DEO EXHIBIT 1.0

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

MICHAEL L. NICHOLSON,

Complainant,

Case No. 09-78-GA-CSS

v.

THE EAST OHIO GAS COMPANY D/B/A DOMINION EAST OHIO,

Respondent.

DIRECT TESTIMONY OF
MARGARET CALLAHAN
ON BEHALF OF DOMINION EAST OHIO

ZEOSTAN 13 PM 4: 1

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 MAY 1 4 2009

TABLE OF CONTENTS

I.	INTRODUCTION	1
	BACKGROUND AND QUALIFICATIONS	
III.	RESPONSE TO COMPLAINT.	. 2

1		Direct Testimony of
2		Margaret Callahan
3	I.	INTRODUCTION
4	Q1.	Please state your name, occupation and business address.
5	Ai.	My name is Margaret Callahan. I am employed by The East Ohio Gas Company d/b/a
6	Domir	nion East Ohio ("DEO" or "Company") as a Customer Service Center Supervisor in DEO's
7	Akron	office. My business address is 2100 Eastwood Avenue, Akron, Ohio 44305.
8		
9	Q2.	What is the purpose of your testimony?
10	A2.	In my testimony, I respond to Mr. Nicholson's allegations that DEO improperly denied
11	his rec	quest to enroll with MX Energy under DEO's Energy Choice Program. My testimony
12	conclu	ides: (1) Mr. Nicholson was ineligible to enroll with MX Energy because his account with
13	DEO	was over 60 days in arrears; (2) DEO accurately calculated the arrearage; and (3) DEO
14	compl	ied with the meter reading requirements contained in Revised Code Section 4933.09 and
15	DEO's	s tariff.
16		
17	П.	BACKGROUND AND QUALIFICATIONS
18		
19	Q3.	Please describe your work history.
20	A3.	I have been employed by DEO since 1990 in various positions related to customer
21	servic	e. These positions included serving as a call center agent from 1990 to 1996, a service
22	order	business process expert from 1996 to 1999, and a customer service relations
23	specia	alist/trainer from 1999 to 2000. From 2000 through 2006, I was a representative on DEO's

- 1 PUCO/Ohio Consumer Counsel help desk. Starting in 2006, I worked as a customer relations
- 2 program specialist. I was promoted in 2008 to the position of Supervisor of the Customer
- 3 Service Center, which is the position I currently hold.

- 5 Q4. What are your current job responsibilities?
- 6 A4. I am responsible for the training, development and supervision of call center employees.
- 7 I also often deal directly with DEO customers regarding a variety of issues related to their
- 8 accounts with DEO. Through my job responsibilities currently and throughout my 19 years with
- 9 DEO, I have personal knowledge of DEO's metering and billing practices and procedures, DEO's
- 10 Energy Choice Program, and applicable statutes, regulations and tariff provisions. I also have
- personal knowledge of Mr. Nicholson's account with DEO at a property located at 715 East
- 12 Midlothian in Youngstown, Ohio, which is at issue in this case.

13

14 III. RESPONSE TO COMPLAINT

- 16 Q5. What is your understanding of the dispute that gives rise to Mr. Nicholson's
- 17 Complaint?
- 18 A5. Mr. Nicholson alleges that he attempted to enroll in an MX Energy gas program in
- 19 December 2004, with service effective in February 2005, for a property located at 715 East
- 20 Midlothian in Youngstown, Ohio. DEO denied the enrollment because the account was over 60
- 21 days in arrears. Mr. Nicholson disputes that the account was in arrears. He seeks money
- 22 damages for the difference between the rates charged by DEO during the period February 2005

through February 2008 and the rate he would have received from MX Energy had his enrollment

2 been accepted.

3

4 Q6. Does Mr. Nicholson have more than one account with DEQ?

- 5 A6. Yes. According to DEO's records, as of May 4, 2009, Mr. Nicholson has 3 active
- 6 accounts with DEO. He also has a number of closed accounts and charged-off accounts. The
- 7 allegations in the Complaint in this matter, however, are specifically limited to the account at
- 8 715 East Midlothian, which is classified as a small commercial account because Mr. Nicholson
- 9 operates his insurance business from this location.

10

11

Q7. What is DEO's Energy Choice Program?

- 12 A7. DEO's Energy Choice Program allows eligible customers to purchase natural gas from a
- 13 Competitive Retail Natural Gas ("CRNG") supplier. CRNG suppliers must be registered with
- 14 the Commission in order to serve customers. The relationship between DEO and CRNG
- 15 suppliers is governed by DEO's General Terms and Conditions of Energy Choice Pooling
- 16 Service, which are part of DEO's tariffs. Customers who wish to buy gas from a CRNG supplier
- continue to receive their delivery service from DEO under DEO's Energy Choice Transportation
- 18 Service ("ECTS") Tariff. A copy of the ECTS tariff in effect during the 2004/2005 time period
- is attached to my testimony as Exhibit DEO 1.1. The tariff provision reflected on DEO Exhibit
- 20 1.1 was replaced by a new tariff filed on December 20, 2008 pursuant to DEO's last rate case.
- However, the eligibility criteria for participation in Energy Choice is essentially the same under
- both the current and prior tariff.

1 Q8. What are the eligibility criteria for customers to participate in Energy Choice? 2 A8. As indicated in DEO Exhibit 1.1, there are two main criteria for eligibility under the 3 ECTS rate schedule. First, the customer must have purchased or otherwise arranged to receive 4 all of their natural gas requirements from a qualified CRNG supplier. Second, the customer must 5 have no arrears for 30 days or more, or, if eligible, be on a current payment plan to discharge an б arrearage. The account at 715 East Midlothian was a commercial account, however, and thus was 7 not eligible to be placed on a payment plan. 8 9 Q9. Please describe the enrollment process for the Energy Choice program. 10 A9. The CRNG supplier sends DEO an electronic file regarding the customer's request for 11 enrollment. Based on the information in the electronic file, DEO verified whether the customer 12 contained in its system to verify if the customer is eligible for service under the ECTS rate 13 schedule. DEO then notifies the CRNG supplier accordingly. 14 15 O10. How long does the enrollment process take? 16 A10. Ordinarily, one to two billing cycles. 17 18 Did Mr. Nicholson attempt to enroll with MX Energy for the 715 E. Midlothian 19 address through the Energy Choice Program? 20 All. Yes. Based on my review of the Accounts Transaction History and Supplier Order Panel 21 in DEO's account records, DEO received a request from MX Energy on December 23, 2004 to

enroll Mr. Nicholson in an MX Energy Program, effective February 23, 2005, for account

22

23

number 9421104912569.

- 2 Q12. Did DEO accept the enrollment?
- 3 A12. No. DEO rejected the enrollment on February 22, 2005.

4

- 5 Q13. Why did DEO reject the enrollment?
- 6 A13. Mr. Nicholson's account was over 60 days in arrears. Because of the arrearage, Mr.
- 7 Nicholson was ineligible under the ECTS tariff to participate in Energy Choice.

8

- 9 Q14. How was this arrearage incurred?
- 10 A14. I have prepared a chart, DEO Exhibit 1.2, which shows the charges and payments on Mr.
- 11 Nicholson's account from November 15, 2004 through March 7, 2005. As shown on DEO
- 12 Exhibit 1.2, between November 15, 2004 and December 16, 2004, Mr. Nicholson incurred
- charges of \$367.17. Payment was due by January 5, 2005. Mr. Nicholson paid only \$200 on
- December 29, 2004, leaving an arrearage of \$167.17. This information is documented in DEO
- Exhibits 1.3 and 1.4, which are copies of Mr. Nicholson's bills for December 2004 and January
- 16 2005, respectively. As shown on Exhibits 1.3 and 1.4, these bills were based on estimated meter
- 17 readings.

- 19 Q15. Did Mr. Nicholson pay the arrearage the next month?
- 20 A15. No. DEO Exhibit 1.2 shows that between December 16, 2004 and January 20, 2005, Mr.
- 21 Nicholson incurred charges of \$372.61. Payment was due on February 9, 2005, but Mr.
- 22 Nicholson paid nothing. This left an arrearage of \$539.78 as of February 9, 2005 (\$167.17 in
- 23 arrearage from the December 2004 bill + \$372.61 from the January 2005 bill). This information

- is documented in DEO Exhibit 1.5, which is a copy of Mr. Nicholson's bill prepared on February
- 2 22, 2005. The February 22, 2005 bill also shows that between January 20, 2005 and February
- 3 18, 2005, Mr. Nicholson incurred additional charges of \$321.05. The February 22, 2005 bill is
- 4 also based on an estimated read.

- 6 Q16. Did DEO subsequently issue a second bill in February 2005?
- 7 A16. Yes. DEO Exhibit 1.6 is a copy of a second bill for February 2005, issued on February
- 8 25, 2005. The February 25, 2005 bill is based on a customer meter reading which, if accurate,
- 9 showed that Mr. Nicholson incurred charges of \$135.90 between January 20, 2005 and February
- 10 18, 2005, rather than \$321.50. The charges for February 2005 were revised from \$321.05 to
- \$135.90 and this revision is reflected in the February 25, 2005 bill. Accordingly, the total bill
- amount for February 2005 was \$675.68 (\$167.17 in arrearage from the December 2004 bill +
- 13 \$372.61 arrearage from the January 2005 bill + 135.90 from the revised February 2005 bill).
- DEO mailed Mr. Nicholson both the original February 22, 2005 and revised February 25, 2005
- 15 bills.

16

- Q17. Did Mr. Nicholson finally pay the arrearage in March 2005?
- 18 A17. Yes. As shown on the March 2005 bill, attached as DEO Exhibit 1.7, On March 7, 2005,
- 19 DEO received payment of \$675.68. This payment was received after Mr. Nicholson's enrollment
- with MX Energy had been denied. Mr. Nicholson paid with two separate checks, one in the
- amount of \$539.78 and the other for \$135.90. As explained above, the \$135.90 amount was for
- usage between January 20, 2005 and February 18, 2005, and therefore was not in arrears. The
- 23 \$539.78 balance, however, was in arrears.

- 2 Q.18 How long had Mr. Nicholson's account been in arrears before it was paid?
- 3 A.18 Mr. Nicholson did not pay his December 2004 bill in full until March 7, 2005. As such,
- 4 as of February 22, 2005, when DEO denied his enrollment with MX Energy, Mr. Nicholson was
- 5 64 days in arrears on his December 2004 bill.

- 7 Q19. Mr. Nicholson attached to his Complaint a "Statement of Account," a copy of which
- 8 is also attached to your testimony as DEO Exhibit 1.8, which he claims shows his account
- 9 was not in arrears as of February 22, 2005. Is Mr. Nicholson correct?
- 10 A19. No. DEO Exhibit 1.8 is a Statement of Account for 715 East Midlothian for the period
- November 15, 2004 to November 16, 2005. This document was prepared by DEO at Mr.
- 12 Nicholson's request in December 2005. I am informed by counsel that Mr. Nicholson stated at
- his deposition that the handwriting on the document is his. The Statement of Account attached
- as DEO Exhibit 1.8 shows the proper billing and payment application reflected in the bills sent to
- 15 Mr. Nicholson for December 2004 through March 2005, which are attached as DEO Exhibits 1.3
- through 1.7. The references to "\$0.00" under the column labeled "ADJ" simply mean no
- 17 adjustments were required to be made to the account in addition to application of the payments
- 18 received from Mr. Nicholson, which payments are properly reflected in the "PMT AMOUNT"
- 19 column. The references to "\$0.00" under the columns captioned "PLAN AMT DUE" and
- 20 "TOTAL PLAN AMT DUE" are used only for accounts eligible for DEO's Percentage of Income
- 21 Payment Plan ("PIPP"), or similar DEO alternative payment plan arrangements. During 2004
- and 2005, Mr. Nicholson's account at 715 East Midlothian was ineligible for PIPP or any other
- 23 DEO alternative payment plan arrangement because his account was a commercial account.

1 Finally, any blanks in the "ACCT BALANCE" column merely reflect that the corresponding 2 transaction to the left of the chart did not result in a new bill being issued on the account. The 3 presence of the blank does not mean the account was not in arrears or that the account balance 4 was zero. 5 6 Q20. Does DEO have any interest in whether customers choose to shop with a CRNG 7 supplier? 8 A20. No. Since implementing its Energy Choice Pilot Program in 1997, DEO has always 9 supported eligible customers' right to choose their natural gas supplier. Because DEO earns a 10 profit only on the delivery of natural gas, and not on the supply of natural gas, DEO is indifferent 11 to whether customers choose to exercise their right to shop for an alternative supplier. In fact, in 12 each of the bills discussed above (DEO Exhibits 1.3 through 1.7), DEO included a message on 13 the bill stating: "You may be able to save on the gas cost recovery portion of your bill by 14 shopping for an alternative supplier." 15 16 Q21. Is DEO required to render bills based on an actual meter read? 17 A21. No. DEO's tariff in effect during 2004/2005 required only that DEO use its "best efforts" 18 to obtain an actual read once every twelve months. A copy of the Rules and Regulations section 19 of DEO's Tariff dealing with meter reading, which was in effect during the time period covered 20 in Mr. Nicholson's Complaint, is attached to my testimony as DEO Exhibit 1.9. 21 22

- 1 Q22. With respect to Mr. Nicholson, did DEO comply with the tariff provision requiring
- 2 DEO to make its best efforts to obtain an actual read at least once every twelve months?
- 3 A22. Yes. I reviewed DEO's electronic order completion panels and statements of account for
- 4 Mr. Nicholson's 715 E. Midlothian account and determined that actual reads were obtained by
- 5 DEO on March 11, 2004, July 20, 2004, February 10, 2005, March 16, 2005 and December 15,
- 6 2005. The records I reviewed, which are kept in the ordinary course of business at DEO, are
- 7 attached to my testimony collectively as DEO Exhibit 1.10.

9 Q23. What methodology does DEO use to estimate customers' gas usage?

A23. DEO has used two related methodologies for estimating customer usage: (1) the "standard method"; and (2) the "enhanced method." Under the standard method, which was exclusively used prior to December 20, 2004, usage is estimated based on a formula with three factors: base load, degree days and degree day factor. Base load represents the average non-heating gas consumption during a one month period. Base load is determined by examining the historical usage at the premises. Degree day information is obtained from the National Weather Service and represents the extent to which the daily average temperature for the period in question was below 65 degrees. The colder the temperature, the greater the number of degree days in the billing period. The degree day factors represent the amount of gas used to heat for each degree day, and is calculated by dividing the historical actual usage by the number of degree days for the billing period. Thus, if an account has a base load of 2 mcf, a degree day factor of .0175 and the billing cycle is assigned 1540 degree days, the estimated billing for a 30 day period would be 29 mcf (1540 degree days x .0175 degree day factor = 26.95 mcf (rounded to 27) + 2 mcf base load = 29 mcf). DEO began to use the enhanced method on certain accounts

1 on December 20, 2004. The enhanced method varies from the standard method by considering a 2 customer's historical heating gas consumption at a particular account, rather than relying solely 3 on National Weather Service daily temperature averages. 4 5 Q24. Did DEO use these methods during the months when it was necessary to estimate Mr. 6 Nicholson's usage? 7 A24. Yes. 8 9 Q25. Has Mr. Nicholson ever requested DEO to test the accuracy of the meter at 715 East 10 Midlothian? 11 A25. No. DEO's records show no such request. 12 13 Q26. Does DEO have any reason to believe that the meter at 715 East Midlothian does not 14 comply with the meter accuracy standards contained in Revised Code Section 4933.09? 15 A26. No. 16 17 Q27. Does this conclude your testimony?

18

A27. Yes.

Energy Choice Transportation Service (ECTS)

DEO EXHIBIT 1.1

1. Applicability

Transportation service pursuant to this rate schedule is available to Customers throughout East Ohio's service area who:

- 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) qualify for transportation service under the PUCO Gas Transportation Program Guidelines; and
- c) 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. East Ohio's obligation to deliver gas to the Customer on any Day is limited to the Daily Available Volume provided by the Customer's Supplier on behalf of the Customer.
- 2.2 In the event the Customer no longer desires 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 Large Volume General Sales Service 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

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:

Energy Choice Transportation Service (ECTS)

\$1.2355 per Mcf for all consumption each month.

- 4.2 In addition to the volumetric charge, each Customer shall be charged a Customer charge of \$5.70 per Delivery Point per month.
- 4.3 Customers receiving transportation service under this rate schedule shall be responsible for charges pursuant to East Ohio's Excise Tax Rider, Interim Emergency and Temporary PIP Plan Rider, Uncollectible Expense Rider and Transportation Migration Riders as applicable.

5. Billing

East Ohio shall bill for all services provided by East Ohio. Pursuant to a separate Billing Agreement, 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.

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 \$20.

7. Reversion To Company Sales Service Upon Non-payment

Where East Ohio is rendering a combined bill for both distribution and commodity service, the agreement between the Supplier and the Customer may be terminated for non-payment of the Supplier gas commodity portion of the bill if the account is past due. East Ohio shall give no less than 14 days written notice that the Customer will be switched from the Supplier and revert to East Ohio's General Sales Service, effective with the Customer's next scheduled meter reading, unless the past due amount is paid by the Customer's next scheduled bill due date. East Ohio will notify the Customer and Supplier if the Customer is dropped for non-payment. If the past due amount is paid by Customer's next scheduled bill due date after receipt of the notice, the Customer will not revert to East Ohio's General Sales Service and will remain with the Supplier.

8. Regulations

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

Issued: April 2, 2004 Effective with bills rendered on or after April 2, 2004
Filed under authority of the Public Utilities Commission of Ohio in Case No. 03-2573-GA-ATA
Bruce C. Klink, Vice President

Energy Choice Transportation Service (ECTS)

9. Definitions

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

Daily Available Volume - the quantity of gas available to be redelivered by East Ohio to the Customer on any given Day.

Day - a 24-hour period beginning at 10:00 a.m. Eastern Standard 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.

∀)	NICHOLS (ARREARAGE ON	SON ACCOUNT NOVEMBER 15, 2004 - MARCH 7, 2005 I ACCOUNT FROM DECEMBER 20, 2004 UNTIL MARCH 7, 2005)	ABER 15, 2004 - 1 EIMBER 20, 2004	MARCH 7, 2005 UNTIL MARCH 7	, 2005)	
Usage Period	Bill Issued	Bill Amount	Due Date	Date Paid	Amount Paid	Outstanding
2. 19. 19. 19. 19. 19. 19. 19. 19. 19. 19						
Nov. 15, 2004-Dec. 16, 2004 Dec. 20, 2004	Dec. 20, 2004	\$367.17	Jan. 5, 2005	Dec. 29, 2004	\$200.00	\$167.17
Dec. 16, 2004-Jan. 20, 2005	Jan. 24, 2005	\$539.78 (\$167.17 arrearage plus \$372.61 in new charges	Feb. 9, 2005	No Payment	\$0.00	\$539.78
Jan. 20, 2005-Feb. 18, 2005	Feb. 25, 2005	\$675.68 (\$539.78 Feb. 25, 2005 arrearage plus \$135.90 March 15, 2005 in new charges)	March 15, 2005	March 7, 2005	\$675.68	\$0.00

MICHAEL L NICHOLSON

715 E MIDLOTHIAN BLAD YOUNGSTOWN O'I 445P1-2569

Account Number - Date Prepared 9 4211 0491 2569 Trace him 20, 2004

Monthly Service Charge

Next Billing Date January 20, 2005

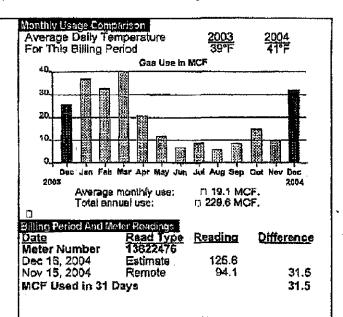
For quasilons about Dominion East Ohio charges call 330-746-7611.

Credits And Charges Since Iron Last Bill Balance from last bill \$278,37 Payment on Nov 22, 2004 - Thank You 278.37 CR Balance \$.00 Current Charges General Sales Serrice Rage \$5.70

Gas Usage Charge 31.5 MCF @ \$11.4752 Total Current Charges 361,47 Total Account Balance

This bill includes \$290.74 ftr per cost recovery at \$9,325 per thousand cubic feet (MCF) and 314.63 or Gross Receipts Tax.

You may be able to save or the gas post recovery portion of your bilt by Shopping for an alternative get supplier.



Please Pay Account Balance of \$367.17 by January 5, 2005

It's Our Pleasure to Serve You

\$367.17

\$367.17

All of us at Deminion East Ohio thank you for your business. You could choose another form of energy, but you put your trust in us to deliver economical, clean-burning natural gas to your home or business. We're committed to doing everything we can to honor that trust,

If you have a quantitive, please call the number listed on the top of this bill. Our customer information phone hours are 7 a.m. to 7 p.m. Monday through Friday. If you have an emergency, you can call us anytime, day or night. (It is an emergency when you smell gas or when all of your gas appliances are out.)

ENERGYSHARE: First people without heat by donating to EnergyShare. Add \$1, \$2, \$6, \$12, \$18 or \$36 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5847, Cleveland, OH 44101.

Please detach and return this crutten with a check made payable to Dominion East Ohio . Please see reverse gide for mailing address change instructions,

PLEASE PAY BY Jan 5: 2005 Account No. 9 4211 0491 2589 Account Balance Amount Enclosed \$367.17

Removing Yourself from Customer Listing We are required to include your name, address and usage information on a list of eligible customers that is made available to other retail natural gas suppliers or governmental aggregators. If you do not wish to be included on this list, please call Dominion East Ohio at 1-800-362-7557 or write us at P.O. Box 26666, Richmond, VA 23261-8668, or complete the appropriate form on the www.dom.com web site.

#BWND .FZ MICHAEL LINICHOLSON 715 E MIDLOTH AN BLVD YOUNGSTOVIN OH 44502-2569 المارية المارية

DOMINION EAST OHIO PO BOX 26785 RICHMOND VA 23261-6785 Industrial describation of the first of the

MICHAEL L NICHCLISON

715 E MIDLOTHIAN BLift YOUNGSTOWN CH 44500-2569

Account Number Date Propared 9 4211 0491 2569 Sanuary 24, 2005

Next Elling Date February 18, 2005

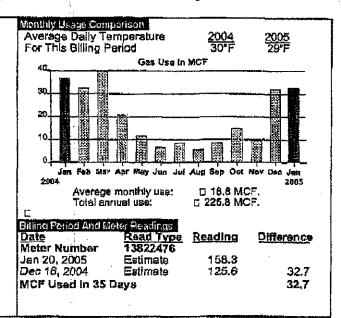
For questions about Dominion East Ohio charges call 330-746-7611.

Credits And Charges Since Job Last Bill Balance from last bill \$367.17 Payment on Dec 25, 2014 - Thank You 200.00 CR Balance \$167.17 Current Charges General Sales Service Rege Monthly Service Charge \$5.70

Gas Usage Charge 32,7 MCF @ \$11.0204 366,91 Total Current Charges \$372.61 Total Account Balance \$539.7B

This bill includes \$296.99 for this cost recovery at \$8.082 per thousand cubic feet (MCF) and \$14.54 for Gross Receipts Tax.

You may be able to save on the gas cost recovery portion of your bill by shopping for an alternative gap supplier.



Please Pay

Account Salance of \$539,78 by February 9, 2005

This is a Reminder Notice.

Did you forget to par last month's bill?

As of Jan 24, 200%, we haven't received your payment of \$167.47. If you've already paid it, thank you. If not, please pay the total instance of \$539.78 by Feb 9, 2005. If you have questions, please call toll-free 1-800-950-7989.

To partisipals in the Energy Choice program, you must pay the amount due on time each month. ENERGYSHARE: First people without heat by donating to EnergyShare. Add \$1, \$2, \$6, \$12, \$18 or \$36 to your payment or mail a separate check payable to EnergyShare, Salvation Army, P.O. Box 5847, Cleveland, OH 44101,

Please detach and return this criticin with a check made psychie to Dominion East Ohio . Please see reverse side for mailting address change instructions.

PLEASE PAY BY Fet 9 7005	Account No. 9 4211 0491 2569
Account Belance	Amount Enclosed
\$539.78	

Claim Earned Income, Child Tax Credits Get more from your regular paycheck! The Earned Income Credit is a special tax benefit for people who work full or part-time, if you qualify, you owe less in taxes and may get cash back. Even if you don't owe income tax, you can get the credit. But, you must file a federal tax return. For information about Earned Income and Child Tax Credits, plus help filing your taxes, call the internal Revenue Service at 1-800-829-1040.

#BWND .FZ MICHAEL LINICHOLSON 715 E M OLOTH AN BLVD YOUNG STOVIN ()H 44502-2569 bilistide delid ill sombalsidskilled black bestalen det elekt

DOMÍNION EAST DHIO PO BOX 26786 RICHMOND VA 23261-6785 tantel militare le l'ablasse ai bladtas l'assilia da da da da da alcala facilit

MICHAEL LINICHO LSION

715 E MIDLOTHIAN BL/们 YOUNGSTOWN OIT 44501-2569

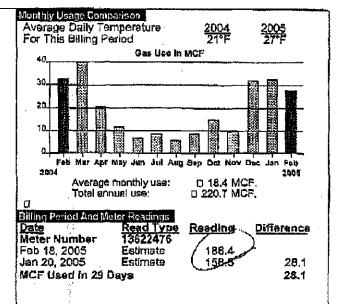
Account Number Date Prepared 9 4211 0491 2569 | February 22, 2005

Next Billing Date March 21, 2005

For questions about Dominion East Ohio charges call 330-746-7611.

Credits And Charges Since the Last Bill Balance from last bill \$539,78 Balance. \$539.78 Current Charges General Sales Service Rate Monthly Service Charge \$5,70 Gas Usage Charge [4**11.22**24 28.1 MCF @ 315,35 Total Current Charges \$321,05 Total Account Balance \$860,83 This bill includes \$255.28 for gas cost recovery at \$9.085 per thousand cubic feet (MCF) and 312.49 for Gross Receipts Tax.

You may be able to save or line gas cost recovery portion of your bill by shopping for an alternative gas supplier.



Flease Pay Account Palance of \$860.83 by March 10, 2005

THIS IS A SHUT-OFF NOTICE.

Unless we receive your past-due amount of \$539.78 by Mar 10, 2005, your gas may be shut off. If you have any questions about this pending shutoff, please call toll-free 1-800-950-7989, If your gas service is shot-off, you must pay all past-due amounts, a new security deposit and a reconnection fee Lafare we can turn the gas back on. If you are on Energy Choice and do not pay the required a migrant in full, you will be dropped from the program and acheduled to receive your clas sure by from Dominion East Ohio at the current Gas Cost Recovery rate.

To participate in the Energy Choice program, you must pay the amount due on time each month.

Please detach and return this circ: (in with a check made payable to Dominion East Ohio , Please age reverse side for mailing address change instructions.

PLEASE PAY BY Mar 16 2005 Account No. 9 4211 0491 2569 Account Balance Amount Enclosed \$860.83

View and Pay Your Bill On-Line View and pay your bill on-line with Dominion &Bill. You can start saving the time associated with writing checks and the cost of buying stamps, Bast of ell, eBill is a free service when your payment is made from your bank account. Learn more by visiting www.dom.com, It's worth the trip!

#BWND .FZ MICHAEL L NICHOLSON 715 E MIDLOTE AN BLVD YOUNGSTOVE THE 44502-2569 المارتين أراورا والبران المراجي أواحدا بوء المراجي المراجع الم

DOMINION EAST OHIO PO BOX 26785 RICHMOND VA 23261-6785 lestal in the color allocated a flow board to the state of a state level 1.

DEO EXHIBIT 1.6

MICHAEL L NIGHOLSON

715 E MIDLOTHIAN BLVD YOUNGSTOWN OIL 44502-2569

Account Number Date Propaged 9 4211 0491 2569 February 25, 2005

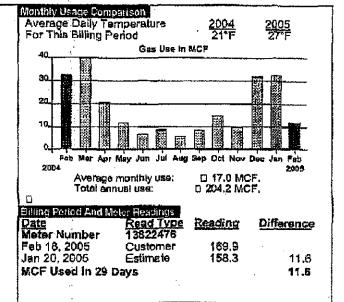
Next Billing Date March 21, 2005

For questions about Dominion East Ohio charges call 330-746-7611.

Credits And Charges Since Mar Last Bill Balance from last bit Cancel Billing \$860.83 321.05 CR Balance \$539,78 Current Charges General Sales Serrice Rate Monthly Service Charge \$5.70 Gas Usage Charge 14.6 MCF @ 311.02~* 130,20 Total Current Charges \$135,90 Total Account Balance \$675,6B

This bill includes \$101.39 for jets cost recovery at \$9.085 per thousand cubic feet (MCF) and 35.16 for Gross Receipts Tax.

You may be able to serve one in gas cost recovery portion of your bill by shopping for an alternative gai supplier.



Please Pay Account, Balance of \$675.68 by March 15, 2005

Please Use Our Return Envelope

We provide a return erivelope for customers who like to pay their gas bills by mail. If you pay your bill to, a different method, please do not use our envelope for other mail. You can pay this bill with an electronic check, ATM/debit card with a Pulse, Star, NYCE or Accell logo, or a Visa, MasterCard, or Discover.credit card at www.dom.com or at 1-800-573-1153. BillMatrix provides this service and charges a transaction fee of \$3.50. Thank you for you'r cooperation.

ENERGYSHARE: Help people without heat by donating to EnergyShare. Add \$1, \$2, \$6, \$12, \$18 or \$86 to your payment or mell a supparate check payable to EnergyShare, Salvation Army, P.O. Box 5847, Cleveland, OH 44101.

Please detach and return his online with a check made payable to Dominion East Ohio . Please see reverse side for mailing address change instructions.

PLEASE PAY BY	Mar I.€.	2005 Ac	count No.	9 4211 (0491 2566
Account Bala	inse		Arr	nount Encic	sed
\$675.68		1			

View and Pay Your Bill On-Line
View and pay your bill on-line with Cominion eBill.
You can start saving the time associated with writing checks and the cost of buying stamps. Beat of all, eBill is a free service when your payment is made from your bank account. Learn more by visiting www.dom.com. It's worth the trip!

DOMINION EAST OHIO PO BOX 26785 RICHMOND VA 23261-6785

DEO EXHIBIT

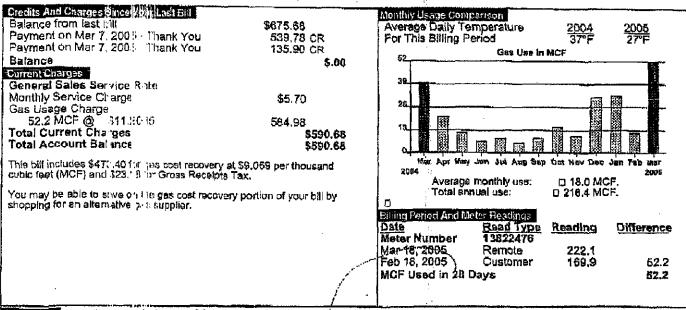
MICHAEL LINICHOLSON

715 E MIDLOTHIAN BLVC YOUNGSTOWN OH 44 503-2569

Account Number Date Propered 9 4211 0491 2569 March 35, 2005

Next Billing Date April 20, 2005

For questions about Dominion East Ohio charges call 330-746-7611.



Please Pay Account: Salance of \$590.68 by April 6, 2005

Let Your Bank Pay Your Bills

Join our Automatic Payment Plan and stop writing checks, buying money orders, paying postage or standing in line to pay your hill. Your financial institution can deduct your payment directly from your checking account and forward it to Dominion East Ohio. Once you're on the plan, we still send you should be bill each month that tells you how much to the fluct from your checking account. To join, visit us at www.dom.com or call us at the number stand at the top of this bill. You also can pay this bill with an electronic check. ATM/debit card with a Pulse, Star, NYCE or Accell logo, or a Visa, MasterCard, or Discover credit card at www.dom.com or at 1-800-573-1153. BillMatrix provides this service and charges a transaction less of \$3,50. ENERGYSHARE: Talp people without heat by donating to EnergyShare. Add \$1, \$2, \$6, \$12, \$18 or \$36 to your payment or mail a superate check payable to EnergyShare, Sawation Army, P.O. Box 5847, Cleveland, OH 44101.

Please detath and return his one; to with a check made payable to Dominton East Ohio . Please see reverse side for mailing address change instructions.

PLEASE PAY BY	Apr 6, 2005	ecount No.	9 4211 0491 2	569
Account Balan	7i :6	Am	ount Enclosed	
\$590.68				

#BWND.FZ MICHAE L L NICHOLSON 715 E MIDLOTH NA BLVD YOUNGTTOVIN DH 44502-2588 Avoid Estimated Bills
Enter your meter reading - day or night - at www.dom.com. It talls you how and when to read the mater for best results. You'll need your account number, zip code, a Personal ID number (usually the last four digits of your Social Security number) andf your meter reading. Don't have a computer? Call in your reading anytime through our automated messaging service at 1-800-362-7557.

	SHOW SUCHANTANA	2/20/2 2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2/2	€	A SA	•	8 -1 pg	DOM/NIO! Statemen	DOMINION EAST OHIO Statement of Account	요 펄							•
	Name NGH	DISON M	CHAEL	? 	, 6	1-1-2	Account Number		12569		For Que		(330)-746-7611	F.7611		r
	Addess 715E	715 E MIDLOTHIAN BLVD	AN BLV	g	P	40%	Meter Number	Der 13822476	,,,,	Heaving Impaired Customers Call TDD	Customer		(800)-533-8908	1-8903	·	
OETALS						かんさ	¥									
READ	BIL READ DAYS SOURCE R	AVG READ METER DALY SOUNCE READING USAGE USAGE	A SAGEUS	AVG DALY ON	DEGREE	BLL	SALES/ STATE TAX	DUE	LATE PMT CHRGE	PIRT AMOUNT PAIT DATE	Ą	Abuust	PLAN DESC /	PLAN AMT DUE	TOTAL PLAN ACCT AMT DUE BALANGE	ACCT
				*⊷									i i			
11/16/2005	29 REMOTE	301.2	31.7	1.1	445	\$519.84	\$.00	12/02/2005	\$.00	\$.00	\$,00			\$. 00	8.00	\$636.29
10/18/2005	Z7 SYSTEM EST	23.63	7.1	e.	137	\$118.65	\$.00	11/07/2005	\$.00	\$32.93 08/28/2005	\$.00			\$.00	\$.00	\$1 (6.65
90/21/2009	34 REWOTE	¥7293	50		6	\$32.93	\$.00	10/07/2005	\$.00	\$28.03 09/07/2006	3.00			5.00	\$ 00	\$32.90
09/18/2005	.29 SYSTEM EST	1,592	8.5	vi	۵	S-86.33	8.00		5.00	\$.00	8,00			\$.00	£.00	
08/18/2005	29 CALL-IN	280.4	R.1	٠- ا	٥	528.03	00'5	69715/2005	\$.00	\$,00	\$ 00			\$.00	\$.00	\$28.03
07/27/2005	O CUST READ	259.3	o.	اه	-	\$.00	\$:00		8,00	\$.00	\$.00			\$.00	\$.00	
08/18/2005	29 SYSTEM EST	285.1	6.5	લ	•	\$68.33	\$:00	09/07/2005	\$00	\$73.68 08/04/2005	\$.00	CANCEL		\$.00	\$.00	\$38.33
07/27/2005	O CUST READ	2893	a	ے ا	0	\$30	90: \$		83	\$.00	QU'S			9.00	8.00	
07/20/2005	-30 SYGTEM ES	F 88	6.7.	4	•	\$-100.53	\$.00		90 \$	\$.00	\$ 500			8.8	2.00	
07/20/2005	58 CUST MEAD	258.0	4.5	-	۲	873.68	\$:00	08/12/2005	\$.00	\$.00	8			203	\$.00	\$73.58
06/20/2005	-28 SYSTEM EE	280.6	.7.3	8	÷	\$-86.19	\$.00		9700 1	\$.00	\$.00			\$.00	\$.00	
07/20/2005	30 SVSTEMES	1	6.7	4	-	\$100.53	\$.00	08/09/2005	200	\$.00	200'\$	CANCE		3.00	\$.00	\$186.72
08/20/2005	28 SYETEM ES	280.5	7.3	65	۲,	\$86,19	\$.00	07/08/2005	\$.00	\$382.30 08/05/2006	20 ′ \$	CANCEL		3.00	\$.00	\$1.082
05/23/2005	88 REMOTE	2532	31.1	aŭ	1114	\$382.30	00'\$	06/06/2005	\$.00	\$.00	\$.00	0	کلیمار	\$.00	00 \$	\$3 82 .30
04/20/2005	.33 SYST BM ES	201.6	28.	₽.	-637	5-483.49	\$.00		\$.00	\$.00	\$.00			6. 00	\$ 00	
04/20/2005	39 SYSTEM ES	283.6	395	2	637	\$463.49	\$.00	05/10/2005	\$.00	\$590.68 CUN1/2008	\$.00	CANCEL	\$.00	\$,00	\$.00	SH 823 48
03/18/2005	28 REMOTE	1.22	52.2	6.5	1060	\$660.68	\$.00	04/06/2005	3.00	\$675,68 (0,0772005	\$.00		AVER	P.(06.00	\$.00	\$5,00,88
5022200	OCUST READ	172.0	ď	c;	ô	\$.00	5.00		200	5.00	8.00			8	P	
002/18/2005	28 SYBTBA ES.	188		40		\$ 321.05	\$00		203	100	00.0	2		4	B	
5002/18/2005	ZO CUST READ	169.9	11.6	¥	\$087	\$135.90	\$:00	03/15/2005	\$.00	2.00	8			\$.00	9	\$675.68
02/18/2005	29 SYSTEM ES	١. ا	%	1.0	1067	\$321.05	90°5	03/10/2005	ã	8.00	8	CANCEL		8	8	\$960.63
3002/02/10	35 SYSTEM ES.	158.3	7.5%	OF.		\$372.81	3.00	02:09:2005	00 1	\$200.00 12/29/2004	\$.00			88	8.8	\$5.99.78
\$2/16/2004	31 SYSTEM ES	125.0	31.5	1.0	742	\$367.17	8.00	01/05/2005	\$00	\$278.37 11/22/2004	\$.00			88	\$ 00	5367.17
11/15/2004	31 REMOTE	(#6)	9.9	3	477	\$113.78	\$.00	12/01/2004	8.00	00'5	\$.00			8 .00	\$.00	\$22.79.37
10/15/2004	30 SYSTEM ES	275 84.5	15.2	zJ.	197	\$164.59	\$.00	11/04/2004	\$.00	5.00	\$.00			\$.00	8. 8	\$164.59
TOTALS	<u></u>	٦	USAGE	,,,	232	TAXES:	ES: .5.00	PAYMENTS:		\$2,281.67 LATI	E PAYME	LATE PAYMENT CHARGES	JES:	8 .00	 -	
······································		DEGREE DAYS:	: DAYS:		6582	BRL AMOUNTS:	ITS: \$2,887.96	ADJUSTMENTS	ENTS:	\$:00	-		i	i	,	
BUD BUDGET PLAN	ET PLAN	8		AN ENE	DEF - DOLLAR ENERGY FUND	ē.	DEP - DEPOSITS	5	CIA - CO	CIA - CONT N AID OF COMET			NEC - ING	NSC - INSUFFICIENT PLINDS CHAPGE	FUNDSC	HARGE
DFA - DEFE	OFA - DEFERRED AGREEMENT		N. LATE	D TWA	HRGE (NK	LPN - LATE PAT CHRGE (NORUTLITY)	LPC - LATE PMT CHRGE	T CHRGE	FICC - RE	ACC - RECONNECTION CHARGE	五		NSA - NG	NSA - NEUFFECIENT FUNDS AMOUNT	PUNDS AN	AOUNT
MI - MIEREST	EST	ž	USN - NS	FFICEN	T FUNDS	NSN - NSUFFICIENT FUNDS (NOWUTLIFY)	UTG - UTILITY		DSCNT.	DSCNT - DISCOUNT			CAT - CO	CMT - CONTRACTS		

DEO EXHIBIT

Rules and Regulations

DEO EXHIBIT 1.9

SECTION I - SERVICE

- 1. <u>Application for Service</u>. All applications for gas service shall be made to the local office of East Ohio.
- 2. Security Deposit. If a proposed consumer is not a financially responsible freeholder or cannot give a reasonably safe guaranty in an amount sufficient to secure the payment of bills for sixty days' supply of gas, the consumer may be required to deposit with East Ohio an amount sufficient to cover an estimate of the monthly average of the annual consumption by such consumer plus 30%, upon which deposit interest at the rate of not less than 5% per annum will be allowed and paid to the consumer, provided it remains on deposit for six consecutive months.

Security deposits shall be governed by the "Establishment of Credit for Residential Utility Customers" adopted by The Public Utilities Commission of Ohio and contained in Chapter 4901:1-17-05(C) of the Ohio Administrative Code, a copy of which is included as Section M of the East Ohio Gas Company Tariff.

- 3. Service Turn On. The consumer, after making proper application for gas, shall notify East Ohio when he desires gas turned on. In no case shall he or his agent or employee turn on the gas. East Ohio may discontinue the supply of gas to premises where persons other than East Ohio's authorized employees have turned on the gas.
- 4. Service Continuity. East Ohio will use its best efforts to furnish necessary and adequate service and facilities in compliance with Section 4905.22 of the Ohio Revised Code. East Ohio cannot and does not guarantee a sufficient supply of gas or an adequate or uniform gas pressure. East Ohio shall not be liable for any damage or loss directly or indirectly due or attributable to insufficiency of the gas supply, variation in the gas pressure, partial or total interruption of gas service, the use of gas appliances on the consumer's premises, or the presence thereon of any Company property. East Ohio will provide to customers, to the extent possible under the circumstances, prior notice of planned outages or interruptions in service.
- 5. Service Disturbance. 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.

Issued: April 11, 2001 Effective: Service rendered on or after April 11, 2001

- 6. Access to Premises. The authorized agents and employees of East Ohio shall at all reasonable times have access to any premises supplied with gas by East Ohio.
- 7. Customer's Request for Discontinuance of Service. The consumer shall notify East Ohio before vacating the premises where gas is used or before discontinuing the use of gas. The consumer shall be liable for all charges for gas consumed on such premises until 48 hours after such notice has been received, provided that access to the premises shall have been given East Ohio within such 48-hour period; and if access has not been given within such period then for all charges until such access has been given.

If a customer who is a Property Owner/Rental agent requests disconnection of service and, the Company through its best efforts has determined that there are remaining residential tenants at the premises, the Company is required to notify the tenants of the disconnection of service. This notification will be mailed to such tenants or posted in a conspicuous place at the premises at least 10 working days prior to the scheduled date for disconnection of service. The Property Owner/Rental Agent shall continue to be liable for all gas consumed during the 10-day notice period. This notice provision shall not preclude the Company from taking appropriate actions where safety or tampering issues are raised as sited in Rule 8, subparagraph b(4) and Rule 9 of these Rules and Regulations.

8. Company's Right to Disconnect Service.

- a. East Ohio shall have the right to disconnect service of any consumer for any of the following reasons or purposes:
 - 1. Refusing access for reading, testing, repairs or other purposes.
 - 2. Violation of any applicable law or ordinance or any of these Rules and Regulations.
- b. East Ohio shall have the right to disconnect and remove from the premises of any consumer the meter and any other property belonging to East Ohio for any of the following reasons or purposes:
 - 1. Non-payment of bills for gas within the net payment period for such bills.
 - 2. Non-use of gas.
 - 3. Fraudulent representation or practice.
 - 4. Whenever deemed necessary by East Ohio for the safety or integrity of the gas system (such as in instances of theft or vandalism).

Disconnection of service to residential consumers or customers pursuant to Rule 8, subparagraph a(1) of these Rules and Regulations shall include, but not be limited to circumstances where despite its reasonable efforts to do so East Ohio has been unable to obtain an actual meter reading at least once within any full

Issued: April 11, 2001

Effective: Service rendered on or after April 11, 2001

calendar year of service. "Actual meter reading" shall be as defined in Rule 15 of these Rules and Regulations. The reconnection of service after disconnection pursuant to Rule 8, subparagraph a(1) of the Rules and Regulations shall be subject to prior payment of a fee of \$20.00 for the disconnection and reconnection costs.

Disconnection of service to residential consumers or customers pursuant to Rule 8, subparagraph b(1) of these Rules and Regulations shall be governed by the "Rules, Regulations and Practices Governing the Disconnection of Gas, Natural Gas or Electric Service to Residential Customers" adopted by The Public Utilities Commission of Ohio and contained in Chapter 4901:1-18 of the Ohio Administrative Code, a copy of which is included as Section L of the East Ohio Gas Company Tariff.

SECTION II - METERING & BILLING

- 9. Pressure Regulators, Gas Meters and Tampering. The gas meter and any pressure regulator to be installed on a service line and connected with East Ohio's distribution system will be furnished by East Ohio and will remain its property, and the Company shall have the right to replace them as the Company may deem necessary. When a customer is served from the Company's field or gathering lines, then the customer shall install and maintain, at his expense, a suitable regulator or regulators for reducing the pressure. The regulator or regulators shall be installed in the manner required by the Company. If any meter or regulator, or the pipes, fittings or connections used in supplying gas to such meter or regulator, is tampered with by a consumer, his agent or employee, East Ohio may remove such meter or regulator and may discontinue the supply of gas to such consumer until payment has been made for all unregistered gas, in an amount estimated by East Ohio, and for all damage to East Ohio's property, or, at East Ohio's option, it may discontinue gas service permanently to such consumer.
- 10. Meter Location. The Company shall determine the location of the meter. When changes in a building or arrangements therein render the meter inaccessible or exposed to hazards, the Company may require the customer, at the customer's expense, to relocate the meter setting together with any portion of the customer's service line necessary to accomplish such relocation.
- 11. Meter Connections. 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.

Issued: April 11, 2001 Effective: Service rendered on or after April 11, 2001

- 12. <u>Bill Maturity Period</u>. Pursuant to Section 4933.122 of the Ohio Revised Code, the date of maturity for each bill for gas is fourteen (14) days after the date of its mailing to the customer.
- 13. <u>Billing Periods</u>. Bills ordinarily are rendered regularly at monthly intervals, but may be rendered more or less frequently at the Company's option. Non-receipt of bills by customer does not release or diminish the obligation of customer with respect to payment thereof.
- 14. Payment of Bills. Bills shall be paid by the customer at any office of the Company during its regular office hours or to any one of the Company's authorized collecting agents during the regular office hours of such agent. Any remittance received by mail at any office of the Company bearing U.S. Postal 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.
- 15. Meter Reading. East Ohio will use its best efforts to obtain an actual meter reading by Company personnel or agents at least once within each full calendar year of service. "Actual meter reading" shall mean reading of an indoor or outdoor meter.

If the consumer has refused East Ohio access to its meter or other property, or if East Ohio has been unable to obtain an actual meter reading at least once within any calendar year, East Ohio may obtain a court order to gain access to its meter or other property.

If consumption is billed pursuant to an applicant requesting East Ohio to provide lighting services on an unmetered basis, the estimates used to define consumption for billing purposes will be tested and adjusted at least once within each full calendar year of service.

- 16. Meter Testing. In accordance with Section 4933.09 of the Ohio Revised Code, gas meters in use shall be tested on the request of the consumer, in his presence if desired by him, with a tested and sealed meter-prover, by an authorized employee or agent of East Ohio. If the meter is found to be correct, and it is deemed correct if the variation is not greater than three percent, the party requesting the inspection shall pay a fee for the removal of the meter for the purpose of the test. The fee for a residential consumer is \$40; for all other consumers, the fee is \$100. If the meter is proved incorrect, no fees or expense shall be paid by the consumer, and East Ohio shall furnish a new meter without charge to the consumer.
- 17. <u>Back Billing</u>. East Ohio's policy on backbilling shall comply with the guidelines established by The Public Utilities Commission of Ohio and the Ohio legislature (Section 4933.28 of the Ohio Revised Code) as amended from time to time.

18. Delinquent Balance Transfer.

a. Except as otherwise provided in subparagraph b., East Ohio shall have the right to transfer a delinquent commercial or industrial account balance, regardless of the service address, to another non-delinquent commercial or industrial account in the name of or owned by the same customer or owner of that business or establishment. If the same customer or owner has more than one non-delinquent account, East Ohio shall transfer the delinquent balance to the non-delinquent account having the lowest balance due.

For purposes of this Rule 18, "customer" means the party in whose name the account is carried.

b. East Ohio may not transfer a delinquent commercial/industrial account to any account where any end user is a residential consumer.

Section III - Service Lines & Mainline Extensions

- 19. Service Line Installation. In the installation of a service line East Ohio will make all necessary connections with its distribution system and extend its service line from the distribution main to the service valve and will install the service valve and curb box enclosing the same without cost to the property owner or consumer. Where no service valve is installed in the service line East Ohio will install a valve Tee at the main and will extend its service line from the main to a tie-in coupling, to be located between approximately 4 to 6 feet from and to the coupling closest to the owner's property line in the direction toward the main. The property owner shall install and replace as necessary, at his expense, and shall be the owner of the service line extending from the service valve, or, where there is no service valve then from and including the tie-in coupling, to the meter on the owner's property. Before turning on gas East Ohio shall have the right to inspect the owner's service line and to refuse to turn on gas if in the opinion of East Ohio the service line is not properly constructed, fitted and laid. At the request of the property owner, and at his expense, East Ohio may, upon mutual agreement with the customer, install the service line from the service valve, or from tie-in coupling where there is no service valve, to the meter on the owner's property. The property owner shall promptly pay for all material furnished and labor used in the installation of such service line, of which he shall be the sole owner. Requests for the installation by East Ohio of a service line shall be made to the local office of East Ohio on a form to be furnished by East Ohio.
- 20. <u>Service Line Responsibilities</u>. The service line from the service valve to the meter, or where there is no service valve then from and including the tie-in coupling mentioned in Rule 19 to the meter, all gas lines on the outlet side of the meter, and all

Issued: April 11, 2001

fittings and connections, shall be the property of the owner of the premises, shall be under his exclusive control and shall be replaced as necessary and kept by him in good repair and safe condition, and East Ohio shall not be liable for any imperfections therein or for any damage, injury or loss resulting, directly or indirectly, from the escape of gas therefrom. East Ohio shall be responsible for these facilities in accordance with the applicable provisions of the Pipeline Safety Act, 49 U.S.C. 60101 et seq., 49 C.F.R. part 192 and all applicable federal regulations, and Chapter 4901:1-16 of the Ohio Administrative Code. Such responsibilities shall include, but not be limited to, East Ohio's responsibilities for cathodic protection and leak detection of the service line up to and including the meter.

- 21. <u>Installation and Inspection.</u> Before applying to East Ohio to turn on gas it shall be the duty of the applicant to see that the service line and gas lines and fittings and connections mentioned in Rule 20 and all gas appliances and equipment connected thereto have been installed and tested and are maintained in accordance with governmental codes and regulations and with the reasonable requirements of East Ohio and are free of leaks.
- 22. Service Line Extensions Prohibited. No service line supplying gas to any building shall be extended by the owner or consumer so as to furnish gas to any other building.
- 23. <u>House Piping</u>. The customer shall install and maintain, at the customer's expense, the house piping from the outlet of the meter to gas burning appliances.
- 24. <u>Appliances</u>. The customer shall install and maintain all appliances, at the customer's expense.
- 25. <u>Inspections of Altered Piping</u>. 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.
- 26. Extension of Distribution Mains. East Ohio will extend its distribution mains for the furnishing of natural gas on any dedicated street or highway without cost to the consumer whenever at least one consumer on an average of each 100 additional feet of pipe in the street or highway in which the extension is to be run shall first agree to take a supply of gas at the applicable rate, measurement to be taken from the end of the nearest distribution main. Upon application for a service extension of main in excess of an average of 100 feet for each applicant for such service East Ohio may enter into an extension agreement with the applicant or applicants providing for a deposit with East Ohio of a sum deemed adequate by East Ohio to cover the cost to be incurred by it for the excess of the extension over the average of 100 feet for each applicant to be served, such deposit to be refunded within a period of 10 years from the date of the agreement at a rate per each additional consumer thereafter connected with said extension, equivalent to the rate per 100 feet deposited, the total amount refunded not to exceed the amount deposited. No refund shall be made after 10 years

Issued: April 11, 2001 Effective

from the date of the extension agreement and such deposit shall, after such period, become the property of East Ohio. Extension deposits shall bear no interest. Extensions of street and highway mains shall at all times be the property of East Ohio. Mainline extensions that are not installed in road right of way, or adjacent thereto, will be made only if the following guidelines are met:

- a. A minimum 20 foot legally described easement or blanket right of way is made and granted, provided, however, that all gas mainlines with a maximum allowable operating pressure at or above 100 psi must have a minimum 30 foot easement.
- b. Free and clear access to the gas mainline is maintained with no structures permitted on the easement.

East Ohio shall not be required to lay any service lines across paved streets or highways. East Ohio shall not be required to make any extensions of its mains or to lay any service lines during the months of December, January, February and March of any year.

Nothing contained herein shall be construed to prohibit East Ohio from making longer free extensions than herein prescribed, should the anticipated revenues exceed the anticipated costs over a period of twenty years, provided like free extensions are made to other applicants under similar conditions.

- 27. <u>Right of Removal</u>. No person or entity shall erect any structure within a Company easement or change the existing grade over a Company gas line without the express permission of East Ohio. East Ohio shall have the right to remove any such structure or grade change at the expense of the customer or responsible party.
- 28. Discontinuance of Supply on Notice of Defect in Customer's Property. If, at any time, in the opinion of East Ohio the property owner's service line, other gas lines, fittings, connections, gas appliances or equipment on a consumer's premises are defective or in such condition as to constitute a hazard, East Ohio, upon notice to it of such defect or condition, may discontinue the supply of gas to such appliances or equipment or to such service line or such other gas lines until such defect or condition has been rectified by the property owner or consumer in a manner satisfactory to East Ohio.

SECTION IV - MISCELLANEOUS

- 29. Tariff Disclosure. A full and complete copy of East Ohio's current tariff covering rates and charges for service and terms and conditions of service is available for public inspection at each of East Ohio's business offices during normal business hours. East Ohio shall comply with the tariff disclosure requirements established by The Public Utilities Commission of Ohio and set forth in Section 4901:1-03 of the Ohio Administrative Code, as amended from time to time.
- 30. <u>PUCO Orders</u>. These Rules and Regulations are subject to and include as part thereof all orders, rules and regulations applicable to East Ohio from time to time issued or established by The Public Utilities Commission of Ohio under its emergency powers.
- 31. <u>Right to Modify</u>. East Ohio 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 East Ohio may deem necessary or convenient in the conduct of its business.



May 12 17:52:41 EDT 2009

Fax Transmittal

To:			
Company:			
Phone:			
Fax:	84547253		
From:			
Phone:			
Subject:			

This fax is intended for the recipient or entity above. It may contain information that is privileged, confidential or work-product domain. If the reader of this message is not the intended recipient, or the employee responsible for delivering this communication to the intended recipient, you are hereby notified that any disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone so we can arrange for its return. Thank you.

Comments:

Page: 2 of 2 From: ' To: & Service Orders alchin sir michaell is e fully shiad de part nasisisse. Initiate Basic S Chedulino AcctTransfer ServiceCharges PendingOrders I Initiate Detail CONGUEROUS. RemarksHist FinaBillinio InterEmps AuditCetails Ordan Status POSTED Ordan State POSTED Dide: Type READ MTR LETTER Anvei 02/10/2009 <u>Comp</u> 02/10/2006
Date Sched pp Sched 102/10/2005 No of Stops <u>Ime</u> 1909.03 Time 19 02:02 HEWLETT CAROL AgratAnti 100 PaymtAnti 100 FIR Number Collection Amt 1:00 Ltrs Sent 0 Completion **Hemarks** Prorate Date (00/00/0000 🛊 🛴 Rework Required Meter No Work Type Completion Code Last Read Date Last Read: Current Read: Durient Flead Current Read 13822476X READ METER LTR COMPLETE 01/20/2005 ACTUAL ватн 1583 161.7 Select Charges Charges



Fax Transmittal

May 12 17:56	09 EDT 2009
To:	
Company:	
Phone:	
Fax:	84547253
From:	
Phone:	
Subject:	
-	

This fax is intended for the recipient or entity above. It may contain information that is privileged, confidential or work-product domain. If the reader of this message is not the intended recipient, or the employee responsible for delivering this communication to the intended recipient, you are hereby notified that any disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone so we can arrange for its return. Thank you.

Comments:

Page: 2 of 2 From: ... Service Orders - NICER SON MICHAEL 1:7 PeridingOrders Innete Detail Initiate Basic Scheduling Acciliransfer The second of th FlemarksHist FineBillinio Girlettinos AugitOstais Completion AppiDetai: Order State POSTED Dide: Type IMTR MAINTENANCE Order Status PUSTED 1 Spled 12/15/2006 Amval 12/15/2005 • Conct 12/15/2006 • Date Sched ALL DAY Time 93.25.03 Time 09.44.03 MUNEAL Agrint Amit \$ 100 Paymt Amit \$ 4,00 PIR Number Collection Amit \$ 00 Ltrs Sent 0 Completion READ IN & CUT 330 2 GOOD OK READ! Prorate Date 00/00/6000 + Rework Required Meter No Work Type ... Completion Clast Read Ditast Read: Carent Read Carent Read Type <u>Current Read Subtype</u> S 3302 ACTUAL BOTH 13822476VERIFY MTH/COMPLETE 111/16/2006 (301/2) Appliances Appliance Code No Action Red Tagi Status Found Status Lell Code ind Tag Reason Text



Fax Transmittal

May 12 17:	57:44 EDT 2009
To:	
Company:	
Phone:	
Fax:	84547253
From:	
Phone:	
Subject:	

This fax is intended for the recipient or entity above. It may contain information that is privileged, confidential or work-product domain. If the reader of this message is not the intended recipient, or the employee responsible for delivering this communication to the intended recipient, you are hereby notified that any disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone so we can arrange for its return. Thank you,

Comments:

From: Page: 2 of 2 🖒 Service Orders PendingGidets Initiate Detail ServiceCharges Initiate Basic RemarksHist FinalBillinio DiderErrors AuditDetails Completion Older Type: READ MIR LETTER Order Status POSTED Order State PUSTED 5ched (02/10/2005 Sched 1991 Time Amval 02/10/2005 <u>* Compt</u> 02/10/2005 Date No of Stops Time | 13.02:02 13:08:03 HEWLETT, CAROL **\$.00** Agrint Amit \$ 00 Paymt Amk PIR Number Collection Amt \$ 80 Lins Serik D Complehen Remarks Prorate Date 00/90/0000 🛊 T Rework Required Meter No. Work: Type Completion CodeDast Read ELast Pead! Quirent Read Current Read Type Current Read 13822476X-READ METERCOMPLETE 01/20/2005/1583 i101 7 аотн ACTUAL Select ينو Select Service Appliances Charges No Action Red Tag: Status Found: Status Left: Cycle Ind Tag Reason Test Appliance Code



Fax Transmittal

May 12 17:54:50 EDT 2009

To:
Company:
Phone:
Fax: 84547253

From:
Phone:

This fax is intended for the recipient or entity above. It may contain information that is privileged, confidential or work-product domain. If the reader of this message is not the intended recipient, or the employee responsible for delivering this communication to the intended recipient, you are hereby notified that any disclosure, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone so we can arrange for its return. Thank you.

Comments:

Subject:

Page: 2 of 2 From: ' To: €° Serva.e Orders Acctitansier Service Charges FlemarksHigh FinalDillinio CreletEmpre AuditDetails Completion Order Type MTR MAINTENANCE Order Status POSTED Order State (POSTED) Sched AM Amval 03/16/2005 + Comp (03/16/2005 + MASHBURN Agund Ami \$ JC Paymi Ank PIR Number Collection Amr. 4 00 Ltrs Sent 0 Completion (READS AN DOT GOOD Remarks Prorate Date 100/00/0000 🖈 🗀 Rework Required Meter No. Work Type Completion Class Read Clast Read Congrit Read Congrit Read Type 13622476VERIFY MTR:COMPLETE 02/25/2006172.6 BOTH ACTUAL Appliances No Action Red Tag. Status Found: Status Left: Excle Ind Tag Reason Text

Order Type READ	ApplDetail FinalBillnfo	Scheduling OrderEnors OrderEnors Advalso2 Cate CAROL Time 13 Agrat Am Collection Am	Accitionater Servine Charges Audit Petalls Completion # State POSTED # Completion # Date D2/30/2016 # Date 12/08/03 \$ 400 Feynt Amt 13/09 \$ 400 Lits Sent 0	DEO EXHIBIT 1.10
Meter No Work Ty		FRead Date Last Reads <u>Eu</u> 20/2005 158.3 16 PAppliances	Service \$199 Chatass	

PendingOrdars Initia PendingOrdars Initia RemarksHist ApplOs Circle Tupe MTR MAINTENA No of Stops 1 Sched [12] Date PIR Number Ecompletion READ IN & DUT Remarks	Indiate Basic Indiate Basic Italia FinalBillinto NCE Order Status F 15/2005 Sched ALL-DAY Ime MCNEAL	OrderErrors Audit OSTED Order State Autival 12/19/20 Date Time 199/35403 Adjust Auti	of Transfer Service Charge Jetalis Completion # POSTED JOSTED Service Charge JOSTED	1	
Meter No Work Tupe Comp IGRZZAZE VERIFY MTHZ COM *1 Select ** Appliance Code No Activ	PLETE 11/16/2006 (2012)	ead <u>Current Read C</u> urrent Fle 939:2 ACTUAL • Appliances Status Left (Ducle Ind Fag Re	BETH Service (Charges)	E COO	
				1	

		and the same of th		
PendingOrders Initiate Detail Initiate Basi	s Schaduling	Acciliansisi Servic	eGnarges (
RemarksHist Applicated FinalBillinfo OrderType MTR MAINTENANCE OrderStatus FinalBillinfo	AND THE RESERVE OF THE RESERVE OF THE PARTY	diDetalls Complete	ion	
No of Stops 1 Sched 03/16/2005 Sched AM Sine	Amval partie	√2965 <u>¥</u>] <u>Compl</u> 03/16		
PIR Number MASHEURN	Time 09:30 Agmi Ami	5.00 Faymt Amil		
Completion READS AN DOT GOOD Remarks	Collection Amil	\$ 00 Ltrs Serol	Required	
Meter No Work Type Completion (Last Flead (Last Fle	**************************************	enx Flead Type <u>Currer</u>		
13822476VERIFY MTR.COMPLETE 02/25/20051726	220.2 AET	HALL BUTH		
∯41 Select		Sevice (*****	<u>≱.</u> 2.00	
Appliance:Code No Action (Red Tag) Status Found	Appliances Status Left: Eucle Ind Lag	Ehames ¹ Reason Text	*******	