demand charges on the OMO shortfall, except in instances where OMOs require scheduling of volumes in excess of daily contracted quantities. This charge shall not be imposed more frequently than once in any thirty-day period.
- (C) The payment of all other charges incurred by Company on the date of the OMO shortfall. If a Customer complies with an MOM it shall not be subject to any penalty or additional cost.

22. CREDITWORTHINESS STANDARDS AND REQUIREMENTS.

When a transportation customer makes application for transportation service, customer must identify any marketer(s) who will be responsible for acquiring natural gas and upstream transportation capacity to deliver customer-owned gas to Company on behalf of customer. Before the transportation customer may qualify for transportation service under this tariff, the marketer(s) must pass an initial financial evaluation performed by Company, and any such subsequent evaluation(s) deemed appropriate by Company, to provide assurance of each marketer's financial ability to deliver gas to Company on customer's behalf. In addition, if any marketer has previously failed to pass Company's financial evaluation, customer shall cause that marketer to provide information acceptable to Company that such cause for non-qualification previously has been corrected and will be avoided in the future.

Any marketer intending to deliver natural gas to Company on account of a transportation customer must complete and sign Company's Marketer Registration Form and Credit Confirmation to be considered qualified for transportation service on behalf of a transportation customer on Company's system. Company will apply, on a non-discriminatory basis, reasonable financial standards to assess and examine marketers' creditworthiness. Company will determine creditworthiness for each registrant marketer, and will not deny any marketer's qualification to participate without reasonable cause.

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SECTION 1 – SERVICE

1. Definitions. All Definitions set forth in Section A, Transportation Service, apply throughout this and following Sections of this Tariff.
2. Availability. Available in the Company's service territory outside the Village of Orwell and the Village of West Farmington where the Company's distribution facilities are located, to customers who contract for natural gas service under the terms and conditions stated herein, and subject to the Rules and Regulations filed by the Company from time to time with the Public Utilities Commission of Ohio.
3. Application for Service. All applications for service shall be made through the local office of the Company or its authorized agents upon forms approved by the Company; or by calling the Company's customer service telephone number, 800-832-6164; or by visiting the Company's website at www.OrwellGas.com, and clicking on "New Customer Application".
4. Turning on Gas. The customer, after making proper application for service, shall notify the Company when the customer desires that service be established. In no case shall the customer or customer's agent or employee turn on gas at the curb valve or meter valve.
5. Service Not Transferable. No person may commence the use of gas until after making application therefor. In the event of violation of this provision, in addition to other rights of the Company, such person shall be liable for all gas consumed in the premises and not paid for by any customer whose occupancy preceded that of such person and shall be liable for all gas consumed by such person. Any successor in interest to a customer, including, without limitation, heirs, executors, administrators, assignees, trustees, guardians, receivers, and conservators, shall be deemed to be a person who must make application for service, provided that successors in interest whose rights arise from death or incompetence of the customer shall have thirty (30) days in which to make application.
6. Continuity of Service. The Company shall make reasonable provision to supply gas in sufficient quantity and at adequate uniform pressure but does not guarantee constant supply or adequate or uniform pressure. The Company shall not be liable in damages for

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failure to supply gas or for interruptions in service and shall be relieved of its obligation to serve and may discontinue or modify service if such failure or interruption is due to acts of God or the public enemy, military action, wars, insurrections, riots, civil disturbances, vandalism, strikes, fires, floods, washouts, explosions, acts or orders of any civil, judicial, or military authorities and, without limitation by the foregoing, accidents, contingencies, or other causes beyond the control of the Company.

Without incurring any liability therefor, the Company may also suspend service after reasonable notice, for such periods as may be reasonably necessary to make repairs to or changes in its distribution system and related facilities and equipment.

7. Character of Service. The Company's supply of natural gas is received from natural gas interstate pipelines and intrastate pipelines. Thus, the heating value and specific gravity of gases received may vary between delivery points and from day-to-day, but at all times will meet the minimum heating value as required in section 4933.06 of the Ohio Revised Code. These variations are beyond the control of the Company, which can only dispatch the gases received.
8. Service Shall Not Be Disturbed. No customer shall attach or use any appliance which may result in the injection of air, water, or other foreign matter into the Company's lines; and without prior approval from the Company, no customer shall attach or use any appliance which will increase or decrease the pressure in the Company's lines intermittently to such extent as to interfere with continuous service to other customers.
9. No Customer Shall Sell to Another. The Customer shall not supply or sell gas for use in any location other than that specified in the application or for the use of any other person.
10. Access to Premises. The Company and its authorized employees shall have free access at all reasonable times to all of the premises in which gas supplied by the Company is used or is to be used. Any Company employee seeking access to the Customer's or landlord's premises shall, upon request, identify herself/himself, provide Company photo identification, and state the reason for the visit.
11. Customer's Responsibility. Customer assumes all responsibility for property owned by the customer on customer's side of the point of delivery, which is generally the outlet side

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of the curb stop/curb cock. If there is no curb stop/curb cock, the point of delivery shall be the property or lot line. Customer is responsible for the service and supply of natural gas taken, as well as for the installation and use of appliances used in connection therewith, and will save the Company harmless from and against all claims for injury or damage to persons or property occasioned by or in any way resulting from such service or the use thereof on customer's side of the point of delivery.

12. Right of Way. Customer, without reimbursement, will make or procure conveyance to Company of right-of-way satisfactory to it across the property owned or controlled by customer for Company's distribution mains, extensions thereof, or appurtenances necessary or incidental to the supplying of service to customer.
13. Charges and Payment for Temporary Service. In addition to regular payments for gas used, the customer shall pay the cost for all material, labor, and all other necessary expense incurred by the Company in supplying gas service to the customer at customer's request for any temporary purpose or use.
14. Customer Indebted to Company. Subject to the requirements of Chapters 4901:1-13, 4901:1-17 and 4901:1-18 of the Ohio Administrative Code, and any subsequent amendments thereto, service will not be supplied to any premises if at the time of application for service the applicant is indebted to Company for any service previously supplied at the same or other premises, until payment of such indebtedness or other arrangement satisfactory to the Company shall have been made.
15. Creditworthiness, Deposits and Denial of Service. The Company's rules, regulations and practices pertaining to creditworthiness, deposits and the bases for denial of service for residential customers shall be as set forth in Chapter 4901:1-17 of the Ohio Administrative Code, as amended from time to time. For small commercial customers who are not mercantile customers as defined in Ohio Revised Code Section 4929.01(L), the Company's rules, regulations and practices pertaining to creditworthiness, deposits and the bases for denial of service shall be as set forth in Rule 4901:1-13-08 of the Ohio Administrative Code as amended from time to time. With respect to all customers, cash deposits shall be as provided in Ohio Revised Code section 4933.17.

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16. Company's Right to Refuse or to Disconnect Service; Reconnection of Service. The Company's rules, regulations and practices governing disconnection and reconnection of service to residential customers shall be as set forth in Chapter 4901:1-18 of the Ohio Administrative Code as amended from time to time. The Company's rules, regulations and practices governing the disconnection and reconnection of service to small commercial customers who are not mercantile customers as defined in Ohio Revised Code Section 4929.01(L) shall be as set forth in Rule 4901:1-13-08 of the Ohio Administrative Code.

In addition to all other legal remedies, The Company may terminate the service agreement and discontinue service to a customer for any of the following reasons:

- (a) Upon the request of the customer for temporary disconnection of service for maintenance or other reasons. Customers should contact the Company as far in advance as possible but at least three (3) business days in advance of the time of requested disconnection.
- (b) When the customer has moved from the premises, neglected to request disconnection of service and an investigation by the Company indicates that service is no longer required.
- (c) When continued service would jeopardize the life or property of the customer, the Company, or the public, service may be disconnected without prior notice to the customer.
- (d) When supplying natural gas to any consumer or customer creates a dangerous condition on the consumer's or customer's premises or when, because of conditions existing or created beyond the consumer's or customer's premises, termination of the supply of natural gas is reasonably necessary. Service will not be restored until such dangerous condition(s) have been corrected.
- (e) When providing service is in conflict or incompatible with any laws, regulations or orders of the Public Utilities Commission of Ohio, the

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State of Ohio or any political subdivision thereof, or of the Federal Government or any of its agencies.

- (f) When a customer or applicant refuses to provide reasonable access to the premises or ignores repeated requests for access as set forth in Section 1, Paragraph 9, Access to Premises, consistent with the provisions of Ohio Administrative Code Rule 4901:1-18-02(F)(1) and (2).
- (g) When in the sole opinion of the Company, the customer uses gas in a manner that interferes with gas service provided to other customers.
- (h) For a violation of or refusal to comply with these Rules and Regulations Governing the Distribution and Sale of Gas as filed with the Public Utilities Commission of Ohio and/or special agreements or contracts between the customer and the Company.
- (i) For non-payment of bills when due, for commercial customers who are mercantile customers and for industrial customers
- (j) For non-payment of bills when due, for residential and small commercial customers who are not mercantile customers, pursuant to the provisions of Chapter 4901:1-18, and Rule 4901:1-13-08(C), Ohio Administrative Code.
- (k) In the event the consumer or customer resorts to theft or any fraudulent representation or practice in obtaining the natural gas supplied, or is the beneficiary of any such fraudulent representation or practice, or in the event that the Company's meter, metering equipment or other property used to supply natural gas has been damaged or tampered with by the consumer or customer, or his/her agents or servants, consistent with the provisions of Rule 4901:1-13-09 and Chapter 4901:1-18, Ohio Administrative Code.

Failure of the Company to exercise any of its rights for the above reasons does not affect its right to resort thereafter to any remedies for the same or any future default or breach by

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the customer. Refusal of or disconnection of service is not an exclusive remedy. The Company may exercise any other remedy provided by law, including civil suit and/or criminal prosecution.

17. Disconnection of Master-Metered Account for Non-Payment. Disconnection of Service at a master-metered location shall be subject to the applicable provisions of Rule 4901:1-18-07, Ohio Administrative Code.
18. Change of Address of Customer. Customer shall give prior oral notice, followed within three (3) business days thereof by written notice, of customer's intent to change customer's address to Company prior to the date of the change. Customer is responsible for all natural gas service provided to the vacated premises until such notice has been received and Company has had reasonable time but not less than three (3) business days to discontinue service.
19. Change in Tenancy or Ownership. At such time as the Company is notified of a change in tenancy or ownership, whether such notice is given by the customer or otherwise, the company shall read the meter if the meter has not been read within the immediately preceding seventy (70) days and access is provided. If the meter has been read within the immediately preceding seventy (70) days, the Company will inform the former customer or new customer of the right to have an actual meter read at no charge. The Company will prepare a final bill. The former customer is responsible for all service supplied to the premises until the company is notified and the company has had a reasonable time to prepare a final bill. Reasonable time is defined as being not less than three (3) business days after notification has been received by Company.

If a new applicant for service or former customer does not request a meter read as provided here, transfer of uninterrupted service to the new applicant for service will be permitted, provided that the new applicant properly applies for service and meets all of the Company's requirements for initiation of service. Commencement of service to a new tenant or owner shall not be delayed or denied by Company who has properly applied for service and meets the Company's requirements for said service because of non-payment of a final bill by the former tenant or owner.

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SECTION 2 – METERING AND BILLING

1. Quantity of Gas Delivered by Meter. Gas will be measured by a meter installed by the Company. Subject to certain exceptions enumerated below, consumption shall be determined on the basis of the meter registration; and bills shall reflect the consumption so registered. Any mistake in reading the registration, however, shall not affect the liability for gas consumed as determined by a corrected reading of the registration.
 - (a) Unit of Measurement. The unit of measurement shall be that quantity of gas which will occupy one cubic foot of volume at a pressure of fourteen and seventy-three hundredths (14.73) pounds per square inch absolute (thirty [30] inches of mercury) at a base temperature of sixty (60) degrees Fahrenheit, and without adjustment for water vapor content. To determine the volume of gas delivered, factors such as those required for pressure, temperature, and specific gravity and deviation from Boyle's Law shall be applied.
 - (b) Unmetered Service. Without prejudice to the Company providing metered service, the Company may provide unmetered gas service where warranted to gas lights and gas burning equipment located outside the building(s) where metered service is provided, using for billing purposes the approximate average consumption of such equipment at the Company's applicable rate.
 - (c) Meter Reading; Estimated Bill. Meters ordinarily are read at monthly intervals but may be read more or less often at the Company's option. As required by Ohio Administrative Code 4901:1-13-04(G), the Company shall obtain an actual meter reading at least once every twelve months and at a minimum the Company shall make reasonable attempts to obtain actual readings of its customers' meters every other month except where the customer and the company have agreed to other arrangements. When the meter is not read, the Company may estimate the quantity of gas consumed and render a bill for such quantity.

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- (d) Accurate Meter. A meter registering between three percent (3%) fast and three percent (3%) slow shall be deemed for all purposes to be registering correctly. A meter registering incorrectly shall be replaced by the Company at its expense.
 - (e) Incorrect Meter Readings. During any period that incorrect registration can be established, the meter readings and bills based thereon shall be adjusted by the Company on the basis of all available information concerning the use of gas by the customer or consumer. If as a result of such adjustment overpayments or underpayments are shown to have occurred, the Company shall reimburse the customer in the amount of such overpayment as required in Rule 4901:1-13-04(D)(5), Ohio Administrative Code. Subject to the requirements of Ohio Revised Code Section 4933.28, the customer shall pay the Company the amount of such underpayments. The Company shall continue to supply gas to the customer, and the customer shall continue to pay the amounts billed pending the adjustment.
 - (f) Meter Test. The Company shall test the meter with a tested and sealed meter prover, at the request of the customer, and, if the customer desires, the customer or the customer's representative may be present. The test will be conducted within thirty (30) days of the request. A written explanation of the test results will be provided within ten (10) business days after the test. If the meter is found to be registering accurately as defined in subparagraph (d), the customer shall pay the expense of removing the meter for the purpose of being tested. If the meter is found not to be registering accurately, then the Company will not charge for its testing expenses and will provide a properly functioning meter at no charge.
2. Billing Periods. Bills ordinarily are rendered regularly at monthly intervals. Company reserves the right to render bills more or less frequently at its option. The bill rendered shall be the result of applying to customer's consumption of natural gas the applicable

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rates and charges contained in this tariff. Non-receipt of bills by customer does not release or diminish the obligation of customer with respect to payment thereof.

3. Payment of Bills. The Company's bill format and billing procedure shall comply with the applicable provisions of Rule 4901:1-13-11, Ohio Administrative Code. Each customer's bill is due and payable within fourteen (14) days of the postmarked date on the bill. Any remittance received by mail at any office of the Company bearing U.S. Post Office cancellation date corresponding with or previous to the last date of the net payment period will be accepted by the Company as within the net payment period.
4. Removal of Property by Company and Change in Financial Status of Customer. When the customer vacates the premises, or becomes bankrupt, when a receiver, trustee, guardian, or conservator is appointed for the assets of the customer, or when the customer makes an assignment for the benefit of creditors, the Company shall have the following rights: at the option of the Company and after reasonable notice, the right to shut off the gas and to remove its property from the customer's premises; and the further right, independent of or concurrent with the right to shut off, to demand immediate payment for all gas delivered to the customer and not paid for, and such amount shall become due and payable immediately upon such demand. For residential customers, such rights shall be subject to the requirements of Chapter 4901:1-18, Ohio Administrative Code. For small commercial customers who are not mercantile customers, such rights shall be subject to Rule 4901:1-13-08, Ohio Administrative Code.
5. Payment Arrangements and Responsibility. The Company shall notify a customer whose account is delinquent that such customer may make application to the Company for an extended payment arrangement. In addition to the extended payment plans available under Rule 4901:1-18-04, Ohio Administrative Code, the Company may exercise discretion in other arrangements based on reasonable criteria, including:
 - (a) The amount of the delinquent account
 - (b) The length of time the balance has been outstanding
 - (c) The customer's recent payment history

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- (d) The reasons why the customer has not made payment
 - (e) Any other relevant factors concerning the circumstances of the customer.
6. Budget Payment Plan. Upon submission of a written application acceptable to the Company, any customer who uses gas for space heating purposes may request to be billed for gas consumption on a budget basis in accordance with the following provisions:
- a. Monthly budget payments for the months August through June shall be based on an amount of consumption equivalent to one-eleventh (1/11) of the customer's preceding twelve (12) months' consumption and current rates. The monthly budget payment for the month of July shall reflect an adjustment balance for any increase or decrease in the customer's account not recovered or reflected in previous months' billings. In the case of a new customer or a customer who has not received service from the Company for twelve (12) consecutive months prior to applying for the Company's Budget Payment Plan, the amount of consumption upon which said customer's monthly budget payment shall be based shall be estimated by the Company. If the customer's actual consumption or the Company's rates change during the budget payment period, the Company shall have the right to adjust the monthly budget payments accordingly without the consent of the customer.
 - b. Applications for the Company's Budget Payment Plan must be received by the Company not later than July 15 of each year, and the monthly budget billing will be effected only during August each year. Any customer in arrears in the payment of the Company's bills at the time of submission of an application shall not qualify for the Budget Payment Plan, and any customer who fails to make monthly budget payments once said customer qualifies for the Budget Payment Plan automatically shall be excluded therefrom and said customer shall thereafter be billed in accordance with the applicable schedule of rates contained in the Company's tariffs.
 - c. Monthly budget payments are due and payable on the date shown or indicated on the customer's bill, and the customer continues to be subject to late payment charges for the amount due on that date. Customers qualifying under the Budget

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Payment Plan shall also continue to be subject to other service conditions and restrictions set forth in the Company's tariffs.

- d. A customer qualifying for the Budget Payment Plan may withdraw from the Budget Payment Plan at any time on written notice to the Company. In such event, the full amount of such customer's account shall become immediately due and payable, subject to the regular collection procedure, and any credit balance shall be refunded at such customer's request.

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SECTION 3 – PHYSICAL PROPERTY

1. Service Lines. The general term “service line” is commonly used to designate the complete line or connection between the Company main up to and including the meter connection. It consists of two distinct parts: (a) Company service line, and (b) customer service line.
 - a. Company Service Line. The Company service line consists of the complete line from the Company’s main line up to and including the connection at the customer service line which is generally at the property or lot line, or the curb stop/curb cock location. This Company service line shall be installed by the Company or its representative without cost to the customer and remains the property of the Company.
 - b. Customer Service Line. The customer service line consists of the complete line from the point of connection to the Company service line. The customer service line shall be installed at the customer’s expense and remain the property of the customer. The Company shall have the right to prescribe the size, location and termination points of the customer service line. The customer shall be responsible for maintenance of (except for maintenance and inspections performed by the Company as required under 49 C.F.R. Part 192), for imperfections in and/or for damage, injury, or loss resulting directly or indirectly from the leakage of gas relating to the customer service line.
2. Pressure Regulators. The Company will furnish each customer with a suitable regulator or regulators as the Company may determine will adequately serve the customer’s requirements, and such regulator or regulators shall be and remain the property of the Company. The Company shall have the right to replace regulators as the Company may deem it necessary.
3. Meter Furnished. The Company will furnish each customer regardless of customer class with a meter of such size and type as the Company shall determine will adequately serve the customer’s requirements, and such meter shall be and remain the property of the Company; and the Company shall have the right to replace the meter as the Company shall deem necessary. The Company shall require industrial and

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commercial consumers to reimburse the Company for its costs of furnishing these customers with a meter. However, the Company may waive such charge for competitive or economic development purposes.

4. Meter Location. The Company shall determine the location of the meter. Ordinarily, the location shall be outside of any enclosed building and shall be accessible to the Company without the necessity of customer's presence or approval. When changes in buildings, arrangements or improvements therein render the meter inaccessible or exposed to hazards, the Company may require the customer to pay for the relocation of the meter setting together with any portion of the customer service line necessary to accomplish such relocation.
5. Only Company Can Connect Meter. The owner or customer shall not permit anyone who is not an authorized agent of the Company to connect or disconnect the Company's meters, regulators or gauges or in any way alter or interfere with the Company's meters, regulators or gauges.
6. Customer Piping. The customer shall install, own and maintain, at the customer's expense, the customer piping from the outlet of the meter to all gas burning equipment and appliances.
7. Appliances. Customer shall install and maintain all gas-burning equipment and appliances at the customer's expense. The Company shall have no obligation to install, maintain or repair customer's gas-burning equipment and appliances.
8. Standards for Customer's Property. The customer service line, customer piping, fittings, valve connections and appliance venting shall be installed with materials and workmanship which meet the reasonable requirements of the Company and shall be subject to inspection or test by the Company. The Company shall have no obligation to establish service until after such inspection and test demonstrates compliance with such requirements of the Company with respect to the facilities in place at the time of the test.

The first inspection or test at any service location, including both service lines and customer piping, shall be without charge. In the case of leak, error, patent defect or other unsatisfactory condition resulting in the disapproval of the lines and pipes by the Company,

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the necessary correction shall be made at the customer's expense. Then the Company will inspect and re-test the lines and pipes again at customer's expense. Each additional inspection and re-test when required after correction shall be subject to a charge covering the cost thereof.

9. Discontinuance of Supply on Notice of Defect on Customer's Property. If the customer service line, customer piping, fittings, valves, connections, gas appliances or equipment on a customer's premises are defective or in such condition as to constitute a hazard, the Company upon notice to customer of such defect or condition may discontinue the supply of gas to such appliances or equipment or to such customer service line or such customer piping until such defect or condition has been rectified by the customer in compliance with the reasonable requirements of the Company.
10. No Responsibility for Material or Workmanship. Except for maintenance performed by the Company as required under 49 C.F.R. Part 192, the Company is not responsible for maintenance of or any defect in material or faulty workmanship in the customer service line, customer piping or other customer property including fittings, valves, connections, equipment, appliances, venting and any other associated appurtenances and is not responsible for any loss or damage arising from the inadequate or improper maintenance or from defects in material or faulty workmanship. Provided, if the Company installs the customer service line at customer's expense, the Company will be responsible for defects in materials or faulty workmanship on the customer service line.
11. Inspection of Altered Piping. It shall be the duty of the customer to notify the Company promptly of any additions, changes, alterations, remodeling or reconstruction affecting gas piping on the customer's premises.
12. Extension of Distribution Mains. The Company will extend its distribution mains (not to exceed two inches in diameter) on any dedicated street or highway without cost up to but not more than a distance of one hundred (100) feet for each applicant. Upon application for a domestic service extension of main in excess of one hundred (100) feet for each applicant, the Company may enter into a line extension agreement providing for a deposit with the Company of a sum deemed adequate by the Company to cover the cost to be incurred by it for that portion of the extension in excess of the footages which the Company will construct without cost to the applicant. The amount of deposit shall be determined by multiplying the excess footage as hereinabove determined by the average cost per foot to the Company of a

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similar size distribution main installed to refund on the basis of the cost per foot deposited multiplied by one hundred (100) for each additional applicant who becomes a bona fide customer connected to the extension but not to laterals therefrom or to further extensions thereof. No refund shall be paid after the expiration of ten (10) years from the date of the agreement. The agreement covering the main extension must be signed by the owner of the premises to be served. Moreover, if the applicant elects the monthly payment option in the main extension agreement, as more fully described below, said agreement shall require the applicant to inform the prospective and subsequent owners at the premises of the monthly payment terms and conditions. The applicant and the Company must agree on meter location and point of delivery of gas before any piping is laid or installed on the premises to be served.

When an extension of the Company's main to serve an applicant amounts to more than 100 feet per customer, the Company shall offer an applicant who is an end-use customer the option of making the required payment in the form of: (a) a one-time deposit, or (b) a monthly payment. An applicant who is not an end-use customer shall not be eligible for the monthly payment option. If the Company determines, in its sole judgment, that the nature of a main extension is such that it puts the Company at undue risk of recovery, the Company may require different arrangements as a condition of such main extension. The required payment(s) shall be determined as follows:

1. The one-time deposit shall equal the estimated construction cost, net of the applicable entitlement extension footage for each permanent customer initially connected to the main extension.
2. Where the applicant has elected the monthly payment option, said monthly payment shall be billed to the applicant or subsequent customers at the same premises for the shorter of a period of seven (7) years or until the cost of the main extension is included in the rates and charges for service and shall be considered part of the utility bill subject to disconnection of service for non-payment. The monthly payment shall equal that amount needed to compensate Company for the embedded cost of service associated with the main extension. Such cost of service shall include operation and maintenance expense including taxes, depreciation, and return on rate base reflected in the current rates on the construction cost, net of the applicable entitlement extension footage. The monthly payment amount shall be determined by an economic feasibility study based on recovery of the embedded cost of service

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of the main extension and related facilities. The Company shall retain for the duration of the payment period the economic feasibility study setting forth the embedded cost of service and provide it to the customer(s) upon request.

Where the applicant has elected the monthly payment option, the Company shall credit such monthly payment commencing when each additional customer connects to the main extension. Such credit shall be the embedded cost of service associated with 100-foot entitlement of each additional customer using the methodology consistent with the original monthly payment calculation. In no case shall the monthly credit for additional customers exceed the initial monthly payment. No reimbursement applies to the further extensions or lateral extensions of the main.

Where the main extension is necessary to provide service availability to plots of lots or real estate subdivisions and such main extension is not deemed justified at the Company's expense, the owners or promoters of such plots of lots or real estate subdivisions may enter into a line extension agreement and deposit with the Company the estimated cost of that portion of the main extension which is not deemed justified at the Company's expense. This deposit will be refunded at the average cost of one hundred (100) feet for each bona fide customer connected to the extension but not to laterals therefrom or to further extensions thereof. No refunds shall be paid after the expiration of ten (10) years from the date of the Agreement.

Where a main extension is requested for commercial or industrial purposes and all or part of such main extension is not deemed economically justified at the Company's expense, based on a cost-benefit study, the Company shall require the applicant(s) to enter into a line extension agreement and deposit with the Company the estimated cost of that portion of the main extension which is not deemed economically justified at the Company's expense, based on such study. This deposit will be refunded annually, based upon the incremental volumes sold directly from the main extension which are over and above those volumes used to determine the portion of the main extension to be done at the Company's expense. The refund shall be determined by multiplying such incremental volumes by the applicable base rates. No refunds shall be paid after the expiration of ten (10) years from the date of the agreement.

In no case shall the total of refunds exceed the amount deposited for the extension. Deposits will not draw interest. All extensions shall be the property of the Company.

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The Company shall have no obligation to make any extensions during the months of December, January, February, or March.

Where a main extension is deemed economically justified at the Company's expense, based upon a cost-benefit study, no deposit need be required.

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SECTION 4 - GENERAL

1. These rules and regulations are subject to and include as part thereof all orders, rules, and regulations applicable to the company from time to time issued or established by the Public Utilities Commission of Ohio.
2. The Company reserves the right to modify, alter, or amend the foregoing rules and regulations and to make such further and other rules and regulations as experience may suggest and as the Company may deem necessary or convenient in the conduct of its business. said new or amended rules and regulations are to become effective and will be added to the Company's tariff only after submission to and approval by the Public Utilities Commission of Ohio. These rules and regulations should include all mobile home parks. All customers will come under the standards for gas piping and appliance venting on the customer's premises.
3. All of the foregoing rules and regulations shall apply to living units located in mobile home parks or similar installations. This shall apply particularly with regard to those sections of the rules and regulations dealing with, and setting standards for, piping within such living unit and the venting of all appliances in which gas is used or burned.
4. The Company is subject to, and shall adhere in all respects to, the "Rules And Regulations For The Operation And Safety Of Gas Pipe Lines In The State Of Ohio" as published and issued by the Public utilities Commission of Ohio and designated as Administrative Order No. 200. A copy of this publication shall be kept on file in each office of the Company, open to inspection by any interested customer. Its content shall be explained to such customers upon request.
5. These rules and regulations shall not apply during periods of shortage in the supply of natural gas available to the Company to the extent that compliance by the Company with such rules and regulations is precluded by the shortage in supply. During periods of shortage of supply to the Company, restrictions on new service and curtailment of existing service shall be governed by such other rules of general or specific applicability as may be approved by the Public Utilities Commission of Ohio and by the order of interruption as set forth in Section A, Part 1(M) of this tariff.
6. Disclaimer for Limitation of Liability Clauses in This Tariff: Approval of the above tariff language by the PUCO does not constitute a determination by the Commission that the limitation of liability imposed by the Company should be upheld in a court of law. Approval

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by the Commission merely recognizes that since it is the court's responsibility to adjudicate negligence and consequent damage claims, it is also the court's responsibility to determine the validity of the exculpatory clause.

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Section V – Rates and Charges

1. SMALL GENERAL SERVICE (SGS).

(A). Base Rates.

Area: Effective in unincorporated areas and in incorporated areas not served pursuant to municipal ordinance.

Class of Service: Applicable to residential, commercial and industrial customers using less than 500 Mcf per year between August 1st and July 31st.

Rates:

<u>Monthly Customer Charge:</u>	\$9.00
<u>Volumetric Rates per Mcf:</u>	
For first 100 Mcf delivered:	\$3.33
From 101 to 400 Mcf delivered:	\$3.10
Over 400 Mcf delivered:	\$3.00

(B). Adjustments to Base Rates

The base rates prescribed in Paragraph 1 shall be charged in addition to the current cost of gas purchased by the Company from its suppliers and also upon the current taxes, and expense incident to furnishing service to the Company's customers. Adjustments in such rates may be made for the reasons and in the manner provided in this Paragraph.

- (i) Gas Cost Adjustment. The current gas cost for gas purchased from the Company's suppliers shall be charged in addition to the volumetric charge in Paragraph 1. Gas costs shall include all costs related to the purchasing, storing and delivering of gas to the city-gates of the Company. These costs shall include all interstate or intrastate pipeline charges approved by the Federal Energy Regulatory Commission or by the Public Utilities Commission of Ohio, respectively. These purchased gas cost adjustments, including adjustments for supplier increases and decreases, shall be made, if necessary, not more frequently than monthly, and shall be calculated in

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accordance with Chapter 4901:1-14 of the Ohio Administrative Code which is incorporated herein by this reference, and shall be subject to Subparagraphs (ii) through (v), below.

- (ii) Gross Receipts Tax Rider. The Company will charge and collect each billing period the effect of the gross receipts taxes assessed against the Company under all applicable rates and charges. However, this Gross Receipts Tax Rider will not be applied to bills of customers statutorily exempt from the payment of gross receipts taxes. The current gross receipt tax rate is 4.75 percent, thus the current gross receipts tax charged will be at the effective rate of 4.98725 percent.
- (iii) Mcf Tax Rider. In addition to the above rates, the Company will charge and collect each billing period the effect of its excise tax liability. For each Mcf delivered, the Mcf tax will be \$.0411.
- (iv). Uncollectible Accounts Rider. In addition to and independent of the adjustments provided for in Subsections A and B above, the rates will be adjusted by an additional charge of \$.10 per Mcf by the Company to recover costs associated with uncollectible accounts for customers served pursuant to this schedule. No more frequently than annually, the Company may file an application with the Public Utilities Commission of Ohio requesting approval to adjust this charge if the Company determines that in the preceding year uncollectible accounts expense was over or under-recovered by plus or minus ten percent.

(C). Miscellaneous Charges

- (i) Late Payment Charge. Payment of the total amount due must be received by Company or an authorized agent by the due date shown on the Bill which shall be fourteen (14) days from the date rendered. If a bill payment is not received within fourteen days of the date of the invoice, an additional amount of one and one half percent (1.5%) of the unpaid balance on the Customer's bill will be added to the Customer's subsequent bill and be due and payable as part of Customer's total obligation. This provision is not applicable to unpaid account balances of any customer enrolled in a payment plan pursuant to Rule 4901:1-18-04, Ohio Administrative Code.

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- (ii) Returned Check Charge. When a bank returns Customer's check unpaid, a Returned Check Charge of \$25.00 shall be added to Customer's Account. Customer will be assessed a maximum of one (1) Returned Check Charge per check returned unpaid.
 - (iii) Meter Test Charge. If a meter is tested at the request of a customer and said test result demonstrates that the meter was operating within plus or minus three percent (3%) slow or fast, a charge of \$35.00 shall be assessed. If the test result demonstrates that the meter was not operating within this range of accuracy, there shall be no charge for the test or removal. This charge shall not be assessed for the first such test performed in any 36-month period.
 - (iv) Tie-in Charge. If a tie-in is required to restore service to the same Customer whose service line was cut and plugged as a result of repeated detection of unauthorized use of service, the customer will be advised in advance that a charge of \$250.00 or actual cost, whichever is less, shall be assessed. Unauthorized use includes:
 - 1. Turning on gas at meter and/or curb valve after non-payment resulting in termination of gas service by Company; and
 - 2. Bypassing meter inlet and outlet connections after disabling or removal of meter by Company.
 - (v) Field Collection Charge. When a Company employee is dispatched to a customer's premises to disconnect service for nonpayment, the customer may avoid disconnection by paying the full amount owed. Provided, however, that the Company may assess a \$15.00 field collection charge for accepting such payment. This charge may be assessed either at the time the delinquent amount is collected or on a subsequent bill.
 - (vi) Reconnection Charge. When a customer that has previously been disconnected requests reconnection of service, the Company may charge and collect, prior to reconnecting service, a charge of \$30.00 for restoring service, regardless of the length of time the service was disconnected and regardless whether the disconnection was voluntary or involuntary. If service was disconnected as a result of unauthorized or fraudulent use by the customer, this charge is in addition to the Tie-in Charge.
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- (vii) New Service Tap Charge. Applicants applying for a new tap on the Company's system shall be assessed a new service tap charge of \$500.00 for a single family residence and \$1,000.00 for a multi-family or commercial property, or the actual cost of installing the new tap whichever is less.

2. GENERAL SERVICE (GS).

(A). Base Rates.

Area: Effective in unincorporated areas and in incorporated areas not served pursuant to municipal ordinance.

Class of Service: Applicable to all customers using at least 500 Mcf per year between August 1st and July 31st. Usage under this rate schedule will be reviewed annually at July 31st.

Rates:

Monthly Customer Charge: \$50.00

Volumetric Rates per Mcf:

For first 500 Mcf delivered: \$3.00

Over 500 Mcf delivered: \$2.50

(B). Adjustments to Base Rates

The base rates prescribed in Paragraph 1 shall be charged in addition to the current cost of gas purchased by the Company from its suppliers and also upon the current taxes, and expense incident to furnishing service to the Company's customers. Adjustments in such rates may be made for the reasons and in the manner provided in this Paragraph.

- (i) Gas Cost Adjustment. The current gas cost for gas purchased from the Company's suppliers shall be charged in addition to the volumetric charge in Paragraph 1. Gas costs shall include all costs related to the purchasing, storing and delivering of gas to the city-gates of the Company. These costs shall include all interstate or intrastate pipeline charges approved by the Federal Energy Regulatory Commission or by the Public Utilities Commission of Ohio, respectively. These purchased gas cost adjustments, including adjustments for supplier increases and decreases, shall be made, if necessary, not more frequently than monthly, and shall be calculated in

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accordance with Chapter 4901:1-14 of the Ohio Administrative Code which is incorporated herein by this reference, and shall be subject to Subparagraphs (ii) through (v), below.

- (ii) Gross Receipts Tax Rider. The Company will charge and collect each billing period the effect of the gross receipts taxes assessed against the Company under all applicable rates and charges. However, this Gross Receipts Tax Rider will not be applied to bills of customers statutorily exempt from the payment of gross receipts taxes. The current gross receipt tax rate is 4.75 percent, thus the current gross receipts tax charged will be at the effective rate of 4.98725 percent.
- (iii) Mcf Tax Rider. In addition to the above rates, the Company will charge and collect each billing period the effect of its excise tax liability. For each Mcf delivered, the Mcf tax will be \$.0411.
- (iv) Uncollectible Accounts Rider. In addition to and independent of the adjustments provided for in Subsections A and B above, the rates will be adjusted by an additional charge of \$.00 per Mcf by the Company to recover costs associated with uncollectible accounts for customers served pursuant to this schedule. No more frequently than annually, the Company may file an application with the Public Utilities Commission of Ohio requesting approval to adjust this charge if the Company determines that in the preceding year uncollectible accounts expense was over or under-recovered by plus or minus ten percent.

(C). Miscellaneous Charges

- (i) Late Payment Charge. Payment of the total amount due must be received by Company or an authorized agent by the due date shown on the Bill which shall be fourteen (14) days from the date rendered. If a bill payment is not received within fourteen days of the date of the invoice, an additional amount of one and one half percent (1.5%) of the unpaid balance on the Customer's bill will be added to the Customer's subsequent bill and be due and payable as part of Customer's total obligation. This provision is not applicable to unpaid account balances of any customer enrolled in a payment plan pursuant to Rule 4901:1-18-04, Ohio Administrative Code.

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- (ii) Returned Check Charge. When a bank returns Customer's check unpaid, a Returned Check Charge of \$25.00 shall be added to Customer's Account. Customer will be assessed a maximum of one (1) Returned Check Charge per check returned unpaid.
 - (iii) Meter Test Charge. If a meter is tested at the request of a customer and said test result demonstrates that the meter was operating within plus or minus three percent (3%) slow or fast, a charge of \$35.00 shall be assessed. If the test result demonstrates that the meter was not operating within this range of accuracy, there shall be no charge for the test or removal. This charge shall not be assessed for the first such test performed in any 36-month period.
 - (iv) Tie-in Charge. If a tie-in is required to restore service to the same Customer whose service line was cut and plugged as a result of repeated detection of unauthorized use of service, the customer will be advised in advance that a charge of \$250.00 or actual cost, whichever is less, shall be assessed. Unauthorized use includes:
 - 1. Turning on gas at meter and/or curb valve after non-payment resulting in termination of gas service by Company; and
 - 2. Bypassing meter inlet and outlet connections after disabling or removal of meter by Company.
 - (v) Field Collection Charge. When a Company employee is dispatched to a customer's premises to disconnect service for nonpayment, the customer may avoid disconnection by paying the full amount owed. Provided, however, that the Company may assess a \$15.00 field collection charge for accepting such payment. This charge may be assessed either at the time the delinquent amount is collected or on a subsequent bill.
 - (vi) Reconnection Charge. When a customer that has previously been disconnected requests reconnection of service, the Company may charge and collect, prior to reconnecting service, a charge of \$30.00 for restoring service, regardless of the length of time the service was disconnected and regardless whether the disconnection was voluntary or involuntary. If service was disconnected as a result of unauthorized or fraudulent use by the customer, this charge is in addition to the Tie-in Charge.
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- (vii) New Service Tap Charge. Applicants applying for a new tap on the Company's system shall be assessed a new service tap charge of \$500.00 for a single family residence and \$1,000.00 for a multi-family or commercial property, or the actual cost of installing the new tap whichever is less.
- (viii) Meter Charge. The Company shall require commercial and industrial customers served under this rate schedule to reimburse the Company for its costs of furnishing these customers with a meter. However, the Company may waive such charge for competitive or economic development purposes.

3. LARGE GENERAL SERVICE (LGS).

(A). Base Rates.

- (i) Applicability. Applicable in all territories served by Company from existing distribution lines of Company having sufficient capacity therefore, to Customers at one location.
- (ii) Availability. Company shall not be required to furnish sales service hereunder to any Customer or applicant except by written Application for Large General Service by Customer to Company. Available to any commercial or industrial customer, provided that:
 - (a) Service can be rendered within the limits of the Company's operating conditions and facilities.
 - (b) Customer's consumption at the service location during one of the two most recent Annual Periods (November through October billing cycles) was at least 10,000 Mcf, or Customer presents evidence demonstrating to Company's satisfaction that it will consume at least 10,000 Mcf per year during future Annual Periods. In addition, at least 50% of Customer's annual consumption must be consumed in the seven billing months of April through October.

Company may, at its option, waive the requirement that 50% of the annual consumption occur during the seven months of April through October where such waiver is necessary in order to serve a load which would not otherwise be served by Company.

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Rates:

Monthly Customer Charge: \$100.00 per meter.

Volumetric Rates per Mcf:

First 100 Mcf per meter per month	\$2.50 per Mcf
Next 2,400 Mcf per meter per month	\$2.00 per Mcf
Next 7,500 Mcf per meter per month	\$1.00 per Mcf
Over 10,000 Mcf per meter per month	\$.75 per Mcf

(B). Adjustments to Base Rates

The base rates prescribed in Paragraph 1 shall be charged in addition to the current cost of gas purchased by the Company from its suppliers and also upon the current taxes, and expense incident to furnishing service to the Company's customers. Adjustments in such rates may be made for the reasons and in the manner provided in this Paragraph.

- (i) Gas Cost Adjustment. The current gas cost for gas purchased from the Company's suppliers shall be charged in addition to the volumetric charge in Paragraph 1. Gas costs shall include all costs related to the purchasing, storing and delivering of gas to the city-gates of the Company. These costs shall include all interstate or intrastate pipeline charges approved by the Federal Energy Regulatory Commission or by the Public Utilities Commission of Ohio, respectively. These purchased gas cost adjustments, including adjustments for supplier increases and decreases, shall be made, if necessary, not more frequently than monthly, and shall be calculated in accordance with Chapter 4901:1-14 of the Ohio Administrative Code which is incorporated herein by this reference, and shall be subject to Subparagraphs (ii) through (v), below.
- (ii) Gross Receipts Tax Rider. The Company will charge and collect each billing period the effect of the gross receipts taxes assessed against the Company under all applicable rates and charges. However, this Gross Receipts Tax Rider will not be applied to bills of customers statutorily exempt from the payment of gross receipts taxes. The current gross receipt tax rate is 4.75 percent, thus the current gross receipts tax charged will be at the effective rate of 4.98725 percent.
- (iii) Mcf Tax Rider. In addition to the above rates, the Company will charge and collect each billing period the effect of its excise tax liability. For each Mcf delivered, the

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Mcf tax will be \$.0411.

- (iv) Uncollectible Accounts Rider. In addition to and independent of the adjustments provided for in Subsections A and B above, the rates will be adjusted by an additional charge of \$.0 per Mcf by the Company to recover costs associated with uncollectible accounts for customers served pursuant to this schedule. No more frequently than annually, the Company may file an application with the Public Utilities Commission of Ohio requesting approval to adjust this charge if the Company determines that in the preceding year uncollectible accounts expense was over or under-recovered by plus or minus ten percent.

(C). Miscellaneous Charges

- (i) Late Payment Charge. Payment of the total amount due must be received by Company or an authorized agent by the due date shown on the Bill which shall be fourteen (14) days from the date rendered. If a bill payment is not received within fourteen days of the date of the invoice, an additional amount of one and one half percent (1.5%) of the unpaid balance on the Customer's bill will be added to the Customer's subsequent bill and be due and payable as part of Customer's total obligation. This provision is not applicable to unpaid account balances of any customer enrolled in a payment plan pursuant to Rule 4901:1-18-04, Ohio Administrative Code.
- (ii) Returned Check Charge. When a bank returns Customer's check unpaid, a Returned Check Charge of \$25.00 shall be added to Customer's Account. Customer will be assessed a maximum of one (1) Returned Check Charge per check returned unpaid.
- (iii) Meter Test Charge. If a meter is tested at the request of a customer and said test result demonstrates that the meter was operating within plus or minus three percent (3%) slow or fast, a charge of \$35.00 shall be assessed. If the test result demonstrates that the meter was not operating within this range of accuracy, there shall be no charge for the test or removal. This charge shall not be assessed for the first such test performed in any 36-month period.
- (iv) Tie-in Charge. If a tie-in is required to restore service to the same Customer whose service line was cut and plugged as a result of repeated detection of unauthorized use

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of service, the customer will be advised in advance that a charge of \$250.00 or actual cost, whichever is less, shall be assessed. Unauthorized use includes:

- (a) Turning on gas at meter and/or curb valve after non-payment resulting in termination of gas service by Company; and
- (b) Bypassing meter inlet and outlet connections after disabling or removal of meter by Company.
- (v) Field Collection Charge. When a Company employee is dispatched to a customer's premises to disconnect service for nonpayment, the customer may avoid disconnection by paying the full amount owed. Provided, however, that the Company may assess a \$15.00 field collection charge for accepting such payment. This charge may be assessed either at the time the delinquent amount is collected or on a subsequent bill.
- (vi) Reconnection Charge. When a customer that has previously been disconnected requests reconnection of service, the Company may charge and collect, prior to reconnecting service, a charge of \$30.00 for restoring service, regardless of the length of time the service was disconnected and regardless whether the disconnection was voluntary or involuntary. If service was disconnected as a result of unauthorized or fraudulent use by the customer, this charge is in addition to the Tie-in Charge.
- (vii) New Service Tap Charge. Applicants applying for a new tap on the Company's system shall be assessed a new service tap charge \$1,000.00 for a multi-family or commercial property, or the actual cost of installing the new tap whichever is less.
- (viii) Meter Charge. The Company shall require customers served under this rate schedule to reimburse the Company for its costs of furnishing these customers with a meter. However, the Company may waive such charge for competitive or economic development purposes.

4. GENERAL TRANSPORTATION SERVICE (GTS)

- (A). Applicability. Applicable in all territories served by Company from existing distribution lines of Company having sufficient capacity therefore, to Customers at one location.
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- (B). Availability. Company shall not be required to furnish transportation service hereunder to any customer or applicant except by written application for gas service by Customer or Company. Available to any commercial or industrial end-use Customer provided that service can be rendered within the limits of Company's operating conditions and facilities, and provided that Customer consumes at least 1000 Mcf per year between August 1st and July 31. Annual consumption for Customers served hereunder will be reviewed each July 31st. Service is subject to the Rules, Regulations and Rates as set forth in Section A of this Tariff.
- (C) Character of Service. Customer-owned gas must be received by Company on customer's behalf at a city gate which serves the local market area in which Customer's facilities are located. General Transportation Service shall consist of delivery of Customer-owned or supplied natural gas volumes injected by Customer into Company's facilities for redelivery by Company

Company shall allocate and reserve pipeline capacity of Company's facilities on behalf of Customer for redelivery of Customer's supply for consumption by Customer. On any day, Company shall deliver Customer's Authorized Daily Volume of gas as defined in Section A Part 1(E) hereof on a firm basis, with no planned interruption. However, Customer's Authorized Daily Volume is interruptible when such interruption is necessary due to force majeure conditions, or where service to higher priority customers as defined in Section A Part 1(M) of this tariff in the same local market area is threatened.

Fixed Delivery Charge. The Company will charge the following rates for Customer-owned volumes delivered by Company to Customer's facility where gas is being consumed:

First 500 Mcf per meter per month	\$3.00 per Mcf
Over 500 Mcf Delivered:	\$2.50 per Mcf

A Monthly Service Charge of \$70.00 per meter per month will be charged, regardless of the amount of gas consumed.

Flexible Delivery Charge. The Company, at its sole discretion, may offer transportation services at rates that are downwardly flexible from the maximum rates above. The lower bound shall be calculated on a Customer-specific basis for each Customer offered rates

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flexed from the maximum rates stated above.

The minimum rate shall not be less than the variable cost of providing service hereunder plus some contribution to fixed costs.

Such reduced rates will be determined based on competitive services available to the Customer and the Company's need for load preservation or the economic recovery of costs of the Company. Unless otherwise agreed by the Company and Customer, Customer shall pay the maximum rate for all volumes delivered hereunder.

- (D). Shrinkage. Company will retain the quantity of Gas required by the Company to replace the quantity of Gas that is required for lost-and-unaccounted-for Gas when transporting the tendered quantities. This percentage will be a system-wide average calculated annually by the Company.
- (E). Gross Receipts Tax Rider. The Company will charge and collect each billing period the effect of the gross receipts taxes assessed against the Company under all applicable rates and charges. However, this Gross Receipts Tax Rider will not be applied to bills of customers statutorily exempt from the payment of gross receipts taxes. The current gross receipt tax rate is 4.75 percent, thus the current gross receipts tax charged will be at the effective rate of 4.98725 percent.
- (F). Mcf Tax Rider. In addition to the above rates, the Company will charge and collect each billing period the effect of its excise tax liability. For each Mcf delivered, the Mcf tax will be \$.0411. A "flex customer" as defined in Ohio Rev. Code §5727.80(N) shall be assessed \$.0200 per Mcf with a corresponding reduction to the flexed base rate billed to that flex customer.
- (G). Miscellaneous Charges
 - (i) Late Payment Charge. Payment of the total amount due must be received by Company or an authorized agent by the due date shown on the Bill which shall be fourteen (14) days from the date rendered. If a bill payment is not received within fourteen days of the date of the invoice, an additional amount of one and one half percent (1.5%) of the unpaid balance on the Customer's bill will be added to the Customer's subsequent bill and be due and payable as part of Customer's total obligation.

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- (ii) Returned Check Charge. When a bank returns Customer's check unpaid, a Returned Check Charge of \$25.00 shall be added to Customer's Account. Customer will be assessed a maximum of one (1) Returned Check Charge per check returned unpaid.
- (iii) Meter Test Charge. If a meter is tested at the request of a customer and said test result demonstrates that the meter was operating within plus or minus three percent (3%) slow or fast, a charge of \$35.00 shall be assessed. If the test result demonstrates that the meter was not operating within this range of accuracy, there shall be no charge for the test or removal. This charge shall not be assessed for the first such test performed in any 36-month period.
- (iv) Tie-in Charge. If a tie-in is required to restore service to the same Customer whose service line was cut and plugged as a result of repeated detection of unauthorized use of service, the customer will be advised in advance that a charge of \$250.00 or actual cost, whichever is less, shall be assessed. Unauthorized use includes:
 - 1. Turning on gas at meter and/or curb valve after non-payment resulting in termination of gas service by Company; and
 - 2. Bypassing meter inlet and outlet connections after disabling or removal of meter by Company.
- (v) Field Collection Charge. When a Company employee is dispatched to a customer's premises to disconnect service for nonpayment, the customer may avoid disconnection by paying the full amount owed. Provided, however, that the Company may assess a \$15.00 field collection charge for accepting such payment. This charge may be assessed either at the time the delinquent amount is collected or on a subsequent bill.
- (vi) Reconnection Charge. When a customer that has previously been disconnected requests reconnection of service, the Company may charge and collect, prior to reconnecting service, a charge of \$30.00 for restoring service, regardless of the length of time the service was disconnected and regardless whether the disconnection was voluntary or involuntary. If service was disconnected as a result of unauthorized or fraudulent use by the customer, this charge is in addition to the

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Tie-in Charge.

- (vii) New Service Tap Charge. Applicants applying for a new tap on the Company's system shall be assessed the actual cost of installing the new tap.
- (viii) Meter Charge. The Company shall require customers served under this rate schedule to reimburse the Company for its costs of furnishing these customers with a meter. However, the Company may waive such charge for competitive or economic development purposes.

5. LARGE GENERAL TRANSPORTATION SERVICE (LGTS).

- (A). Applicability. Applicable in all territories served by Company from existing distribution lines of Company having sufficient capacity therefore, to Customers at one location.
- (B). Availability. Company shall not be required to furnish transportation service hereunder to any Customer or applicant except by written Application for Transportation Service by Customer to Company. Available to any commercial or industrial customer, provided that:
 - (i) Service can be rendered within the limits of the Company's operating conditions and facilities.
 - (ii) Customer's consumption during one of the two most recent Annual Periods (November through October billing cycles) was at least 10,000 Mcf, or Customer presents evidence demonstrating to Company's satisfaction that it will consume at least 10,000 Mcf per year during future Annual Periods. In addition, at least 50% of Customer's annual consumption must be consumed in the seven billing months of April through October.
 - (iii) Service is subject to the Rules, Regulations and Rates as set forth in Section A of this Tariff.

Company may, at its option, waive the requirement that 50% of the annual consumption occur during the seven months of April through October where such waiver is necessary in order to serve a load, which would not otherwise be served by Company.

In the event that Customer no longer qualifies for service hereunder, Company may, upon

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thirty (30) days notice, terminate service hereunder and commence service under its GTS schedule, in which case Customer's Application for Transportation Service shall be deemed amended to reflect such change in service and rates.

- (C). Character of Service. Customer-owned gas must be received by Company on customer's behalf at a city gate which serves the local market area in which Customer's facilities are located. Large General Transportation Service shall consist of delivery of Customer-owned or supplied natural gas volumes injected by Customer into Company's facilities for redelivery by Company

Company shall allocate and reserve pipeline capacity of Company's facilities on behalf of Customer for redelivery of Customer's supply for consumption by Customer. On any day, Company shall deliver Customer's Authorized Daily Volume of gas as defined in Section A Part 1(E) hereof on a firm basis, with no planned interruption. However, Customer's Authorized Daily Volume is interruptible when such interruption is necessary due to force majeure conditions, or where service to higher priority customers as defined in Section A Part 1(M) of this tariff in the same local market area is threatened.

Fixed Delivery Charge. The Company will charge the following rates for Customer-owned volumes delivered by Company to Customer's facility where gas is being consumed:

First 100 Mcf per meter per month	\$2.50 per Mcf
Next 2,400 Mcf per meter per month	\$2.00 per Mcf
Next 7,500 Mcf per meter per month	\$1.00 per Mcf
Over 10,000 Mcf per meter per month	\$.75 per Mcf

A Monthly Service Charge of \$100.00 per meter per month will be charged, regardless of the amount of gas consumed.

Flexible Delivery Charge. The Company, at its sole discretion, may offer transportation services at rates that are downwardly flexible from the maximum rates above. The lower bound shall be calculated on a Customer-specific Customer basis for each Customer offered rates flexed from the maximum rates stated above.

The minimum rate shall not be less than the variable cost of providing service hereunder plus some contribution to fixed costs.

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Such reduced rates will be determined based on competitive services available to the Customer and the Company's need for load preservation or the economic recovery of costs of the Company. Unless otherwise agreed by the Company and Customer, Customer shall pay the maximum rate for all volumes delivered hereunder.

- (D). Shrinkage. Company will retain the quantity of Gas required by the Company to replace the quantity of Gas that is required for lost-and-unaccounted-for Gas when transporting the tendered quantities. This percentage will be a system-wide average calculated annually by the Company.
- (E). Gross Receipt Tax Rider. The Company will charge and collect each billing period the effect of the gross receipts taxes assessed against the Company under all applicable rates and charges. However, this Gross Receipts Tax Rider will not be applied to bills of customers statutorily exempt from the payment of gross receipts taxes. The current gross receipt tax rate is 4.75 percent, thus the current gross receipts tax charged will be at the effective rate of 4.98725 percent.
- (F). Mcf Tax Rider. In addition to the above rates, the Company will charge and collect each billing period the effect of its excise tax liability. For each Mcf delivered, the Mcf tax will be \$.0411. A "flex customer" as defined in Ohio Rev. Code §5727.80(N) shall be assessed \$.0200 per Mcf with a corresponding reduction to the flexed base rate billed to that flex customer.
- (G). Miscellaneous Charges
 - (i) Late Payment Charge. Payment of the total amount due must be received by Company or an authorized agent by the due date shown on the Bill which shall be fourteen (14) days from the date rendered. If a bill payment is not received within fourteen days of the date of the invoice, an additional amount of one and one half percent (1.5%) of the unpaid balance on the Customer's bill will be added to the Customer's subsequent bill and be due and payable as part of Customer's total obligation.
 - (ii) Returned Check Charge. When a bank returns Customer's check unpaid, a Returned Check Charge of \$25.00 shall be added to Customer's Account. Customer will be assessed a maximum of one (1) Returned Check Charge per

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check returned unpaid.

- (iii) Meter Test Charge. If a meter is tested at the request of a customer and said test result demonstrates that the meter was operating within plus or minus three percent (3%) slow or fast, a charge of \$35.00 shall be assessed. If the test result demonstrates that the meter was not operating within this range of accuracy, there shall be no charge for the test or removal. This charge shall not be assessed for the first such test performed in any 36-month period.
- (iv) Tie-in Charge. If a tie-in is required to restore service to the same Customer whose service line was cut and plugged as a result of repeated detection of unauthorized use of service, the customer will be advised in advance that a charge of \$250.00 or actual cost, whichever is less, shall be assessed. Unauthorized use includes:
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 - (b) Bypassing meter inlet and outlet connections after disabling or removal of meter by Company.
- (v) Field Collection Charge. When a Company employee is dispatched to a customer's premises to disconnect service for nonpayment, the customer may avoid disconnection by paying the full amount owed. Provided, however, that the Company may assess a \$15.00 field collection charge for accepting such payment. This charge may be assessed either at the time the delinquent amount is collected or on a subsequent bill.
- (vi) Reconnection Charge. When a customer that has previously been disconnected requests reconnection of service, the Company may charge and collect, prior to reconnecting service, a charge of \$30.00 for restoring service, regardless of the length of time the service was disconnected and regardless whether the disconnection was voluntary or involuntary. If service was disconnected as a result of unauthorized or fraudulent use by the customer, this charge is in addition to the Tie-in Charge.

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- (vii) New Service Tap Charge. Applicants applying for a new tap on the Company's system shall be assessed the actual cost of installing the new tap.
- (viii) Meter Charge. The Company shall require customers served under this rate schedule to reimburse the Company for its costs of furnishing these customers with a meter. However, the Company may waive such charge for competitive or economic development purposes.

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