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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE SELF-COMPLAINT)
OF SUBURBAN NATURAL GAS COMPANY)
CONCERNING ITS EXISTING TARIFF) CASE NO. 11-58⁴⁶-GA-SLF
PROVISIONS)

SELF-COMPLAINT OF
SUBURBAN NATURAL GAS COMPANY

Now comes Suburban Natural Gas Company ("Suburban") and files this self-complaint under Section 4905.26 of the Ohio Revised Code. In support thereof, Suburban hereby represents and says that:

1. Suburban is a public utility and natural gas company as those terms are defined by Sections 4905.02 and 4905.03(A)(6), Revised Code, and therefore is subject to the jurisdiction of this Commission.

2. Suburban brings this self-complaint under Section 4905.26, Revised Code, which permits a public utility to file a complaint "as to any matter affecting its own product or service"

3. Suburban provides natural gas service to approximately 14,600 customers in northwestern and central Ohio.

4. A number of Ohio natural gas distribution companies, including a much larger competitor of Suburban's, have as part of their tariff what is often known as a demand side management rider ("DSM"). See, e.g., Columbia Gas of Ohio, Inc. Tariff, Sixth Revised Sheet No. 28; East Ohio Gas Company Tariff, Second Revised Sheet No. DSM 1; Vectren Delivery of Ohio, Inc. Tariff, Sheet No. 46, Third Revised Page 1 of 1 ("Energy Efficiency Funding Rider").

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5. Stated generally as applicable here, DSMs provide a method by which natural gas distribution companies recover costs associated with providing services that assist and encourage builders to construct energy-efficient buildings.

6. As the Commission is aware, natural gas distribution companies do not have exclusive service areas and often compete for new load. The addition of new load can increase economies of scale and moderate the need for future increases in base rates, especially for smaller utilities such as Suburban. Suburban does not have a DSM and therefore is unable to provide services that encourage the use of energy-efficient measures in buildings and is, therefore, at a material competitive disadvantage in competing for new load. Accordingly, there currently exists an unjust, unreasonable, and uneven competitive playing field to the detriment of Suburban and its customers and potential customers.

7. If Suburban's current tariff were to remain unchanged, those customers who desire a demand side management program are unjustly deprived of a competitive option for a provider of such a program. Further, the market is deprived of another program that facilitates energy-efficient measures being taken in construction projects. Ultimately, the current situation – other companies having DSMs, Suburban not having one – is patently inequitable and unjust to Suburban and all of its customers.

8. A reasonable approach to "level the playing field" is for Suburban to have a DSM as part of its tariff. Suburban therefore proposes a modification of its tariff to include a DSM. This approach is also consistent with Ohio's natural gas policy as contained in, for example, Section 4929.02 (A) (1), (2), (3) and (4), Revised Code. The proposed DSM, attached hereto as Exhibit A, will apply only where a customer or potential customer already has an opportunity to utilize a competitor's demand side management program, and then only to residential construction. Further, it will apply only when the customer has an offer to provide demand side management assistance from another natural gas

distribution company. The recovery under the proposed DSM would be limited to costs incurred to meet, not exceed, the assistance offered by another natural gas company.

9. The Commission has permitted the modification of regulations, practices, rates and schedules in complaint proceedings filed by public utilities under Section 4905.26, Revised Code. This self-complaint qualifies as one of those proceedings because, among other things, the alternative of a Section 4909.18 rate increase case would be much more expensive and time consuming to Suburban, and ultimately could result in even higher base rates for its customers. Suburban submits that the Commission may examine and correct the unjust and inequitable circumstances in the market under Section 4905.26, Revised Code. See, e.g., In re Columbia Gas of Ohio, Inc., No. 93-1569-GA-SLF, Entry, Find 1 (Dec. 7, 1995).

10. Under Section 4905.26, Revised Code, the Commission shall fix a time for a hearing if it appears that reasonable grounds for the complaint are stated. Suburban submits that reasonable grounds for this self-complaint are stated, but under the circumstances of this case, the Commission should not schedule an oral hearing on this matter unless it receives a request for one. Instead, the Commission may decide the case on the basis of the information contained in the complaint and exhibits submitted by Suburban in this proceeding via a “paper” hearing. See In re Ohio Gas Co., No. 87-2068-GA-SLF, Entry, Finding 5 (Nov. 22, 1988).

11. Section 4905.26, Revised Code, also requires that Notice of Complaint be published in a newspaper of general circulation in each county affected. In cases of this nature, where a change in a regulation or practice is involved, the Commission has traditionally required that such publication occur once a week for three consecutive weeks, pursuant to Section 4909.19, Revised Code. See In re Ohio Gas Co., supra, at Finding 6. Thus, Suburban requests that the Commission direct it to cause publication of a Legal Notice to occur once a week for three consecutive weeks in a newspaper of general circulation in the counties that are affected by this self-complaint.

12. The approval of the proposed change in Suburban's tariff to include a DSM, as attached hereto as Exhibit A, is just and reasonable, as it will facilitate a level competitive playing field and the use of energy-efficient measures in homes while maintaining current base rates.

13. In support of this self-complaint, Suburban is attaching the following exhibits:

Exhibit A – Proposed Tariff Page

Exhibit B – Affidavit of David L. Pemberton, Jr., President

Exhibit C – Proposed Newspaper Notice

WHEREFORE, Suburban respectfully asks that the Commission:

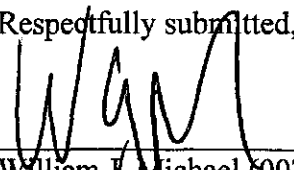
(1) Find that reasonable grounds for the self-complaint are stated and authorize the publication of notice of this matter forthwith;

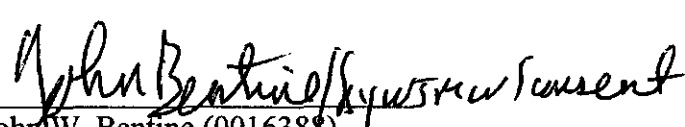
(2) Find Suburban's current tariff unjust and unreasonable as it does not contain a DSM;

(3) Decide the case on the basis of the information contained in the self-complaint and the exhibits submitted by Suburban, unless the Commission receives a request for an oral hearing accompanied by a motion to intervene; and,

(4) Approve the proposed modification to its tariff, attached as Exhibit A, and allow such changes to take effect immediately.

Respectfully submitted,


William J. Michael (0070921)
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Suburban Natural Gas Company
2626 Lewis Center Road
Lewis Center, OH 43035-9206
(740) 548-2450 (Main Number)
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Columbus, Ohio 43215
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Attorneys for Suburban Natural Gas Company

EXHIBIT A

Suburban Natural Gas Company
Cygnet, Ohio

SECTION V
Original Sheet No. 4

DEMAND SIDE MANAGEMENT RIDER

APPLICABILITY:

Applicable to all customers.

DESCRIPTION:

An additional charge per month per account, regardless of gas consumed, to recover costs associated with Company's assistance to homebuilders to encourage homebuilders to build homes that are more efficient than what is necessary to receive federal tax credits offered for building energy-efficient homes, but only where such builders have available to them an offer from another natural gas company to provide such assistance at the same location or proposed location. The Company may recover under this Rider only those costs incurred to meet, but not to exceed, the assistance offered by another natural gas company. This Rider shall be calculated annually pursuant to a notice filed no later than May 31 of each year based on nine months of actual data and three months of estimated data for the reporting year. The filing shall be updated by no later than August 31 of the same year to reflect the use of actual reporting year data. Such adjustments to the Rider will become effective with bills rendered on November 1 of each year.

RATE:

\$ per month

ISSUED: _____ EFFECTIVE: _____

Filed pursuant to the Opinion and Order
Of the Public Utilities Commission of Ohio in
Case No. 11- -GA-SLF dated _____, 2011

ISSUED BY DAVID L. PEMBERTON, JR., PRESIDENT

EXHIBIT B

**COUNTY OF DELAWARE
STATE OF OHIO**

AFFIDAVIT OF DAVID L. PEMBERTON, JR.

I, David L. Pemberton, Jr., being first duly sworn, declare that I have read the foregoing self-complaint of Suburban Natural Gas Company ("Suburban") and declare that it is true and accurate to the best of my knowledge and belief. Further, I declare under oath the following:

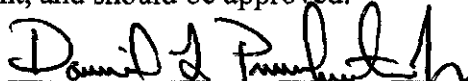
1. I am the President of Suburban, which is headquartered at 2626 Lewis Center Road, Lewis Center, Ohio 43035.

2. A much larger competitor of Suburban has in its tariff a demand side management rider under which, stated generally, it is able to recover costs it incurs in providing services to builders related to energy-efficiency measures.

3. Suburban anticipates being approached about providing similar services, but it would be unable to provide them because it does not have a demand side management rider in its tariff.

4. Suburban's customers, actual and potential, are deprived of a competitive option for a provider of demand side management programs because Suburban does not currently have such a program.

5. The establishment of a demand side management rider is just and reasonable under the circumstances presented in this self-complaint, and should be approved.


David L. Pemberton, Jr. – President

Sworn and subscribed before me this 30th day of November 2011


Notary Public



MARY K. BECHSTEIN
Notary Public, State of Ohio
My Commission Expires 3-19-13

EXHIBIT C

LEGAL NOTICE

Notice is given that Suburban Natural Gas Company has filed a self-complaint with the Public Utilities Commission of Ohio (Case No. 11-____-GA-SLF) requesting that it be allowed to include in its tariff a demand side management rider. Under the proposed rider, Suburban would charge an additional amount per month per account, regardless of gas consumed, to recover costs associated with its assistance to homebuilders to encourage homebuilders to build homes that are more efficient than what is necessary to receive federal tax credits offered for building energy-efficient homes, but only where such builders have available to them an offer from another natural gas company to provide such assistance at the same location or proposed location. Suburban would be able to recover under this rider only those costs incurred to meet, not exceed, the assistance offered by another natural gas company.

Any interested person, firm, corporation, or entity desiring an oral hearing in this matter should file a request with the Commission, along with a motion to intervene in the appropriate case, on or before _____, 2011. Unless the Commission receives such a request for an oral hearing and an accompanying motion to intervene, the case will be decided on the basis of the information contained in the complaint and the attached exhibits. Further information may be obtained by contacting the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.