

## JONES DAY

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276240-071207

February 18, 2009

Reneé J. Jenkins  
Director of Administration  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 13th Floor  
Columbus, Ohio 43215

RECEIVED-DOCKETING DIV  
2009 FEB 18 PM 3:55  
PUCO

Re: Case Nos. 07-829-GA-AIR; 07-830-GA-ALT; 07-831-GA-AAM; 08-169-GA-ALT;  
06-1453-GA-UNC

Dear Ms. Jenkins:

Pursuant to the October 22, 2008 Entry in the above-captioned case, DEO is submitting for the Commission's review and approval the following proposed tariff sheets, which are attached:

- General Sales Service – Low Usage Heat Pilot Program (GSS-LU)
- Energy Choice Transportation Service – Low Usage Heat Pilot Program (ECTS-LU)

In the October 15, 2008 Opinion and Order in this case, the Commission ordered DEO to consult with Staff and the parties to "establish eligibility qualifications for [the low-income pilot] program by . . . determining and setting the maximum low-usage volume projected to result in the inclusion of 5,000 low-income customers who are determined to be at or below 175 percent of the poverty level." Opin. & Order, p. 26-27. Subsequent to the Commission's approval of the draft tariffs in the October 22, 2008 Entry, DEO worked with the Commission Staff to determine an annual low-usage volume of 70 Mcf reflected in the attached tariffs designed to result in 5,000 eligible customers for the pilot program. DEO circulated to the parties and solicited comments regarding the attached tariffs via electronic mail on February 5, 2009.

DEO received comments from one party regarding the proposed tariffs sheets. The Office of the Ohio Consumers' Counsel ("OCC") informed DEO that it did not agree with the 70 Mcf eligibility qualification contained in the proposed tariffs. Nevertheless, OCC informed DEO that it did not oppose the filing of these tariffs, but that it intends to file a letter in this docket expressing its views regarding the appropriate eligibility qualifications.

Please call me if there are any questions.

COI-1416608v2

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Sincerely,



Andrew J. Campbell

Enclosures

cc: Christine T. Pirik, Esq.  
Scott E. Farkas, Esq.  
Jeffrey A. Murphy  
Vicki H. Friscie  
Parties of Record (w/enclosures) (via e-mail)

## **General Sales Service – Low Usage Heat Pilot Program (GSS-LU)**

### **1. Applicability**

Service under this rate schedule is available to residential Customers throughout East Ohio's service area who purchase and receive all of their natural gas requirements directly from East Ohio pursuant to this rate schedule, with income at or below 175% of the federal poverty level, who do not participate in the Percentage of Income Payment ("PIP") Plan, and who use less than 70 Mcf per year as determined by East Ohio.

### **2. Character of Service**

All gas supplied under this rate schedule shall be supplied on a firm and continuous basis, provided, however, that in the event of an emergency, service may be curtailed pursuant to PUCO rules or a curtailment plan approved for East Ohio by the PUCO.

### **3. Rates and Charges**

**The following charges for this one-year pilot program, limited to 5,000 customers, are effective for bills rendered on or after March 12, 2009:**

- 3.1 The volumetric charges for each Customer at each delivery point served under this rate schedule shall be the rates set forth below plus the riders, as specified in 3.3, applicable to service rendered under this rate schedule:
  - 1) For the first 50 Mcf each month, \$0.648 per Mcf,  
For all over 50 Mcf each month, \$1.075 per Mcf.
  - 2) a charge for the cost of gas based on the standard service offer rate as set forth on tariff sheet B-SSO 1 plus a charge equal to the Transportation Surcredit Rider.
- 3.2 In addition to the volumetric charge, each Customer shall be charged a basic monthly charge of \$12.50 per delivery point per month with a corresponding discount of \$4.00 per month.
- 3.3 Customers receiving service under this rate schedule shall be responsible for charges pursuant to East Ohio's Gross Receipts Tax Rider, Excise Tax Rider, Interim Emergency and Temporary PIP Plan Rider, Uncollectible Expense Rider, Transportation Migration Rider-Part B, Demand Side Management Rider, AMR Cost Recovery Charge, PIR Cost Recovery Charge and Transportation Surcredit Rider as applicable.

**4. Resumption of Service After Interruption**

If service is interrupted as a result of the Customer's failure to make payment or at the Customer's request, East Ohio shall not be under any obligation to resume service to the same Customer at the same premises unless East Ohio shall have received, in addition to payment for all gas received by the Customer under this rate schedule, a reconnection payment of \$33.00.

**5. Prohibition on Resale of Gas**

No gas supplies under this rate schedule shall be resold for any purpose.

**6. Regulations**

All gas service provided by East Ohio is rendered under and subject to the Rules and Regulations contained in its tariff.

## **Energy Choice Transportation Service – Low Usage Heat Pilot Program (ECTS-LU)**

### **1. Applicability**

Transportation service pursuant to this rate schedule is available to residential Customers throughout East Ohio's service area with income at or below 175% of the federal poverty level, who do not participate in the Percentage of Income Payment ("PIP") Plan, and who use less than 70 Mcf per year as determined by East Ohio, and:

- a) have purchased or otherwise arranged to receive all of their natural gas requirements from a qualified Supplier that is receiving service under the terms of East Ohio's Energy Choice Pooling Service;
- b) have no arrears of 30 days or more or are current on a payment plan to discharge such arrears for service rendered under this or any other of East Ohio's PUCO-approved rate schedules. Other Customers may begin receiving service pursuant to this rate schedule provided they have not broken a prior payment plan more than once during the preceding 12-month period. Such Customers shall be placed on a new payment plan upon enrollment and must remain current on that plan in order to continue receiving service pursuant to this rate schedule.

### **2. Character of Service**

- 2.1 The gas received by East Ohio on any Day for the account of the Customer shall be delivered by East Ohio on a firm basis. In the event of an emergency, service may be curtailed pursuant to PUCO rules or a curtailment plan approved for East Ohio by the PUCO.
- 2.2 In the event the Customer no longer desires, or is no longer eligible, to receive transportation service, the Customer must purchase and receive all of its natural gas requirements from East Ohio pursuant to East Ohio's General Sales Service or General Sales Service – Low Income Pilot Program rate schedules.

### **3. Measurement of Deliveries**

Delivery Points shall be equipped with monthly gas measurement equipment or real-time electronic gas measurement capability.

### **4. Rates and Charges**

**The following charges for this one-year pilot program, limited to 5,000 customers, are effective for bills rendered on or after March 12, 2009:**

- 4.1 The volumetric charge for each Customer at each Delivery Point served under this rate schedule shall be the rate set forth below plus the riders, as specified in 4.3, applicable to service rendered under this rate schedule:

For the first 50 Mcf each month, \$0.648 per Mcf,  
For all over 50 Mcf each month, \$1.075 per Mcf.

- 4.2 In addition to the volumetric charge, each Customer shall be charged a basic monthly charge of \$12.50 per Delivery Point per month with a corresponding discount of \$4.00 per month.

- 4.3 Customers receiving transportation service under this rate schedule shall be responsible for charges pursuant to East Ohio's Gross Receipts Tax Rider, Excise Tax Rider, Interim Emergency and Temporary PIP Plan Rider, Uncollectible Expense Rider, Transportation Migration Rider-Part B, Demand Side Management Rider, AMR Cost Recovery Charge, PIR Cost Recovery Charge and Transportation Surcredit Rider as applicable.

## **5. Billing**

East Ohio shall bill for all services provided by East Ohio. Pursuant to a separate Billing Agreement, the Customer's Supplier shall have the option of East Ohio rendering a combined bill for both distribution and commodity service, or the Supplier may bill for commodity service independently. All Customer bills and payments will be handled in accordance with OAC rule 4901:1-29-12 except for 4901:1-29-12(F), (J), and (K), for which a waiver was granted.

## **6. Resumption of Service after Interruption**

If service is interrupted as a result of the Customer's failure to make payment or at the Customer's request, East Ohio shall not be under any obligation to resume service to the same Customer at the same premises unless East Ohio shall have received, in addition to payment for all gas received by the Customer under this rate schedule, a reconnection payment of \$33.00.

If service is disconnected while receiving service under this rate schedule and the Customer's account has been final billed, the Customer will revert to East Ohio's sales service upon reconnection and the agreement between the Customer and the Supplier will be terminated.

## **7. Disconnection For Non-Payment**

Where East Ohio is rendering a combined bill for both distribution and commodity service, non-payment of the bill, including the Supplier gas commodity portion, shall subject Customer to disconnection of service in accordance with rule 8 of Section K – Rules and Regulations of the Company's tariffs.

## **8. Regulations**

All gas service provided by East Ohio is rendered under and subject to the Rules and Regulations contained in its tariff.

## **9. Definitions**

**Customer** – any individual, governmental, or corporate entity taking transportation service hereunder.

**Day** – a 24-hour period beginning at 10:00 a.m. Eastern Time or other such time as specified by East Ohio.

**Delivery Point** – the billing determinant for the application of Customer charges represented by the meter location at which gas is redelivered to the Customer.

**Energy Choice Pooling Service** – a gas pooling service in which Suppliers can aggregate demand and supplies for redelivery to Customers under East Ohio's Energy Choice Transportation Service and Large Volume Energy Choice Transportation Service rate schedules.

**OAC** – Ohio Administrative Code.

**PUCO** – the Public Utilities Commission of Ohio.

**Supplier** – any entity which has in effect an Energy Choice Pooling Service agreement with East Ohio.