

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

17
RECEIVED-DOCKETING DIV
2008 SEP 10 PM 4:50
PUCO

**In the Matter of the Application of The
East Ohio Gas Company d/b/a Dominion
East Ohio for Authority to Increase Rates
for its Gas Distribution Service.**

Case No. 07-829-GA-AIR

**In the Matter of the Application of The
East Ohio Gas Company d/b/a Dominion
East Ohio for Approval of an Alternative
Rate Plan for its Gas Distribution Service**

Case No. 07-830-GA-ALT

**In the Matter of the Application of The
East Ohio Gas Company d/b/a Dominion
East Ohio for Approval to Change
Accounting Methods**

Case No. 07-831-GA-AAM

**In the Matter of the Application of The
East Ohio Gas Company d/b/a Dominion
East Ohio for Approval of Tariffs to
Recover Certain Costs Associated with a
Pipeline Infrastructure Replacement
Program Through an Automatic
Adjustment Clause, And for Certain
Accounting Treatment**

Case No. 08-169-GA-ALT

**In the Matter of the Application of The
East Ohio Gas Company d/b/a Dominion
East Ohio for Approval of Tariffs to
Recover Certain Costs Associated with
Automated Meter Reading Deployment
Through an Automatic Adjustment Clause,
and for Certain Accounting Treatment**

Case No. 06-1453-GA-UNC

**POST-HEARING BRIEF
OF THE EAST OHIO GAS COMPANY
D/B/A DOMINION EAST OHIO**

This is to certify that the images appearing are an
accurate and complete reproduction of a case file
document delivered in the regular course of business
Technician Date Processed 9-11-08

I. INTRODUCTION

The rate design agreed to by The East Ohio Gas Company d/b/a Dominion East Ohio (“DEO” or the “Company”), Staff, and the Ohio Oil & Gas Association (“OOGA”) is just and reasonable. (*See* Stip., Joint Ex. 1-A.) Moreover, it is the proposal most consonant with the regulatory principles that guide the Commission in designing rates, and certainly more so than the decoupling rider supported by the consumer groups.¹

II. ARGUMENT

There is no dispute that some type of decoupling mechanism is required for DEO. The *specific design of that mechanism is up to the broad discretion of the Commission.*

A. The Choice Between Competing Rate Designs Is Solely Entrusted to the Broad Discretion of the Commission.

1. The issue before the Commission is not *whether* decoupling should be instituted, but *how*.

Agreement has been reached on almost all of the issues in this case, including the amount of the revenue increase required by DEO (Stip. ¶ 2.) and the appropriate resolution of DEO’s proposed Pipeline Infrastructure Replacement and Automated Meter Reading Deployment cost recovery mechanisms (*id.* ¶¶ 3.O. & 3.P.). But most importantly, there is now no dispute that some form of decoupling mechanism is necessary to protect the Company from the financial instability resulting from revenue erosion. (*See, e.g.*, Stip. ¶ 3.B. (characterizing the disputed issue as the “sales decoupling rider vs. straight fixed variable issue”); OCC Objections, p. 15 (June 23, 2008) (“OCC objects to the Staff’s recommendation to reject the Company’s Sales Reconciliation Rider (“SRR”) [that is, the decoupling mechanism proposed by DEO in its initial

¹ The “consumer groups” refers collectively to Office of the Ohio Consumers’ Counsel (“OCC”), Ohio Partners for Affordable Energy, the City of Cleveland, and the Citizens’ Coalition. For ease of reference, DEO will refer to the proposal supported by the Company, Staff, and OOGA as “the SFV proposal,” and the proposal supported by the consumer groups as “the rider proposal.”

application].”).) OCC’s own rate-design witness, Frank Radigan, expressly “support[ed] the rate design proposed by the company in its application . . . [i]ncluding the sales reconciliation rider” (Tr. V, p. 18), which would “decoupl[e] the linkage between customer usage and the Company’s opportunity to receive revenue,” (Application, Alt. Reg. Ex. A, p. 2). While the parties may disagree as to the details of the decoupling mechanism, the need for decoupling is undisputed.

This need is heightened by the robust increase in funding recommended for demand side management (“DSM”) programs. (*See* Stip.¶ 3.C. (increasing DSM funding from current level of \$3.5 million to \$9.5 million).) Aggressive funding of these programs will accelerate the decline in usage per customer already being experienced by DEO (*see* Staff Ex. 1 (5/23 Staff Report), p. 34), while DEO’s cost to serve such customers will more or less remain the same (*see*, e.g., DEO Ex. 1.4 (Murphy 4th Supp. Dir.), p. 9). Without some form of decoupling, the resultant revenue reductions caused by these DSM programs, among other factors, could eventually result in financial instability for DEO. (Tr. V (Radigan Cross), p. 26.) Financial instability—which could lead to higher capital costs and operational strains—is not good for the Company or its customers. *See, e.g., In re Duke Energy-Ohio*, Case No. 07-589-GA-AIR, Opin. & Order, p. 17–18 (May 28, 2008) (hereinafter, “*Duke*, Opin. & Order”).

Thus, the issue to be resolved is relatively narrow—how should decoupling be implemented. This is an issue entrusted to the discretion of the Commission.

2. Rate design is a matter entrusted to the discretion of the Commission.

There is perhaps no issue more within the specialized expertise of the Commission than the appropriate design and structure of rates and charges. While the Revised Code provides detailed guidance on many aspects of the rate-making process (in particular, on determining the revenue requirement), there are no statutory provisions expressly related to rate design. The Supreme Court of Ohio has thus recognized that rate design is a matter for the Commission and

not the Court. For instance, in an appeal from an order regarding rate design, the Court recently recognized that its function is “not to weigh the evidence or to choose between alternative, fairly debatable rate structures.” *Green Cove Resort I Owners’ Assn. v. Pub. Util. Comm.*, 103 Ohio St.3d 125, 130, 2004-Ohio-4774, ¶ 25 (internal quotation marks removed). The Court noted that, for the Court to choose “alternative, fairly debatable rate structures” “would be to interfere with the jurisdiction and competence of the commission and to assume powers which this court is not suited to exercise.” *Id.* Indeed, the Court affords the Commission “considerable discretion in matters of rate design.” *Gen. Motors Corp. v. Pub. Util. Comm.* (1976), 47 Ohio St.2d 58, 65–66 (affirming order on rate design and stating that rate design “requires primarily an exercise of judgment and discretion by the Commission”).

Here, the alternatives presented to the Commission—the SFV approach supported by DEO, Staff, and OOGA or the rider supported by the consumer groups—are, at the very least, “fairly debatable.” Both are consistent with the results of the class cost of service study (DEO Ex. 1.4, p. 10), and both would provide the Company’s revenue requirement (*id.*, p. 14–15). Neither violates any statute or decision of the Supreme Court. The issue, then, is not which rate design is legal, but which rate design is best. In determining which rate design is “best,” the Commission should choose the design that is most consonant with those overarching regulatory principles that act as guideposts as the Commission exercises its duties, particularly with regard to rate design. Here, the SFV proposal meets that test.

B. The SFV Proposal Best Satisfies Fundamental Regulatory and Ratemaking Principles.

The SFV proposal would apply only to customers consuming less than 3,000 Mcf per year under the General Sales Service and Energy Choice Transportation Service (collectively, “GSS”) schedules. It would be phased in over two years. In the first year, the fixed charge

would be \$12.50 a month, and a two-tiered volumetric charge would be in place (\$0.625 per Mcf for the first 50 Mcf, and \$1.051 per Mcf thereafter). In the second year, the fixed charge would rise to \$15.40 a month, and volumetric rates would decline (\$0.355 per Mcf for the first 50 Mcf, and \$0.603 per Mcf thereafter). While the proposed rate design would not fully recover DEO's fixed cost of service through the fixed charge — making this, in essence, a “modified” SFV design (*see* DEO Ex. 1.4, p. 7) — it is a step in that direction. As demonstrated below, the SFV proposal is most consistent with the fundamental regulatory principles and policies that guide the Commission in the exercise of its discretion.

1. The SFV proposal is more consistent with the principle of cost causation.

The principle of cost causation is based on the premise that, to the extent practical, the rates charged to a customer should reflect the company's cost to serve that customer. The Supreme Court has recognized the fundamental importance of cost causation in structuring rates: “Although different criteria or classifications may be utilized in the establishment of reasonable utility rate structures, the basic underlying consideration is that of cost of service rendered.” *City of Columbus v. Pub. Util. Comm.* (1992), 62 Ohio St. 3d 430, 438 (internal quotation marks omitted); *see also* R.C. 4909.151 (authorizing the Commission to “consider the costs attributable to . . . service” in the ratemaking process). OCC's rate-design witness agreed that “properly designed rates” should “reflect the company's costs.” (Tr. V (Radigan Cross), p. 25.)

There is no dispute that the Company's costs of providing distribution service are predominantly fixed. OCC's Mr. Radigan testified that “most of the company's operating costs are fixed.” (Tr. IV (Radigan Cross), p. 26.)² The cost-of-service study prepared by DEO also

² Although Mr. Radigan speculated that there were variations in the size of service lines, meters, and mains serving residential customers and non-residential customers, he admitted that he had not “looked at a single design layout, . . . service layout, [or] main layout of any customer in East Ohio's territory.” (Tr. IV, p. 27.) It is not

indicated “that the type of costs that the [company] incurs to provide distribution service are predominantly fixed in nature.” (Tr. IV (Murphy Cross), p. 48.)³ DEO witness Jeffrey Murphy likewise testified that DEO’s “operation and maintenance expenses” and “other major elements of the cost of service” “are predominantly fixed in nature and do not vary with usage.” (DEO Ex. 1.4, p. 9.)

Because DEO’s costs are predominantly fixed, the principle of cost causation supports a fixed charge to recover them. Otherwise, the costs of providing distribution service are not matched to the customers taking distribution service. At present, the \$5.70 fixed charge provides only “approximately 30 percent recovery” of base-rate revenues. (Tr. IV (Murphy Re-Cross), p. 89.) Upon full implementation of the SFV proposal, 84 percent of DEO’s base-rate revenues will be recovered in the fixed charge. (DEO Ex.1.4, p. 8.) The SFV proposal thus “follows cost causation principles in . . . recover[ing] what are essentially fixed costs in a more fixed manner.” (Tr. IV (Murphy Re-Dir.), p. 83.) The SFV proposal is consistent with the principle of cost causation.

As OCC witness Radigan admitted, under traditional rate designs the ability of a company to recover its costs depends on its volumetric sales. (Tr. V, p. 26.) When compared to SFV, a decoupling rider requires customers to pay a higher portion of fixed distribution costs

(continued...)

surprising then that Mr. Radigan provided no specific recommendation or criticism concerning the allocation of costs to the GSS class, but only offered generic recommendations regarding future studies. (See OCC Ex. 21 (Radigan Dir.), p. 21.) Mr. Radigan, however, conceded DEO’s cost-of-service study was “reasonably conducted and . . . follow[ed] generally accepted guidelines for such studies.” (*Id.*) DEO’s Mr. Andrews testified about that study and rebutted the inference attempted to be made by Mr. Radigan. Mr. Andrews stated that, if any subsidy is taking place, “the nonresidential within the GSS class are subsidizing the residential.” (Tr. I (Andrews Re-Dir.), p. 235; see also *id.* (Andrews Re-Cross), p. 237 (“if there is a subsidy, it’s the residentials that are being subsidized”).)

³ OCC introduced testimony questioning the inclusion of non-residential customers in the GSS class. (See OCC Ex. 21, p. 21 (“[T]he cost to serve [non-residential] customers should be separately developed for rate-making purposes.”).) On this score, OCC has no cause for complaint. The record shows that the inclusion of non-residential customers in the GSS class is actually “a benefit to . . . residential customers because it ends up *lowering* the costs to serve the [GSS] class as a whole.” (Tr. I (Andrews Cross), p. 219 (emphasis added).)

during the heating season. (*Id.*; see also *Duke*, Opin. & Order, p. 18 (SFV produces “more stable customer bills throughout all seasons because fixed costs will be recovered evenly throughout the year,” whereas under a rider customers “pay a higher portion of their fixed costs during the heating season when their bills are already the highest”).) Because that pattern of revenue recovery is inconsistent with the manner in which costs are incurred, the rider proposal does not embody the degree of cost causation inherent in the SFV proposal.

2. The SFV proposal sends more accurate price signals.

Closely related to cost-causation is the principle that rates should send proper price signals. (See, e.g., Tr. V (Radigan Cross), p. 25.) As the Commission held in the context of eliminating price distortions caused by the GCR mechanism, proper price signals are important because among other things they “promot[e] more informed . . . consumption and conservation choices by . . . end users.” *In re DEO*, Case No. 05-474-GA-ATA, Opin. & Order at 19 (May 26, 2006). As in that case, this case gives the Commission another opportunity to hone the price signals received by customers.

As OCC’s witness Radigan agreed, “properly designed rates send proper price signals when they properly reflect the company’s costs.” (Tr. V, pp. 25–26.) The Company’s non-gas costs, as discussed above, are primarily fixed. For this reason, rates that suggest the Company’s cost to serve varies with monthly usage send misleading price signals. This misleading signal is embedded in the rates currently charged by DEO and would not be corrected by the rider proposal.

The SFV proposal, on the other hand, would accurately communicate to customers the fact that DEO’s costs to serve them are predominantly fixed. As Mr. Murphy explained, SFV provides customers with a certain price signal that will not include true-ups reflecting activity from prior periods. (See DEO Ex. 1.4, pp. 10–11.) By reducing the portion of the variable rate

attributable to distribution service, SFV further provides an accurate indication of what costs are avoided, namely, the cost of the commodity. (*See id.*, p. 11.)

Although the consumer groups have implied that any reduction in the variable rate will render conservation futile, they ignore the plain fact that gas cost is (and will remain) the largest charge on most bills and thus the primary driver of conservation decisions. (*See, e.g.*, Tr. V (Radigan Cross), p. 22–23 (stating that “the total bill” is “biggest driver of usage decisions” and that the “[c]ommodity portion [of the bill] is the largest”); *Duke*, Opin. & Order, p. 19 (“The largest portion of the bill . . . is for the gas that the customer uses.”).) And indisputably, conserving customers will reap the full value of gas-cost savings under SFV. (Staff Ex. 3, p. 4; *see also Duke*, Opin. & Order, p. 19 (“[G]as usage will still have the biggest influence on the price signals received by the customer when making gas consumption decisions, and customers will still receive the benefits of any conservation efforts in which they engage.”).) Conservation is not discouraged by SFV.

Given the un rebutted record evidence that distribution costs are primarily fixed, no party can reasonably dispute that the SFV proposal sends a more accurate price signal. In contrast, the rider proposal sends a misleading price signal. That proposal does not properly reflect the costs that may be avoided with conservation. With its successive true-ups, the rider adds further layers of distortion over time. As the rider is adjusted to compensate for prior-period revenue fluctuations, the rate paid in any given year will bear an increasingly random relationship with the actual costs of service for the period in which the service is rendered. The inevitability of true-ups also tends to make it more difficult to make decisions based on the price of distribution service; for example, “customers cannot readily project how much they will save on base rates by engaging in conservation measures under decoupling,” because a reduction in current

consumption leads to rate “increase[s] in a subsequent period to offset the impact on base rate revenues.” (DEO Ex. 1.4, p. 10.) The rider proposal thus does not send accurate price signals but further distorts them.

Recognizing the relatively remote relationship between costs and rates under the proposed rider, OCC and other consumer groups attempt to change the inquiry. They argue that a price signal should be evaluated not based on whether it is *accurate*, but on whether it achieves the consumer groups’ other preferred policy goals. (See, e.g., OCC Ex. 21 (Radigan Dir.), p. 10 (describing a rate design that “reduces the incentive on the part of DEO’s customers to reduce their usage” as sending “the wrong price signal”).) But, as Mr. Murphy testified, “When customers conserve, the one cost they truly avoid is the cost of the commodity itself. They do not contribute to any meaningful reduction in the cost of distribution service.” (See DEO Ex. 1.4, p. 11.) Thus, any “savings” achieved by a conserving customer via not paying non-gas costs are illusory. As Mr. Radigan admitted, a reduction in sales under the rider proposal only results in subsequent increases in rates. (Tr. V, p. 23.) Simply put, the price signal sent by the rider proposal is not only wrong, it is misleading.

3. The SFV proposal achieves simplicity; the rider does not.

Rates should be designed to be simple; rates should be understandable to customers. See, e.g., *Duke*, Opin. & Order, p. 18 (“A levelized rate design . . . has the advantage of being easier for customers to understand. Customers will transparently see most of the costs that do not vary with usage recovered through a flat monthly fee.”). SFV, relative to the rider proposal, is not difficult to understand in either concept or implementation.

Billing under the SFV proposal is straightforward—a fixed charge collects most fixed costs, and per-unit charges mostly collect costs that vary with usage. There is simplicity in this.

Indeed, even OCC witness Radigan agreed that “levelized rates are easier for a customer to understand.” (Tr. V, p. 21.)

In contrast, Mr. Radigan also agreed that while rate design in general is “difficult to explain,” a decoupling rider is “harder to explain” than SFV. (Tr. V (Radigan Cross), p. 21.)⁴ The Commission has made the same finding. *See Duke*, Opin & Order, p. 18 (“A decoupling rider . . . is much more complicated and harder to explain to customers [than SFV].”). This is certainly the case. Whereas SFV straightforwardly recovers fixed costs in a fixed charge, the rider proposal adds numerous layers of explanation and multiple proceedings to adjust the rider in successive periods. As the Commission has observed, “It is difficult for customers to understand why they have to pay more through a decoupling rider if they worked hard to reduce their usage; the appearance is that the company is penalizing them for their conservation efforts.” *See Duke*, Opin. & Order, p. 18.

Not only is the rider proposal complex to explain, it would be complex to execute. Instead of making a one-time, upfront shift in how fixed costs are recovered, the rider proposal would require additional proceedings and inquiries. And it is not as though the rider proceedings would themselves be simple. As Mr. Puican testified, “The annual true-ups required [by the rider proposal] invite contentious proceedings as parties argue about such things as the details of weather-normalization methodologies,” and would also “invite parties to argue for restrictions on full recovery or to seek other types of concessions.” (Staff Ex. 3, p. 6.) OCC witness Radigan agreed with this assessment. (Tr. V, pp. 24–25 (admitting that issues such as “how to

⁴ On cross-examination, Mr. Radigan initially stated that decoupling was “slightly more difficult” to explain. (Tr. V, pp. 19–20.) This answer was inconsistent with his testimony during his deposition. Upon being confronted with his different answer to the same question during his deposition, he modified his answer, as described.

normalize,” and how to determine “real normalized consumption,” can be “highly disputed” in decoupling rider adjustment proceedings).)

4. The SFV proposal better advances Ohio energy policy.

(a) SFV aligns the interests of DEO and its customers with respect to energy efficiency and conservation.

The most recent amendment to R.C. 4929.02 provides that Ohio policy is to “[p]romote an alignment of natural gas company interests with consumer interest in energy efficiency and energy conservation.” R.C. 4929.02(A)(12). The SFV proposal accomplishes this goal.

So long as distribution rates are designed to collect fixed costs volumetrically, a reduction in usage equals a reduction in revenues. (*See* Staff Ex. 1 (5/23/08 Staff Report), p. 34.) This creates a logical disincentive for LDCs to promote conservation. Under the SFV proposal, DEO will recover 84 percent of its base-rate revenues through the fixed charge, up from approximately 30 percent. By significantly lessening the tie between a customer’s usage and DEO’s revenues, the SFV proposal in this case eliminates the primary disincentive to the Company’s support of conservation measures.

While a portion of DEO’s revenue is still tied to customer usage, the SFV proposal is nevertheless sufficient to align DEO’s interests in conservation with the interests of its customers. The Company explicitly testified to this. (*See* DEO Ex. 1.4, p. 9 (“[T]he proposed [SFV] rate design significantly reduces the adverse revenue impact that the Company would otherwise experience from energy conservation by end use customers.”). DEO’s willingness to nearly triple its DSM funding provides ample evidence that SFV better aligns the Company’s interest in promoting conservation with that of its customers than the traditional rate design alternative. (*See* Stip. ¶ 3.C.)

(b) By providing more accurate price signals, SFV would tend to improve market operation and customer participation.

R.C. 4929.02(A)(5) provides that Ohio policy is to “encourage cost-effective and efficient access to information regarding the operation of the distribution systems of natural gas companies in order to promote effective customer choice of natural gas services and goods.”

This policy goal is advanced by SFV. Improving the price signals sent by rates gives customers “information” regarding distribution service that will “promote effective choice of natural gas services and goods.” For instance, decisions whether to invest in conservation would be informed by a better understanding of what costs will actually be avoided. (*See* Staff Ex. 3 (Puican Dir.), p. 5.) SFV also provides upfront, timely information regarding the cost of service that will never be distorted by true-ups reflecting prior period costs. (*See, e.g.*, DEO Ex. 1.4, p. 10 (“Customers have greater certainty with respect to the impact of the conservation decisions they make” under SFV, whereas under decoupling, “conservation decisions impact future base rates in a largely unknown manner.”).) Such information can only enhance customer participation in markets for natural gas services and goods.

(c) The SFV proposal avoids subsidies.

The SFV proposal also advances the anti-subsidy policy announced in R.C. 4929.02(A)(8). That statute provides that Ohio policy is to “[p]romote effective competition in the provision of natural gas services and goods by avoiding subsidies flowing to or from regulated natural gas services and goods.”

The record shows that SFV avoids a subsidy that would occur under the rider proposal. The rider, Mr. Murphy testified, would result in non-conservers subsidizing new conservers, because if “my neighbor conserves more than I do, my costs go up when the decoupling rider is subsequently adjusted to reflect his reduced [usage].” (DEO Ex. 1.4, p. 11.) Thus, SFV avoids

the subsidization of conservation services and goods by regulated rates that would occur under the consumer groups' rate-design proposal.

SFV also avoids the subsidization of low-usage customers by normal- and high-usage customers, with respect to the fixed costs of distribution service. *See Duke*, Opin. & Order, p. 19 (SFV "fairly apportions the fixed costs of service, which do not change with usage, among all customers, so that everyone pays his or her fair share."). As Mr. Murphy testified, "While much has been made of the fact that low-usage customers will bear more revenue responsibility under the levelized rate design [than under current rates], that rate design basically corrects inequities from the traditional approach by having all GSS Class customers bear a more appropriate share of the cost to serve." (DEO Ex. 1.4, p. 12.)

5. The SFV proposal contains a number of measures that satisfy the principle of gradualism.

Another principle to be considered by the Commission in evaluating rate design is gradualism. This principle counsels that the impact of rate changes should be minimized to the extent reasonably possible. (*See Staff Ex. 1*, p. 28.)

In considering the change proposed here, SFV represents a move towards more equitable rates. DEO concedes that some customers may experience a greater percentage increase in their total bill as a result of the elimination of past subsidies. To mitigate this impact, DEO has agreed to a number of measures.

First, DEO will not recover the full amount of its fixed costs through the fixed charge. (*See DEO Ex. 1.4*, p. 8 ("[T]he rates proposed in the Stipulation and Recommendation do not recover all fixed cost in the fixed monthly customer charge.")) As Mr. Murphy testified, only 84 percent of annual base-rate revenues will be provided by the \$15.40 fixed monthly charge for

the average residential customer using 99.1 Mcf per year. Thus, this is a “modified” SFV rate design, and does not cover the entire distance from traditional volumetric rates to “pure” SFV.

Second, DEO has agreed to phase in SFV rates over two years. This gradation in the fixed-charge increase will give affected customers an opportunity to adjust to the elimination of past subsidies. It will also reduce the bills received by some low-use customers during the first year.

Third, while not a part of the SFV proposal *per se*, the nearly three-fold increase in DSM spending from \$3.5 million to \$9.5 million and additional \$1.2 million funding of groups and programs supporting low-income consumers is yet another way the potential impact of the SFV proposal is being mitigated. A substantial portion of the DSM funding is targeted at low-income customers. (*See* Stip. ¶ 3.C. & n.2 (providing a total of \$6.5 million in annual DSM funding for “low income customers”).) And the \$1.2 million for consumer-assistance groups will support, among other things, assistance to low-income families and a fuel fund. (*See* Stip. ¶ 3.D.)

These measures together substantially mitigate potential impacts of the SFV proposal. Thus, the SFV proposal satisfies the principle of gradualism.

III. CONCLUSION

For the reasons explained above, the Commission should adopt the rate-design proposal set forth in Joint Exhibit 1-A, and reject the proposal offered by the consumer groups.

Respectfully submitted,



David A. Kutik

JONES DAY

North Point, 901 Lakeside Avenue

Cleveland, Ohio 44114

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

dakutik@jonesday.com

Mark A. Whitt (Counsel of Record)

Andrew J. Campbell

JONES DAY

325 John H. McConnell Blvd., Suite 600

P. O. Box 165017

Columbus, Ohio 43216-5017

Telephone: (614) 469-3939

Facsimile: (614) 461-4198

mawhitt@jonesday.com

ajcampbell@jonesday.com

ATTORNEYS FOR THE EAST OHIO GAS
COMPANY D/B/A DOMINION EAST OHIO

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Post-Hearing Brief of The East Ohio Gas Company d/b/a Dominion East Ohio was delivered to the following persons by electronic mail this 10th day of September, 2008.



Andrew J. Campbell

Interstate Gas Supply, Inc.
John Bentine, Esq.
Mark Yurick, Esq.
Chester, Wilcox & Saxbe LLP
65 East State Street, Suite 1000
Columbus, OH 43215-4213
jbentine@cwslaw.com
myurick@cwslaw.com

Office of the Ohio Consumers' Counsel
Joseph Serio, Esq.
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
serio@occ.state.oh.us

Ohio Partners for Affordable Energy
David Rinebolt, Esq.
P.O. Box 1793
Findlay, OH 45839-1793
drinebolt@aol.com

UWUA Local G555
Todd M. Smith, Esq.
Schwarzwald & McNair LLP
616 Penton Media Building
1300 East Ninth Street
Cleveland, Ohio 44114
tsmith@smcnlaw.com

The Neighborhood Environmental Coalition,
The Empowerment Center of Greater
Cleveland, The Cleveland Housing Network,
and The Consumers for Fair Utility Rates
Joseph Meissner, Esq.
The Legal Aid Society of Cleveland
1223 West 6th Street
Cleveland, OH 44113
jpmeissn@lasclev.org

Dominion Retail
Barth E. Royer
33 South Grant Avenue
Columbus, OH 43215-3927
barthroyer@aol.com

Stand Energy Corporation
John M. Dosker, Esq.
General Counsel
1077 Celestial Street, Suite 110
Cincinnati, OH 45202-1629
jdosker@stand-energy.com

Integrays Energy Services, Inc.
M. Howard Petricoff
Stephen M. Howard
VORYS, SATER, SEYMOUR AND PEASE
LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
mhpetricoff@vorys.com

The Ohio Oil & Gas Association
W. Jonathan Airey
VORYS, SATER, SEYMOUR AND PEASE
LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
wjairey@vssp.com

Stephen Reilly
Anne Hammerstein
Office of the Ohio Attorney General
Public Utilities Section
180 East Broad Street, 9th Floor
Columbus, Ohio 43215
stephen.reilly@puc.state.oh.us
anne.hammerstein@puc.state.oh.us

Robert Triozzi
City of Cleveland
Cleveland City Hall
601 Lakeside Avenue, Room 206
Cleveland, Ohio 44114-1077
RTriozzi@city.cleveland.oh.us
SBeeler@city.cleveland.oh.us