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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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PUCO

In the Matter of the Application of Eastern )  
Natural Gas Company for Approval of a New )  
Bill Format pursuant to Ohio Administrative ) Case No. 09-1039-GA-UNC  
Code §4901:1-13-11(D) )

In the Matter of the Application of Pike )  
Natural Gas Company for Approval of a New )  
Bill Format pursuant to Ohio Administrative ) Case No. 09-1040-GA-UNC  
Code §4901:1-13-11(D) )

In the Matter of the Application of Southeastern )  
Natural Gas Company for Approval of a New )  
Bill Format pursuant to Ohio Administrative ) Case No. 09-1041-GA-UNC  
Code §4901:1-13-11(D) )

**MOTION FOR WAIVER**

Pursuant to Rule 4901:1-13-02(C) of the Ohio Administrative Code, Eastern Natural Gas Company, Pike Natural Gas Company, and Southeastern Natural Gas Company (Companies or Applicants) respectfully move for a waiver from Rule 4901:1-13-11(B)(13) of the Ohio Administrative Code. The Applications in these cases were filed on November 4, 2009. A Supplement to the Applications was filed on December 14, 2009 to clarify an issue raised by the Staff of the Public Utilities Commission of Ohio (Staff) concerning Ohio Administrative Code §4901:1-13-11(B) (13). The Supplement did not purport to change or amend the original filing; its purpose was only to clarify the issue raised by the Staff. The Staff has requested that the Applicants file a motion for a waiver.

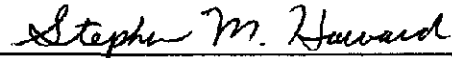
The Staff has recommended that the Applicants file a motion for waiver from Rule 4901:1-13-11(B)(13) which does not define the term "total charges for the current billing period". The Staff has interpreted the rule to require that total current charges exclude certain current charges which the Applicants propose to include as "total current charges". The Staff has indicated that if the Applicants request and receive a waiver, it will be unnecessary to include on the bill a specific line "total current charges" which would exclude certain charges. Good cause exists for granting the requested waiver as set forth in the accompanying memorandum in support.

WHEREFORE, the Applicants respectfully request that the Commission grant their motion for a waiver to waive the provisions of Rule 4901:1-13-11(B)(13) of the Ohio Administrative Code to the extent that it requires a specific line item of "total current charges" which would exclude certain charges and to approve the Applicants' proposed bill formats at its first signing session in 2010.

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Technician Pa Date 12/16/09

Respectfully submitted,



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Attorneys for the Applicants

### **MEMORANDUM IN SUPPORT**

OAC §4901:1-13-11(B) (13) requires that each bill shall display the "total charges for the current billing period". While OAC §4901:1-13 does not define the term "total charges for the current billing period", the Staff has interpreted the rule to require that the total current charges exclude certain current charges which the Companies propose to include on the customer's bill and have included as total current charges. This issue applies to the bill formats the Companies filed in their Applications. For example, the Companies filed the following Deferred Bill format (Attachment A format, Page 3 of Application):

CURRENT CHARGES	
GCR @ \$.696364/CCF	\$ 13.24
Base Rate @ \$.260000/CCF	\$ 4.68
Customer Charge	\$ 7.50
Deferred Balance Charge	\$ 59.91
Total Current Charges	\$ 85.33

The Staff, which has been diligently working with the Companies on the proposed bill format, had initially requested that the following format, using the same Deferred Bill example, be considered by the Applicants:

CURRENT CHARGES	
GCR @ \$.696364/CCF	\$ 13.24
Base Rate @ \$.260000/CCF	\$ 4.68
Customer Charge	\$ 7.50
Total Current Charges	\$ 25.42
Deferred Balance Charge	\$ 59.91
Total Bill	\$ 85.33

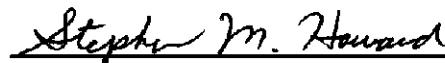
While the addition of a subtotal to the program generating the billing may appear to be relatively simple, in fact, it would require significant additional programming cost and time. The Companies have explained to the Staff that the additional cost and time required to implement the change makes it impossible for the Companies to financially make this modification and/or meet a

desired March 2010 rollout of the new letter size format, to replace their current postcard billing format.

Even with this variation from the Staff's standard format, the Companies' proposed bill format change -- from a limited postcard format to a letter format -- will provide a substantial benefit to customers. The Companies' proposed bill format includes all other required components on a customer's bill and substantially more information than is currently being provided.

The Staff has recommended that for purposes of these bill format cases, these Applicants should seek a waiver. Therefore, the Applicants respectfully request that the Commission waive the provisions of Rule 4901:1-13-11(B)(13) of the Ohio Administrative Code to the extent that the rule can be interpreted as requiring a line item that requires total current charges excluding the other charges that the Companies have proposed to be listed on the bill. Granting this requested waiver and approving the Applicants' proposed bill formats by the first signing session in January, 2010 will allow the Applicants to financially implement the proposed bill format and to meet a desired March, 2010 rollout of the new letter size format, replacing their current postcard billing format. Good cause exists for granting the requested waiver and the Companies respectfully request that the Commission approve their proposed bill formats at the first signing session in January, 2010.

Respectfully submitted,



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