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THE E GROUP

395 Ghent Road
Akron, Ohio 44333
Ph: 330-315-6911
Fax: 330-315-9471
Email: kmalcolm@e-grp.com

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June 10, 2004

Public Utilities Commission of Ohio
Docketing Division, 13th Floor
180 East Broad St.
Columbus, OH 43215-3793

02-1772-GA-LAG

Re: Application for Renewal of Natural Gas Governmental Aggregation – City of Parma

To Whom It May Concern:

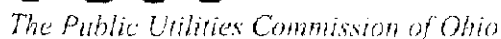
Enclosed please find 10 copies and one (1) original of the City of Parma Natural Gas Governmental Aggregation Renewal Certification Application.

If you have any questions or concerns, please don't hesitate to contact me.

Enclosures
Cc: C.V.Fullem

Sincerely,

Kimberly Malcolm
The E Group



(Ohio Natural Gas Governmental Aggregator Renewal) Page 1 of 3

SECTION B - APPLICANT AUTHORITY AND AGGREGATION PROGRAM INFORMATION

PROVIDE THE FOLLOWING AS SEPARATE ATTACHMENTS AND LABEL AS INDICATED

- B-1 Exhibit B-1 "Authorizing Ordinance," provide a copy of the adopted ordinance or resolution that reflects voter authorization to form a governmental aggregation program pursuant to Sections 4929.26 and 4929.27 of the Ohio Revised Code.
- B-2 Exhibit B-2 "Operation and Governance Plan," provide a copy of the applicant's plan for operation and governance of its aggregation program adopted pursuant to Sections 4929.26(C) or 4929.27(B) of the Revised Code. The Operation and Governance Plan should include all information pursuant to Rule 4901:1-28-03 of the Ohio Administrative Code.
- B-3 Exhibit B-3 "Automatic Aggregation Disclosure Notification," if the aggregation program provides for automatic aggregation in accordance with Section 4929.26(A) of the Revised Code, provide a copy of the disclosure notification required by Section 4929.26(D) of the Revised Code,
- B-4 Exhibit B-4 "Opt-Out Notice," provide a draft copy of the applicant's opt out notice that comports with the Opt-Out disclosure requirements pursuant to Rule 4901:1-28-04 of the Ohio Administrative Code. (*Ten days prior to public dissemination, the applicant shall docket with the Commission, the finalized Opt-Out notice that provides or offers natural gas aggregation service.*)
- B-5 Exhibit B-5 "Experience," provide a detailed description of the applicant's experience and plan for: providing aggregation services (*including contracting with consultants, broker/aggregators, retail natural gas suppliers*); providing billing statements; responding to customer inquiries and complaints; and complying with all applicable provisions of Commission rules adopted pursuant to Section 4929.22 of the Ohio Revised Code and contained in Chapter 4901:1-29 of the Ohio Administrative Code.

Applicant Signature and Title

Brian G. Higgins Service Director

Sworn and subscribed before me this *2nd* day of *June* Month *2004* Year

Linda M. Pleinies
Signature of official administering oath

Print Name and Title *Brian G. Higgins, Service Director*

My commission expires on

LINDA M. PLEINIES
Notary Public, State of Ohio, Cuy. Cty.
My Commission Expires Nov. 18, *2006*

PUBLIC UTILITIES COMMISSION OF OHIO

Ohio Natural Gas Governmental Aggregation Affidavit Form (Version 5.04)

In the Matter of the Application of)

City of Parma)

for a Certificate or Renewal Certificate to Provide)

Natural Gas Governmental Aggregation Service in)
Ohio.

Case No. 02-1772 -GA-GAG

County of Cuyahoga
State of Ohio

City of Parma

[Affiant], being duly sworn/affirmed, hereby states that:

- (1) The information provided within the certification or certification renewal application and supporting information is complete, true, and accurate to the best knowledge of affiant.
- (2) The applicant will timely file an annual report of its intrastate gross receipts and sales of hundred cubic feet of natural gas pursuant to Sections 4905.10(A), 4911.18(A), and 4929.23(B), Ohio Revised Code.
- (3) The applicant will timely pay any assessment made pursuant to Section 4905.10 or Section 4911.18(A), Ohio Revised Code.
- (4) Applicant will comply with all applicable rules and orders adopted by the Public Utilities Commission of Ohio pursuant to Title 49, Ohio Revised Code.
- (5) Applicant will cooperate with the Public Utilities Commission of Ohio and its staff in the investigation of any consumer complaint regarding any service offered or provided by the applicant.
- (6) Applicant will comply with Section 4929.21, Ohio Revised Code, regarding consent to the jurisdiction of the Ohio courts and the service of process.
- (7) Applicant will inform the Public Utilities Commission of Ohio of any material change to the information supplied in the certification or certification renewal application within 30 days of such material change, including any change in contact person for regulatory or emergency purposes or contact person for Staff use in investigating customer complaints.
- (8) Affiant further sayeth naught.

Affiant Signature & Title

Brian G. Higgins Service Director

Sworn and subscribed before me this

2nd

day of

June

Month *2004*

Year

Signature of Official Administering Oath

Linda M. Pleinies

Print Name and Title *Brian G. Higgins, Service Director*

My commission expires on

LINDA M. PLEINIES

Notary Public, State of Ohio, Cuy. Cty.

My Commission Expires Nov. 18, *2006*

12/11/00
(Special Meeting)

L-374-00 var
(As Amended)

RESOLUTION NO. 354-00

BY: JOHN H. STOVER, DEBORAH LIME, MIKE LOUIS,
SUSAN M. STRAUB, MICHELLE STYS, ANTHONY C. EISELINSET,
SAM C. ROMANNO, ROY J. JECI

A RESOLUTION DIRECTING THE CUYAHOGA COUNTY BOARD OF ELECTIONS TO SUBMIT ON THE BALLOT THE QUESTION "SHALL THE CITY OF PARMA ACT AS AN AGGREGATOR (PURCHASING AGENT) AND ENTER INTO AN AGREEMENT WITH A NATURAL GAS SUPPLIER ON BEHALF OF THE RESIDENTS OF THE CITY OF PARMA FOR NATURAL GAS"

WHEREAS, Parma City Council had passed Resolution No. 204-97, which proposed the aggregation of natural gas and electric power to reduce consumer costs; and,

WHEREAS, the Ohio General Assembly had passed in 1999, Substitute Senate Bill 3, which permits municipalities to aggregate (act as a purchasing agent) and enter into an agreement with an electric supplier on behalf of consumers within their jurisdiction; and,

WHEREAS, Parma was the first municipality in the State of Ohio to place on the ballot the question of municipal electric aggregation with the passage of Resolution 363-99; and,

WHEREAS, municipal aggregation would permit residential consumers to realize lower natural gas rates due to the collective purchasing power of services; and,

WHEREAS, the City of Parma must submit a Resolution to the Board of Elections to submit the question to aggregate and must be approved by a majority of electors; and,

WHEREAS, if a majority of electors approve the City of Parma to act as an aggregator, aggregation will occur automatically on behalf of all residents; however, residents will have the opportunity to opt-out of any program and agreement with a natural gas supplier;

NOW, THEREFORE; BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. The Cuyahoga County Board of Elections is hereby directed to submit the question "Shall the City of Parma have authority to act as an aggregator (purchasing agent) and enter into an agreement with a natural gas supplier or other natural gas aggregator on behalf of all of the residents of Parma for the supply of natural gas, such aggregation to occur automatically except where any resident elects to opt-out, all in accordance with Ohio law and Resolution No. 354-00, adopted by City Council?" be submitted to the electors of the City of Parma at the general election date on November 6, 2001, and said election shall be held at the regular places of voting in said City as established by the Board of Elections of Cuyahoga County, Ohio, or otherwise, within the time permitted by law and shall be conducted, canvassed and certified in the manner provided by law.

Res. directing the Cuyahoga County Board of Elections to submit on the ballot the question "Shall the City of Parma act as an aggregator [purchasing agent] and enter into an agreement with a natural gas supplier on behalf of the residents of Parma for natural gas"

Section 2. That if a majority of electors of the City of Parma approve the measure giving the City authority to act as an aggregator [purchasing agent], then aggregation shall automatically occur subject to Ohio law and shall be pursued by the City either individually or jointly with any other political subdivision or aggregator.

Section 3. Notice of the adoption of this Resolution shall be given once by publishing the title of the Resolution and an abstract prepared by the Director of Law in a newspaper of general circulation in the City.

Section 4. That the Clerk of Council is hereby directed immediately to certify a copy of this Resolution to the Board of Elections of Cuyahoga County, Ohio.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Resolution shall be in effect from and after the earliest period allowed by law.

PASSED: July 2, 2001

/s/ Charles M. Garmans
PRESIDENT OF COUNCIL

ATTEST: /s/ Michael F. Hushar
CLERK OF COUNCIL

APPROVED: July 3, 2001

FILED WITH

THE MAYOR: July 3, 2001

/s/ Gerald M. Boldt
MAYOR, CITY OF PARMA, OHIO

City of Parma Plan of Operation and Governance

BACKGROUND AND DEFINITIONS

By affirmative vote of the City of Parma ("Parma" or "The City"), City Council passed July 2, 2001 Resolution No. 204-97 which proposed the aggregation of natural gas and electric power to reduce consumer costs. The voters approved a ballot issue on November 6, 2001 for the City of Parma to act as an Aggregator (purchasing agent) and enter into an agreement with a natural gas supplier or other natural gas aggregator on behalf of all of the residents of Parma for the supply of natural gas, such aggregation to occur automatically except where any resident elects to opt-out, all in accordance with Ohio law and Resolution No. 354-00. As part of being a Government Aggregator, the City of Parma will become certified by the Public Utilities Commission of Ohio and operate under the Rules for Competitive Retail Natural Gas Service, pursuant to Chapter 4929.01 of the Ohio Revised Code ("ORC"). In order to clarify certain terminology, the following terms will have the meanings set forth below:

"Aggregation Services Consultant" means the entity retained by the City of Parma to provide the required management service related to "Government Aggregation".

"Member" means a person enrolled in Parma's government aggregate group for "Retail Natural Gas Aggregation Service".

"Aggregation Group" means the sum total of the City of Parma's Members who are participants in the program for natural gas.

"Government Aggregator" means a legislative authority of a municipal corporation acting as an aggregator for the provision of Retail Natural Gas Service under the authority conferred under section 4928.20 of the Ohio Revised Code.

"Retail Natural Gas Supplier" means any person, as defined in Section 4929.01 of the Revised Code, that is engaged on a for profit or not for profit basis in the business of supplying or arranging for the supply of a "Competitive Retail Natural Gas Service" to consumers in this state that are not mercantile customers.

"Competitive Retail Natural Gas Service" means any Retail Natural Gas Service that may be competitively offered to consumers in this state as a result of revised schedules approved under division (C) of section 4929.29 of the Revised Code.

"Retail Natural Gas Aggregation Service" means combining the natural gas load of multiple retail residential Members or small commercial Members via an agreement with the Members for the purpose of purchasing retail natural gas service on an aggregated basis.

"Retail natural gas aggregator" means a person who contracts with Members to combine the Members' natural gas load for the purpose of purchasing retail natural gas service on an aggregated basis.

A description of how the plan will operate is set forth below.

OPERATIONAL PLAN:

Aggregation Services

Parma will use a contractor ("Aggregation Services Consultant") to perform and manage aggregation services for its Members.

Database: The Aggregation Services Consultant will build and maintain a database of all Members which shall be the property of the City of Parma. The database will include the name, address, Columbia Gas of Ohio account number, and the Aggregation Services Consultant's account number of the Member, and other pertinent information such as rate code, rider code (if applicable), most recent 12 months of usage information, and meter read dates. This database will be updated at least quarterly. Accordingly, the Aggregation Services Consultant will develop a process to be implemented that will be able to accommodate at a minimum Members who (i) leave the program due to relocation, opting out, etc. (ii) decide to enter the program; (iii) relocate within the City of Parma.

Member Education: The Aggregation Services Consultant will develop an educational program that generally explains the aggregation program to its Members, provides updates and disclosures mandated by the ORC, and implements a process to deal with allowing any person enrolled in the Aggregation Program the opportunity to opt out of the program at least every two years, without paying a switching fee, Member inquiries and complaints. See Appendix A for a detailed description of the Education Process.

Retail Natural Gas Supplier Selection Process: The Aggregation Services Consultant will develop recommendations for Parma to retain a Retail Natural Gas Supplier, develop a procurement strategy, administer the RFP process as appropriate, evaluate responses, select the supplier and negotiate a supply contract. Included in the process will be the development of the screening criteria to be used in the selection process, which, at a minimum, will include price, financial wherewithal, experience, and references. The City will provide the Aggregation Services Consultant with the boundaries, constraints, and minimum requirements that will need to be included in any supplier contract. See Appendix B for a detailed description of the Retail Natural Gas Supplier Selection Process.

The City of Parma will contract with a qualified Retail Natural Gas Supplier to provide Retail Natural Gas Aggregation Services. The Aggregation Services Consultant will provide Parma with Retail Natural Gas Supplier recommendations. The selected Retail Natural Gas Supplier must provide adequate, accurate, and understandable pricing terms and conditions of service, including any switching fees and the conditions under which a Member may rescind a contract without penalty. The Retail Natural Gas Supplier must provide the Aggregation Services Consultant with an electronic file containing the Members usage, charges, and (if applicable) any other pertinent information. The Retail Natural Gas Supplier must have a local Parma phone number or a toll free number for Members to call.

Member Service and Billing: The Aggregation Services Consultant will develop a Member service process, to be administered by the Aggregation Services Consultant, the Retail Natural

Gas Supplier, or their designated agent, that at a minimum will be able to accommodate (i) Member inquiries and complaints about billing; and (ii) answer questions regarding the program in general. This process will include at a minimum a description of how telephone inquiries will be handled, either internally or externally, how invoices will be prepared, how remittance of payment will be dealt with, and how collections for delinquent accounts will be addressed. See Appendix C for a detailed description of the Member Service Plan.

Parma will use the Retail Natural Gas Supplier, or it's designated agent to provide billing services to each Member for the Retail Natural Gas Aggregation Service plus an administrative fee (if required) to fund Parma's Aggregation Services. The billing statement will be rendered by the Retail Natural Gas Supplier or Columbia Gas of Ohio and will be consistent with all applicable guidelines issued by the Public Utilities Commission of Ohio.

Compliance Process: The Aggregation Services Consultant will develop internal controls and processes to ensure that the City of Parma remains in good standing as a Government Aggregator that complies with all laws, rules and regulations surrounding the same, as they may be amended from time to time. It will be the Aggregation Services Consultant's responsibility to deliver periodic reports that will include at a minimum (i) the number of Members participating in the Program; (ii) the total savings or increase from the previous year's baseline; and (iii) a reconciliation of the cash remitted from Members and the amount paid to suppliers. The Aggregation Services Consultant will also develop a process to monitor and provide notification of any changes in laws, rules or regulations.

Services to be provided to members: The Parma aggregation program will contract with a Retail Natural Gas Supplier to provide retail natural gas service to residential and business Members who are currently served by the Local Distribution Company (LDC) Columbia Gas of Ohio. The services that will be provided under the aggregation effort, the policies for the inclusion and exclusion of members, and the Terms and Conditions of service are included in Appendix D.

GOVERNANCE GUIDELINES

At a minimum, the following guidelines will apply to the Aggregation Program:

- City Council will approve through Resolution or Ordinance the Contracts entered into by Parma with the Aggregation Services Consultant, the Retail Natural Gas Supplier, and any other contracts exceeding \$15,000 entered into by Parma for the Aggregation program.
- City Council will approve through Resolution or Ordinance the Plan of Operation and Governance for the Aggregation program and any Amendments thereto.
- The City will bid for Aggregation Services Consultant services at least every 5 years.
- The City will select a Retail Natural Gas Supplier at least every 5 years.
- The City of Parma will contract with only Retail Natural Gas Suppliers certified by the Public Utilities Commission of Ohio for the provision of Retail Natural Gas Aggregation Service to the City of Parma's Members.

- The City of Parma will require any Aggregation Services Consultant, and Retail Natural Gas Supplier to disclose any subcontractors that it uses in fulfillment of the services described above.
- The City of Parma will require the Aggregation Services Consultant and the Retail Natural Gas Supplier to maintain either a toll free telephone number, or a telephone number that is local to City of Parma residents who are Members.
- All costs of the Aggregation Program should be paid either through the general fund and/or through the inclusion of a fee that will be included in the charge for natural gas. No direct fees will be charged for enrollment.
- Oversight of the Aggregation Program will be the responsibility of the Service Director with the approval of the City Law Director, who will report to the Mayor. These individuals will have the authority to develop bid specifications for the Aggregation Services Consultant, and then select, hire, and manage the Aggregation Services Consultant.
- The Aggregation Services Consultant will be responsible for making recommendations regarding the selection and performance of the Retail Natural Gas Supplier. The Aggregation Services Consultant will work under the direction of the Service Director with advice and Counsel of the Law Director.

Appendix A Education Process.

The Aggregation Services Consultant will develop the educational program. Its purpose will be to explain the aggregation program to its members, provide updates and disclosures as mandated by the ORC, and provide the opportunity for the members to opt out of the program. The following are the program components.

1. Each residential Member and business within the limits of The City of Parma included in the aggregation program will receive via U.S. Mail notification of:
 - a. What government aggregation means including a summary of the actions that were taken to authorize the aggregation program.
 - b. Their membership in the government aggregation program.
 - c. A description of the services that will be provided under the aggregation.
 - d. Disclosure of any limitations or conditions on Member acceptance into the aggregation.
 - e. the procedure which must be followed in order to opt out of the program.
 - f. the price of natural gas service that they can expect to receive as a member of the program and a description of how any variable price offers will be determined.
 - g. the terms and conditions of service, including an itemized list and explanation of all fees and charges that will be charged to the Member for participation in the aggregation program, including any applicable switching fees or early termination penalties. The terms and conditions will include credit and/or deposit policies and requirements.
 - h. Disclosure of the dates covered by the aggregation program including an estimated service commencement date.
 - i. A local or toll free telephone number that Members can call with questions regarding the formation or operation of the aggregation, including associated calling hours.
 - j. the deadline for returning the opt out form.
2. The Aggregation Services Consultant will work with the City of Parma to determine meetings that would be helpful to attend to educate members about the program. These might include Chamber of Commerce, City Council, Kiwanis, Lion's Club, etc. The Aggregation Services Consultant will attend these events to present information and answer questions about the aggregation program.
3. The Aggregation Services Consultant will assess whether advertising in the local Newspaper is needed to better educate the community.
4. The Aggregation Services Consultant will provide updates and disclosures as mandated by the ORC.
5. The opt out opportunity will be provided to the members of the program every two years. Should conditions, suppliers, price, or any other component of the program change within the two-year period, an assessment will be made whether another opt out opportunity is warranted. Below is the Opt-out disclosure requirement according to ORC 4901:1-28-04.

4901:1-28-04 Opt-out disclosure requirements.

(A) Prior to including a Member's natural gas account or accounts in the aggregation, the City of Parma will provide each eligible Member written notice that the Member's account(s) will be automatically included in the aggregation unless the Member affirmatively opts out of the aggregation. The notice will, at a minimum, include:

(1) A summary of the actions that the governmental entity took to authorize the aggregation.

(2) A description of the services that the City of Parma will provide under the aggregation.

(3) Disclosure of the price that the City of Parma will charge Members for Retail Natural Gas Aggregation Service. The price will be expressed in dollars and/or cents per hundred cubic feet of gas ("Ccf") or thousand cubic feet of gas ("Mcf"), depending on the unit that is used by the Retail Natural Gas Supplier that serves the Member. If a variable rate is offered, it will be accompanied by an understandable description of the factors that will cause the price to vary (including any associated indices) and disclosure of how frequently the rate will change. If different rates will be charged to different rate classes within the aggregation, the City of Parma will disclose the applicable rate(s) to Members within the various rate classes.

(4) An itemized list and explanation of all fees and charges that are not incorporated into the rates charged for natural gas that the City of Parma or its selected Retail Natural Gas Supplier will charge the Member for participating in the aggregation, including any applicable switching fees or early termination penalties. These switching fees and/or early termination penalties will not apply to a Member that moves out of the City of Parma territory.

(5) Disclosure of the dates covered by the aggregation, including an estimated service commencement date and notice that the Member may opt-out of the aggregation at least every two years without penalty.

(6) Disclosure of any credit and/or deposit policies and requirements.

(7) Disclosure of any limitations or conditions on Member acceptance into the aggregation.

(8) A description of the process and associated time period for Members to opt-out of the aggregation. The process will include provisions for Members to return a post card or similar notice to the City of Parma or its agent. The process may include, in addition, other opt-out methods, such as telephonic or Internet notice, provided that these methods provide for verification of a Member's election to opt-out of the aggregation. The time period for a Member to choose to opt-out of the aggregation will extend at least **twenty-one days** from the date of the postmark on the written notice. A Member's return post card or notice that is post marked before the opt-out deadline has elapsed will be deemed to have opted out.

(9) A local or toll-free telephone number that Members can call with questions regarding the formation or operation of the aggregation, including associated calling hours.

- (B) At least every two years from the establishment of its initial aggregation pool, the City of Parma will provide notice to all Members served by the aggregation of their right to opt-out of the aggregation without penalty. This notice will follow the procedures established for the initial opt-out notice set forth in this rule and will prominently disclose to Members all changes to the terms and conditions associated with the aggregation.
- (C) No Retail Natural Gas Supplier serving the City of Parma Members will impose any terms, conditions, fees, or charges served by a Retail Natural Gas Supplier unless the particular term, condition, fee, or charge was clearly disclosed to the Member at the time the Member chose not to opt-out of the Aggregation Group.
- (D) To assist its preparation and dissemination of required opt-out notices, a Government Aggregator which is certified by the commission may request that Columbia Gas of Ohio provide it with Member information consistent with division (A) of rule 4901:1-28-05 of the Administrative Code. The City of Parma will not, without the Member's express written consent, disclose or use for any purpose other than formation and operation of its aggregation a Member's account number or social security number or any Member information regarding Members who had opted-off of a Columbia Gas of Ohio's pre-enrollment list. Before the City of Parma releases any Member account number, social security number, or any information related to a Member who has opted off of a natural gas company's pre-enrollment list, the City of Parma will obtain the Member's signature on a release. The release will be on a separate piece of paper. The release will be clearly identified on its face as a release of personal information and all text on the release will be in at least 16-point type. The following statements will appear prominently on the release, just prior to the signature, in type larger and darker than the type in the surrounding sentences: **I realize that, under the rules and regulations of the Public Utilities Commission of Ohio, I may refuse to allow the City of Parma to release the information set forth above. By my signature, I freely give the City of Parma permission to release the information designated above.** The information that the City of Parma seeks to release will be specified on the form. Forms requiring a Member to circle or to check off preprinted types of information to be released may not be used.
- (E) The City of Parma will use its best efforts to ensure that only eligible Member accounts within its governmental boundaries and Members who have not opted-out are included in its aggregation. If ineligible accounts, accounts from outside of the City of Parma's governmental boundaries, or accounts for Members who opted-out of the aggregation are switched to the governmental aggregation, the City of Parma will promptly contact Columbia Gas of Ohio to have the Member switched back to the Member's former supplier. The City of Parma will reimburse the Member for any switching fees that were paid by the Member as a result of the switch. In addition, if the Member's former rate was less than the rate charged by the City of Parma, then the City of Parma will reimburse the Member the difference between the Member's former rate and the City of Parma's rate multiplied by the Member's usage during the time that the Member was served by the City of Parma.

Appendix B Retail Natural Gas Supplier Selection Process:

- l. The Aggregation Services Consultant will develop screening criteria to be used in the selection process for a Retail Natural Gas Supplier, which, at a minimum, will include price, financial wherewithal, experience, ability to implement the Member Service Plan, and references. The City of Parma will provide the Aggregation Services Consultant with the boundaries, constraints, and minimum requirements that are required of a Retail Natural Gas Supplier.**

The Retail Natural Gas Supplier will be selected through a Request for Proposal (RFP) or through direct negotiation, if approved by the City of Parma, by a process that will be developed by the Aggregation Services Consultant and reviewed and approved by the City of Parma. The process will include the following:

- a. The Retail Natural Gas Supplier can be selected through direct negotiation if only one supplier is making offers to residential and small commercial Members.**
- b. If directed by the City of Parma, the Aggregation Services Consultant will organize the bid process.**
- c. The Aggregation Services Consultant will develop a list of qualified suppliers.**
- d. The City of Parma will review and approve list of qualified suppliers.**
- e. As directed by the City of Parma, the Aggregation Services Consultant will develop the Request for Proposal.**
- f. The City of Parma will review and approve Request for Proposal prepared by the Aggregation Services Consultant.**
- g. As directed by the City of Parma, the Aggregation Services Consultant will send request for the proposal to a list of qualified suppliers.**
- h. The Aggregation Services Consultant will respond to the suppliers' questions.**
- i. The Aggregation Services Consultant will manage and organize the bids.**
- j. The Aggregation Services Consultant will discuss and clarify bidder's proposal.**
- k. The Aggregation Services Consultant will analyze bids and compare to shopping credits.**
- l. The Aggregation Services Consultant will recommend a short list of suppliers to the City of Parma.**
- m. The Aggregation Services Consultant will report and present recommendations to the City of Parma.**
- n. The Aggregation Services Consultant will negotiate price, terms and conditions with selected bidders.**
- o. The City of Parma will execute the contract with the Retail Natural Gas Supplier.**

Appendix C Member Access and Complaint Handling:

Member Access:

1. The City of Parma will require the Retail Natural Gas Supplier to ensure Members reasonable access to its service representatives to make inquiries and complaints, discuss charges on Member bills, and transact any other business.
2. Telephone access will be toll free and afford Members prompt answer times during normal business hours.
3. The City of Parma will require the Retail Natural Gas Supplier to provide a twenty-four-hour automated telephone message instructing callers to report any service interruptions or natural gas emergencies to Columbia Gas of Ohio.

Member Complaints:

1. The Aggregation Services Consultant will require the Retail Natural Gas Supplier to investigate Member complaints (including Member complaints referred by Columbia Gas of Ohio) and provide a status report within three business days following receipt of the complaint to:
 - a) The Member, when the complaint is made directly to the Retail Natural Gas Supplier or Aggregation Services Consultant; or
 - b) The Member and the Public Utilities Commission of Ohio Staff ("Commission Staff"), when a complaint is referred to the Retail Natural Gas Supplier or the Aggregation Services Consultant by the Commission Staff.
2. The Aggregation Services Consultant may choose to have the supplier perform certain functions as the City of Parma's agent. However, the City of Parma is still responsible for ensuring that the requirements of these rules met.
3. If an investigation is not completed within ten business days, the Retail Natural Gas Supplier or the Aggregation Services Consultant will provide status reports to the Member and the Commission Staff. Such status reports will be provided at three-business day intervals until the investigation is complete, unless the action that must be taken will require more than three business days and the Member has been so notified.
4. The Aggregation Services Consultant will require the Retail Natural Gas Supplier to inform the Member, the Aggregation Services Consultant, or the Member, and Commission Staff, of the results of the investigation, orally or in writing, no later than three business days after completion of the investigation. The Member or Commission Staff may request the report in writing.

5. If a Member disputes the Retail Natural Gas Supplier's or Aggregation Services Consultant report, the Retail Natural Gas Supplier or Aggregation Services Consultant will inform the Member that the Commission Staff is available to mediate complaints. The Retail Natural Gas Supplier or Aggregation Services Consultant will provide the Member with the current address, local/toll free telephone numbers, and TDD/TTY telephone number of the Commission's Public Interest Center.
6. The City will require each Retail Natural Gas Supplier to retain records of Member complaints, investigations, and complaint resolutions for two years after the occurrence of such complaints, and will provide such records to the Commission Staff within three business days of request.
7. Each Retail Natural Gas Supplier or Aggregation Services Consultant will make good faith efforts to resolve disputes, and cooperate with the resolution of any joint issues with Columbia Gas of Ohio.

Retail Natural Gas Service Issues

If Members contact Columbia Gas of Ohio concerning competitive retail natural gas service issues, Columbia Gas of Ohio is required to:

1. Review the issue with the Member to determine whether it also involves Columbia Gas of Ohio
2. Cooperate with the resolution of any joint issues with the Retail Natural Gas Supplier or Aggregation Services Consultant, and
3. Refer the Member to the appropriate Retail Natural Gas Supplier or Aggregation Services Consultant in those instances where the issue lacks Columbia Gas of Ohio involvement.

Slamming Complaints

1. A slamming complaint is a Member's allegation that the Member's Retail Natural Gas Supplier or Aggregation Services Consultant has been switched without the Member's authorization.
2. If a Member contacts Columbia Gas of Ohio, Retail Natural Gas Supplier or the Aggregation Services Consultant and has been switched without the Member's authorization, Columbia Gas of Ohio, Retail Natural Gas Supplier or Aggregation Services Consultant will:
 - (a) Provide the Member any evidence relating to the Member's enrollment;
 - (b) Refer the Member to the PUCO's Public Interest Center;
 - (c) Provide the Member with the local/toll-free telephone numbers of the PUCO's Consumer Service Department
 - (d) Cooperate with the staff in any subsequent investigations of the slamming complaint.

3. Except as otherwise provided in Chapter 4901:1-28, of the Administrative Code, if the Retail Natural Gas Supplier cannot produce valid documents confirming that the Member authorized the switch, there will be a refutable presumption that the Member was switched without authorization. Such documents include one of the following, in conformance with the requirements of Rule 4901:1-29-06 of the Administrative Code:
 - (a) A signed contract, in the case of direct enrollment;
 - (b) An audio recording, in the case of telephonic enrollment; or
 - (c) Electronic consents, in the case of Internet enrollment.
4. In the event that the Member was switched from one Retail Natural Gas Supplier or Government Aggregator to a different Retail Natural Gas Supplier without authorization, the Member's previous Retail Natural Gas Supplier or Government Aggregator will re-enroll the Member without penalty under such Member's original contract price for the duration of the original term and send Columbia Gas of Ohio an electronic enrollment request;
5. In the event that a Member was switched from Columbia Gas of Ohio commodity service to a Retail Natural Gas Supplier or the Government Aggregator without authorization, Columbia Gas of Ohio will switch the Member back to Columbia Gas of Ohio's GCR commodity service without penalty.

Member Billing and Payments

1. The City of Parma will require the Retail Natural Gas Supplier to bill Members directly for Retail Natural Gas Services or arrange for Columbia Gas of Ohio or its agent to bill Members for such services.
2. Member bills issued by or for the Retail Natural Gas Supplier and Governmental Aggregation Services Consultant will be accurate and understandable, be rendered at intervals consistent with those of Columbia Gas of Ohio, and contain sufficient information for Members to compute and compare the total cost of competitive Retail Natural Gas Aggregation Service (s). Such bills will also include:
 - a) The Member's name, billing address, service address, the Member's Columbia Gas of Ohio's account number, and if applicable, The Retail Natural Gas Supplier account number;
 - b) The dates of service covered by the bill, an itemization of each type of competitive natural gas service covered by the bill, any related billing components, the charge for each type of service, and any other information the Member would need to recalculate the bill for accuracy;
 - c) The Member's historical consumption during each of the preceding twelve months; with a total and average consumption for such twelve month period.
 - d) The applicable billing determinants, including beginning meter reading, ending meter reading(s), multipliers, and any other consumption(s) adjustments;

- e) The unit price charged per Ccf or Mcf, whichever is consistent with Columbia Gas of Ohio's Member billing format, for Retail Natural Gas Aggregation Service, as calculated by dividing current period competitive Retail Natural Gas Aggregation Service charges by the current-period consumption;
 - f) An identification of the Retail Natural Gas Supplier of the Retail Natural Gas Service appearing on the bill;
 - g) The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the Member's account during the current period, any late payment charges or gross and net charges, if applicable, and the total amount due and payable.
 - h) The due date for payment to keep the account current. Such due date will be no less than that provided by Columbia Gas of Ohio for its charges;
 - i) Current balance of the account, if a residential Member is billed according to a budget plan;
 - j) Options and instructions on how Members may make their payments;
 - k) For each provider whose charges appear on the bill, a listing of the provider's toll-free telephone number and address for Member billing questions or complaints;
 - l) The following statement:

"If your questions are not resolved after you have called Columbia Gas of Ohio, Members may call the Public Utilities Commission of Ohio (PUCO), toll free at 1-800-686-7826 or visit the PUCO website at www.puco.ohio.gov or as otherwise specified by the Commission. Residential Members may also call the Ohio Member's Counsel (OCC), toll free at 1-877-742-5622 or visit the OCC website at www.pickocc.org or as otherwise specified by the OCC;
 - m) The Columbia Gas of Ohio's 24-hour local/toll-free telephone number for reporting service emergencies;
 - n) Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and
 - o) An explanation of any codes and abbreviations used;
3. If applicable, the Retail Natural Gas Supplier will, upon request, provide Members with the name and street address/location of the nearest payment center and/or authorized payment agent.

4. If applicable, when a Member pays the bill at a payment center or to an authorized payment agent, such payment will be credited to the Member's account as of the day such payment center or agent receives it.
5. The City of Parma and the Retail Natural Gas Supplier will establish policies and procedures for handling billing disputes and requests for payment arrangements.
6. Partial payments applied towards any past due amount on a bill or the balance due on a disconnection notice must be apportioned to past due Columbia Gas of Ohio service and delivery charges, then to any current Columbia Gas of Ohio service and delivery charges, before being applied to any retail natural gas supplier or City of Parma charges unless the Member pays the entire amount past due or more. Any amount paid over the amount past due will be applied first to Columbia Gas of Ohio service and delivery charges.
7. If the Retail Natural Gas Supplier selected by the City of Parma elects for its charges to be included on a Columbia Gas of Ohio's consolidated bill:
 - (a) The Retail Natural Gas Supplier will furnish Columbia Gas of Ohio sufficient bill contents as required by division (B) of rule 4901:1-29-12 of the Administrative Code;
 - (b) Columbia Gas of Ohio will produce a consolidated bill including all such required contents provided by the Retail Natural Gas Supplier or Government Aggregator if it is not already on the Member's bill from Columbia Gas of Ohio;
 - (c) The consolidated bill will state the name of the applicable Retail Natural Gas Supplier in close proximity to the Retail Natural Gas Supplier's commodity charges; and
 - (d) Columbia Gas of Ohio will offer budget billing of a Retail Natural Gas Supplier as a customer elect option.
8. Member bills issued by or for Columbia Gas of Ohio will state the Member's historical consumption during each of the preceding twelve months, with a total and average consumption for such twelve-month period.
9. If Columbia Gas of Ohio acts as the billing agent for the Retail Natural Gas Supplier, customer partial payments will be credited as follows:

Partial payments applied towards any past due amount on a bill or the balance due on a disconnection notice must be apportioned to past due Columbia Gas of Ohio service and delivery charges, then to any current Retail Natural Gas Supplier unless the Member pays the entire amount past due or more. In that case any amount paid over the amount past due shall be applied first to Columbia Gas of Ohio service and delivery charges.

10. Columbia Gas of Ohio will not disconnect a Member's natural gas service for nonpayment of competitive Retail Natural Gas Service charges or in the event of a bill dispute of such charges.

11. Full payment of a budget amount due is not to be construed as a partial payment.

Appendix D: Services to be provided to Members

Determination of the Rates:

The rates charged for Retail Natural Gas Service will be determined by adding an administrative fee on a per Mcf or Ccf basis to the rates for Retail Natural Gas Service proposed by the selected Certified Retail Natural Gas Supplier.

Plan for providing the Opt-Out notice:

See the Appendix A Education Process.

Process for developing pool of accounts that will be included in the aggregation:

The accounts that will be included in the aggregation will be based on the account's eligibility to participate in Aggregation Group for which favorable pricing can be obtained for both residents and small commercial. The accounts located within Parma will be first identified by zip code, and the Aggregation Services Consultant will provide further analysis to include accounts within the boundary and exclude accounts outside of the boundaries of the city. Only Members whose information is provided to the Aggregation Services Consultant by Columbia Gas of Ohio and those Members who currently do not have any commitments under contracts with other Retail Natural Gas Suppliers will be eligible for participation. The Aggregation Services Consultant will then exclude all Members electing to "opt-out" and all Members whose opt-out notice is returned as undeliverable.

Policies associated with a Member moving into the aggregation:

A resident and business that moves into Parma, per the Rules for Competitive Retail Natural Gas Service and its Providers pursuant to Chapter 4901, of the Revised Code. Initially, service will have to be granted by Columbia Gas of Ohio and then subsequently with the Retail Natural Gas Supplier of choice from the City of Parma at the current rate available. At the direction of The City, but not more frequently than quarterly, the Aggregation Services Consultant will provide an Opt-In process for new residents and businesses, or potential new members. The disclosure form and the process will be the same as for initial members of the program; the pricing available will depend on the then current price available from the Retail Natural Gas Supplier.

A resident or business that moves from a location will be dropped from the existing supplier, per the rules of Columbia Gas of Ohio. No fees will be charged. If the resident and business relocates within the City of Parma, they will be treated the same as any resident and business that moves into the City of Parma.

Policies associated with the ability of Members who had previously opted out of the Aggregation Program:

A resident or business that elects to "Opt-Out" of the Aggregation Group, will be given the opportunity to rejoin the Aggregation Group in the next Opt Out process following the two year anniversary of that Member's election to "Opt-Out". If a resident or business would like to rejoin the group prior to the second anniversary of the original "Opt-Out", then they will be included in the next group formed for new members. Once a resident or business elects to "Opt-

Out" of a given Aggregation Group, their re-inclusion in that given group will be at the discretion of the Retail Natural Gas Supplier.

Draft

City of Parma Ohio
Exhibit ~~8-1~~ 8-3
"Automatic Aggregation Disclosure"
Page 1 of 1

The City of Parma officials would like to offer you the opportunity to join with other Parma residents and small businesses to save money on the natural gas you use. Savings are possible through a concept called aggregation, where city officials bring together customers to gain group buying power for the purchase of natural gas from a Retail Natural Gas Supplier certified by the The Public Utilities Commission of Ohio.

There is no cost for enrollment in Parma's natural gas program. As a member of this program, you can expect to receive a lower natural gas bill, with a price per CCF for the competitive portion of the bill below the Gas Cost Recovery (GCR) charge you would experience staying with Columbia of Ohio.

Of course, you are not obligated to join Parma's natural gas aggregation program. You have the next 21 days - until MDYYYY - to return the enclosed "Opt-Out" form. By returning the signed form you will be excluded from the opportunity to join with other Parma citizens in Parma's natural gas aggregation program.

Once enrolled in the aggregation program, you will be sent a notice every two years asking if you wish to remain in Parma's aggregation program.

If you have any questions or concerns, you may call The E Group, a team of experts assisting Parma in the aggregation process, toll-free at 1-8xx-xxx-xxxx, Monday through Friday 8:00am to 4:30pm.

Sincerely,

City of Parma

DRAFT

July, 2002

Dear Parma Natural Gas Aggregation Member,

The City of Parma is providing you with the opportunity to participate with other Parma residents and small businesses to save money on the natural gas you use. Savings are possible through a concept called aggregation, where city officials bring together customers to gain group buying power for the purchase of natural gas from a Retail Natural Gas Supplier certified by the Public Utilities Commission of Ohio.

The City of Parma voters approved this program November 6, 2001 for the city to act as an Aggregator (purchasing agent) and enter into an agreement with a Natural Gas Supplier or other natural gas aggregator on behalf of all of the residents of Parma in accordance with Ohio law.

You have been automatically enrolled in Parma's natural gas aggregation program – there is no cost for enrollment. You do not need to do anything to participate. During the past few weeks, we have worked with The E Group, a team of energy experts assisting Parma in the aggregation process, to secure competitive pricing on natural gas for you.

We have chosen xxxSupplier to provide you with natural gas for the competitive portion of your natural gas bill through a competitive bidding process – for a xxx-year term(*).

Prices inserted here

Of course, you are not obligated to participate in Parma's natural gas aggregation program. **You have until xxx, 2002 to return the enclosed "opt-out" form and be excluded from Parma's natural gas aggregation program.** If you don't opt out at this time, you will receive a notice every two years asking if you wish to remain in the program. Under this program, you may opt out at any time, however a fee may apply to exit the aggregation group.

In Ohio's deregulated natural gas environment, your local distribution company – Columbia Gas of Ohio – will continue to maintain the system that transmits and delivers the natural gas to your home. You won't see any new gas lines in your neighborhood, and you will continue to receive a single, easy-to-read bill from your natural gas company with your Columbia Gas of Ohio charges included. The only thing you'll notice is savings on your natural gas bill from Columbia of Ohio.

If you have any questions or concerns, please call The E Group toll-free at 1-xxx-xxx-xxxx, Monday through Friday, 9 a.m. to 9 p.m. You may also call Columbia of Ohio at 1-888-xxx-xxxx Monday through Friday, 7 a.m. to 7 p.m., or Saturday 9 a.m. to 2 p.m.

Sincerely,

The City of Parma

*Be sure to review the accompanying terms and conditions.

OPT OUT FORM – CITY OF PARMA NATURAL GAS AGGREGATION PROGRAM

By returning this signed form, you will be excluded from the opportunity to join with other Residential and small businesses in the City of Parma Natural Gas Aggregation Program.

I wish to opt out of the City of Parma Natural Gas Aggregation Program. ☐ **(Check box to opt out)**

The Columbia of Ohio account holder name (please print clearly): _____

12-digit account number as it appears on your current natural gas bill:

--	--	--	--	--	--	--	--	--	--	--	--

Service address (city, state and zip): _____

Phone number: _____

Account holder's signature: _____ Date: _____

Mail to: City of Parma Natural Gas Aggregation Program, Address

If you have multiple natural gas accounts and service address locations, please attach a completed photocopy of this sheet so we may exclude all of your facilities.

DRAFT
General Terms and Conditions
For
Natural Gas Services and Supply Sales Agreement

- 1. AGREEMENT:**
- 2. TERM:**
- 3. POINT OF DELIVERY**
- 4. VOLUME**
- 5. PRICE**
- 6. BILLING & PAYMENT**
- 7. Etc.**

Titles are utilized for illustration purposes only.
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City of Parma, Ohio
Exhibit ~~44~~ B-S
"Experience"
Page 1 of 4

City of Parma has contracted with The E Group to perform the functions of Governmental Aggregator for natural gas. Listed below is a description of The E Group's relevant experiences, as well as the biographies of key personnel within The E Group. The ordinance approving The E Group as Parma's consultant for the Governmental Aggregation program is also attached.

Local Addresses

The E Group
395 Ghent Road, Suite 311
Akron, Ohio 44333

List of Relevant Experience

The E Group consults and manages over 2 BCF of natural gas on an annual basis as well as over 2 billion kWhs of electric energy for a portfolio of customers. Customers range from small office buildings to large steel companies. The E Group has great deal of experience in providing energy management services to lower its clients' energy cost.

The E Group also has experience dealing with groups with significant memberships. It has built and has maintained a data base for electric aggregation for both the City of Parma and the City of Marion comprising both of residents and small businesses. The database was used primarily to track customers and to develop savings for reporting to the program managers at each of the respective cities.

The E Group References

Name	Type of Service
Corning	Energy Procurement and Energy Strategies
Republic Technologies	Energy Procurement and Energy Strategies
Verizon Wireless	Data Base and Bill Payment
National City Bank	Data Base, Bill Payment, Energy Procurement Strategies
Forest City Enterprises	Energy Procurement and Energy Strategies

Team Members, Duties and Biographies:

Duties: Perform or supervise the development and implementation of energy procurement strategies, assist in the education plan, negotiate with suppliers, analyze bids and shopping credits, present recommendations to city officials, and other duties as the scope of work progresses.

Charles V. Fullem is Director, Energy Consulting of The E Group. He has over 19 years experience in the utility industry, with a background in marketing; pricing, contract development and negotiations of both wholesale and retail electric service contracts, consultation, and regulation. As Director, he manages technical staff teams. He delivers all aspects of The E Groups' client services, including strategic consulting, bill and rate analysis, development of energy procurement strategies, preparation of requests for proposal, evaluation of bids, contract development and implementation, open market analysis, and negotiations with suppliers.

Prior to taking his present position, Mr. Fullem was Director, Pricing and Regulatory Affairs in FirstEnergy's rate department, where he was responsible for tariff administration and pricing programs serving over 2.2 million customers in Ohio and Pennsylvania. In this capacity, Mr. Fullem developed and implemented tariffs designed to implement Customer Choice in Ohio, including the development of FirstEnergy's Supplier Tariff, Net Metering Rider and participated in the OSP workgroups.

Mr. Fullem developed the marketing strategies for FirstEnergy's non-regulated subsidiaries in the newly competitive Pennsylvania electric market. Using his approaches, FirstEnergy Services and Penn Power Energy captured over 400 mixed commercial and industrial customers, with approximately 5,000 service locations distributed throughout Pennsylvania, representing over 300 megawatts of electricity.

Mr. Fullem has developed and implemented successful marketing programs targeted to Commercial and Industrial Customers and mass market customers in competitive retail electric markets in both competitive generation markets and in traditional area's of competition between fully integrated electric utility providers.

Mr. Fullem has also performed cost of service studies, load research, customer requirements analyses, and financial analysis. He has provided expert testimony before the Public Utilities Commission of Ohio, The Pennsylvania Public Utilities Commission, and The Federal Energy Regulatory Commission.

Mr. Fullem holds his Bachelor of Science degree in Mineral Economics from the Pennsylvania State University.

Duties: Develop and implement energy procurement strategies, assist in the promotion of the education plans with municipalities, first point of contact with city officials as well as customers, administer the Request for Proposal and negotiate with suppliers, analyze bids, present recommendations to city officials, and other duties as the scope of work progresses.

Joseph E. Zuschak is a Senior Energy Consultant of The E Group. He has over 17 years experience in the utility business working in the areas of Rates, Accounting, and Marketing dealing with many issues affecting the energy industry. As a Senior Energy consultant, Mr. Zuschak is responsible for developing energy procurement strategies, client energy management processes, contract negotiations and strategies, and establishing and maintaining client relationships.

Previous to his current position with The E Group, Mr. Zuschak was a Senior Business Analyst in the Rate Department. In this position his responsibilities included developing pricing strategies for long-term contract negotiations, Sales personnel support at customer sites dealing with issues relating to contract and tariff application, tariff development, and financial analysis of customer profitability for contract negotiation strategy. Customers that he generally worked with in contract negotiations were large industrial steel manufacturing plants, plastic processors, healthcare, paper mills, governmental buildings and sewer and water treatment plants, and commercial chain accounts.

Mr. Zuschak has in the past developed load research programs for FirstEnergy Corporation subsidiary Ohio Edison for Residential, Commercial, and Industrial customer classes. Primary responsibilities for this position included statistical design and analysis of rate class load research studies. In addition to his role as a load research Business Analyst he participated and gave presentations on findings of studies at load research conferences.

Mr. Zuschak has a Bachelor of Science degree in Business Administration as well as a Masters in Business Administration(M.B.A) with a concentration in Finance and Management Information Systems from the University of Akron and holds a Certified Public Accounting certificate in the State of Ohio, is a Certified Energy Procurement Professional, and is a member of the American Institute of Certified Public Accountants, the Ohio Society of Certified Public Accountants, and The Association of Energy Engineers.

Duties: Develop and implement energy procurement strategies, research tariff applicability, risk management services for natural gas, and negotiating rates and contracts with suppliers and transportation negotiations with local distribution companies.

Susan MacNeal is a Business Analyst with the E Group. Susan has over 23 years of experience with the natural gas industry in Transportation, Gas Utilities, Rates, Tariffs, Analyst, and Regulatory Affairs. As a Business Analyst, Susan is currently responsible for researching, developing, and implementing procurement strategies for customers in the energy markets, in addition to analyzing and evaluating rates and tariffs.

Prior to assuming her present position with The E Group, Susan's position was Gas Management Services Analyst for FirstEnergy Trading with Major Account Services. Her responsibilities included setting policies for retail gas commodity pricing, working closely with the risk pricing management desk and the gas sales specialist in determining natural gas pricing for prospective customers. Developed the Service & Supply Gas Agreement contracts. Susan is presently working with FirstEnergy Solutions on a MESA contract with Republic Technologies International, (Republic). She currently provides gas management services for Republic, which includes, negotiating rates, tariff analysis, contracts, and transportation negotiations between Republic and Local Distribution Companies. She also prepares requests for natural gas pricing, analyzing all natural gas related billings and approves or corrects any discrepancies. Susan maintains the monthly usage with bank tolerances, and provides monthly gas reports for each plant.

Susan worked at Columbia Gas of Ohio for 20 years and was responsible for approximately 1600 gas transportation service accounts in Ohio's Northern Region. Her background includes advising, monitoring and training Columbia Gas of Ohio personnel, customers and marketers in regards to gas transportation service accounts and the tariff.

Susan graduated from Lorain County Community College in 1978 with an Associate Degree in Business Administration.