

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Joint Motion to	)	
Modify the June 18, 2008 Opinion and	)	Case No. 12-1842-GA-EXM
Order in Case No. 07-1224-GA-EXM.	)	

**JOINT MOTION TO MODIFY ORDER  
GRANTING EXEMPTION**

The June 18, 2008 Opinion and Order in Case No. 07-1224-GA-EXM ("Exemption Order") granted an exemption, pursuant to R.C. 4929.04, authorizing The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO") to implement Phase 2 of DEO's plan to exit the merchant function. By this Motion, DEO and the Ohio Gas Marketers Group ("OGMG")<sup>1</sup> (collectively the "Joint Movants") respectfully request, pursuant to R.C. 4929.08(A), that the Commission modify the Exemption Order to allow DEO, beginning in April 2013, to discontinue the availability of Standard Choice Offer ("SCO") service to Choice-eligible General Sales Service – Non-Residential, Large Volume General Sales Service, Energy Choice Transportation Service – Non-Residential and Large Volume Energy Choice Transportation Service customers (collectively, "Non-Residential Customers"). The Joint Movants propose that such Non-Residential Customers receive commodity service from the next available competitive retail natural gas ("CRNG") supplier on a rotating list maintained by DEO pursuant to the CRNG supplier's then-applicable monthly variable rate ("MVR").

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<sup>1</sup> The Ohio Gas Marketers Group includes Commerce Energy, Constellation NewEnergy, Inc. – Gas Division, Direct Energy Services, LLC, Hess Corporation, Integrys Energy, Inc., SouthStar Energy LLC, and Vectren Retail (d/b/a Vectren Source). [The positions taken by the OGMG are consensus positions of the group and do not necessarily reflect the positions or beliefs of any individual member.]

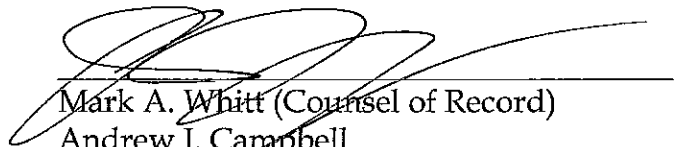
R.C. 4929.08(A) authorizes the Commission to modify an order granting an exemption only after notice and a hearing. To facilitate the scheduling of such a hearing, the Joint Movants have filed, concurrently with this Motion, a Stipulation and Recommendation designated as Joint Exhibit 1.

DEO would note that the Stipulation is signed by the Office of the Ohio Consumers' Counsel ("OCC") as well as by the Joint Movants. While OCC supports approval of the Stipulation, the Joint Movants would make clear that the legal position set forth in the attached Memorandum in Support is theirs only. Joint Movants do not represent that OCC holds this position, or that OCC should be bound by it any future proceeding.

For the reasons discussed in this Motion and attached Memorandum in Support, the Commission should modify the Exemption Order as requested herein.

Dated: June 15, 2012

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark A. Whitt', is written over a horizontal line.

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**MEMORANDUM IN SUPPORT OF  
JOINT MOTION TO MODIFY ORDER  
GRANTING EXEMPTION**

**I. INTRODUCTION**

In the May 26, 2006 Opinion and Order in Case No. 05-474-GA-ATA, the Commission approved DEO's application to implement Phase 1 of its plan to exit the merchant function. Phase 1 replaced DEO's gas cost recovery mechanism with a standard service offer ("SSO") retail price adjustment based on a competitive auction. In the subsequent Phase 2 proceeding, the Commission approved an SCO whereby competitive suppliers bid for the right to supply gas to tranches of choice-eligible customers at a retail level. *See* Exemption Order at 4.

DEO has made SCO service available to Non-Residential Customers since the first SCO auction in 2008. Most customers have elected to choose a CNRG supplier. Because over 80% of Choice-eligible Non-Residential customers have migrated to CRNG suppliers, comparatively few such customers continue to receive SCO service. Discontinuing SCO service to these remaining customers will result in a "full exit" of the merchant function for Choice-eligible Non-Residential customers. The information gleaned from a full exit for these customers will provide valuable insight into whether it would be appropriate to fully exit the merchant function for residential customers, should DEO or another LDC eventually seek to do so.

Thus, in lieu of SCO service, the Joint Movants propose that Non-Residential customers receive commodity service directly from CRNG suppliers, chosen from a rotating list maintained by DEO. The commodity service rate would equal the CRNG supplier's then-applicable monthly variable rate ("MVR"). The customer would always maintain the option of switching to a different CRNG supplier, entering into a different rate plan with the assigned supplier, or participating in an opt-out governmental aggregation program. DEO has committed to not filing for approval of a full exit for residential customers until at least April 1, 2015. A full exit for Non-Residential customers, combined with a commitment to "wait and see" whether a full exit produces benefits that may also be achievable for residential customers presents, as a package, a reasonable modification of the Exemption Order that is in the public interest and should be approved.

## **II. ARGUMENT**

### **A. The Commission Has Statutory Authority To Modify An Order Granting An Exemption.**

The Exemption Order was issued under the authority of R.C. 4929.04. *See* Exemption Order at 20. The Commission has the authority to modify or abrogate the Exemption Order under certain specified conditions. Specifically, R.C. 4929.08(A) provides:

The public utilities commission has jurisdiction over every natural gas company that has been granted an exemption or alternative rate regulation under section 4929.04 or 4929.05 of the Revised Code. As to any such company, the commission, upon its own motion or upon the motion of any person adversely affected by such exemption or alternative rate regulation authority, and after notice and hearing and

subject to this division, may abrogate or modify any order granting such an exemption or authority only under both of the following conditions:

- (1) The commission determines that the findings upon which the order was based are no longer valid and that the abrogation or modification is in the public interest;
- (2) The abrogation or modification is not made more than eight years after the effective date of the order, unless the affected natural gas company consents.

As discussed below, certain findings upon which the Exemption Order was based are no longer valid, and modification of the Exemption Order is in the public interest. Moreover, the Exemption Order was approved less than four years ago, well under the 8-year limit imposed by R.C. 4929.08(A)(2). Therefore, the Commission has authority to modify the Exemption Order.

**B. The Requirements to Modify The Exemption Order Are Met.**

**1. Certain findings upon which the Exemption Order was based are no longer valid.**

DEO proposed to implement the SCO program in Phase 2 to "facilitate the process of choice-eligible customers establishing a contractual relationship with a competitive retail natural gas service (CRNGS) provider prior to the time DEO ceases providing commodity service to such customers." Exemption Order at 6. When proposing Phase 2, DEO anticipated that the 2010 SCO auction would be "the final SCO auction, involving considerably fewer customers due to the incentive of SCO suppliers to enroll their customers in the Energy Choice program before the auction takes place." Case No. 07-1224-GA-EXM, DEO Exhibit 2 at 5. Notwithstanding the assumption that the last auction would be held in 2010, another was held in 2011, and yet another

scheduled for 2012. It has become clear that as long as SCO service remains an option, some customers – for any number of reasons – will not exercise their ability to choose a CRNG supplier.

The continued existence of default SCO service for Non-Residential customers prevents a fully-competitive market from developing. The consequences of a fully-competitive market need to be understood before there is any further movement toward a fully-competitive residential market. The assumption that a fully-competitive market for Non-Residential customers would exist by now is no longer valid. Modification of the Exemption Order is necessary to fulfill the original expectations of that order

**2. Certain modifications to the Exemption Order are necessary and in the public interest.**

Among other principles of the state's energy policy, R.C. 4929.02 instructs the Commission to promote "an expeditious transition to the provision of natural gas services and goods in a manner that achieves effective competition and transactions between willing buyers and willing sellers to reduce or eliminate the need for regulation of natural gas services and goods under Chapters 4905 and 4909 of the Revised Code." R.C. 4929.02(A)(7). DEO's requested modification satisfies this policy by requiring Non-Residential Customers to enter into a direct retail relationship with CRNG suppliers.

There is nothing inconsistent with requiring a Non-Residential customer to choose a CRNG supplier and the notion that commodity sales service should involve "willing buyers and willing sellers." No one will be forced to buy gas commodity

service. Those who wish to will simply be required to exercise a choice – a choice that will no longer include SCO commodity service. All stakeholders in this process have recognized from the beginning that there will always be a subset of customers who will not make a Choice until required to do so. The implementation of state energy policy should not be held up by these customers. Elimination of default SCO service for Non-Residential customers is a necessary precondition to furthering the goals of state energy policy.

The General Assembly has also recognized "the continuing emergence of competitive natural gas markets through the development and implementation of flexible regulatory treatment" as an integral part of state's energy policy. R.C. 4929.02(A)(6). The Commission is required to honor this policy when "exercising [its] respective authorities relative to sections 4929.03 to 4929.30 of the Revised Code." R.C. 4929.02(B). The Commission's exercise of its authority to modify the Exemption Order under R.C. 4929.08 in the manner requested herein is fully consistent with the public interest.


### **III. CONCLUSION**

The Joint Movants' requested modification of the Exemption Order is necessary to address assumptions that are no longer valid concerning the timing of a full merchant function exit for Non-Residential Customers. Modification of the Exemption Order is necessary, is in the public interest and should therefore be approved.



Dated: June 15, 2012

Respectfully submitted,



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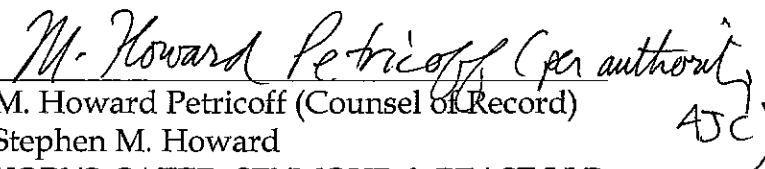
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Joint Motion to Modify Order Granting Exemption and Memorandum in Support was served by electronic mail to the following persons on this 15th day of June, 2012:

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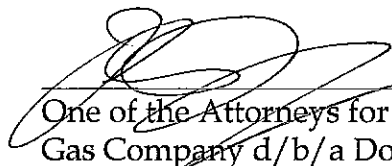
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the June 18, 2008 Opinion and Order in Case	)	Case No. 12-1842-GA-EXM
No. 07-1224-GA-EXM.	)	

**STIPULATION AND RECOMMENDATION**

Ohio Adm. Code 4901-1-30 provides that any two or more parties to a proceeding may enter into a written stipulation covering the issues presented in such proceeding. The purpose of this document is to set forth the understanding and agreement of The East Ohio Gas Company d/b/a Dominion East Ohio (“DEO” or “Company”), Office of the Ohio Consumers’ Counsel (“OCC”), and the Ohio Gas Marketers Group<sup>1</sup> (“OGMG”) (all of the foregoing referred to collectively as the “Signatory Parties”), and to recommend that the Public Utilities Commission of Ohio approve and adopt this Stipulation and Recommendation.

This Stipulation and Recommendation, which shall be designated as Joint Exhibit 1, is supported by adequate data and information; represents a just and reasonable amended resolution of all issues in this proceeding; violates no regulatory principle or precedent; is in the public interest; and is the product of lengthy, serious bargaining among knowledgeable and capable parties, and parties that are representative of the many interests and stakeholders in a cooperative process undertaken by the Signatory Parties.<sup>2</sup> While this Stipulation and Recommendation is not binding on the Commission, where, as here, it is sponsored by Parties representing a significant

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<sup>1</sup>The Ohio Gas Marketers Group includes Constellation NewEnergy, Inc. – Gas Division, Direct Energy Services, LLC, Hess Corporation, Integrys Energy, Inc., and SouthStar Energy LLC. The positions taken by the OGMG are consensus positions of the group and do not necessarily reflect the positions or beliefs of any individual member. Nevertheless, each of the above-listed members of the Ohio Gas Marketers Group is bound by the terms of this Stipulation and Recommendation.

<sup>2</sup> The Signatory Parties seek Commission authorization to amend the Stipulation and Recommendation in Case No. 07-1224-GA-EXM dated April 10, 2008 and the June 18, 2008 Opinion and Order approving that Stipulation and Recommendation pursuant to R.C. 4929.08(A).

cross section of interests, it is entitled to careful consideration by the Commission. Except for enforcement purposes, neither this Stipulation and Recommendation nor the information and data contained herein or attached, shall be cited as precedent in any future proceeding for or against any Signatory Party, or the Commission itself, if the Commission approves this Stipulation and Recommendation.

1. The Signatory Parties stipulate and recommend that the Commission issue such order as is necessary to modify the June 18, 2008 Opinion and Order in Case No. 07-1224-GA-EXM (the "Exemption Order") in the following respects:

a. Beginning in April 2013, Choice-eligible General Sales Service – Non-Residential, Large Volume General Sales Service, Energy Choice Transportation Service – Non-Residential and Large Volume Energy Choice Transportation Service customers (collectively, "Non-Residential Customers") may no longer default into, or have an option to receive, Standard Choice Offer ("SCO") Commodity Service.<sup>3</sup> Instead, effective in April 2013, a Non-Residential Customer who has not selected a new competitive retail natural gas supplier ("CRNGS") will be served by the next available supplier on a rotating list maintained by DEO of CRNGS registered to provide default service using the supplier's monthly variable rate ("MVR") subject to the limitations set forth in the Monthly Variable Rate Commodity Service portion of DEO's tariff. If a Non-Residential Customer enters into a new arrangement with a CRNGS, including but not limited to the former SCO supplier, or participates in an opt-out governmental aggregation program, the terms of the agreement of the selected CRNGS or governmental

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<sup>3</sup> OCC does not take a position on an exit of the merchant function for DEO's Non-Residential Customers.

aggregator will replace the MVR service.<sup>4</sup> New Non-Residential Customers establishing service at DEO for the first time, relocating within DEO's service territory and whose Energy Choice or governmental aggregation agreement is not portable, or restoring service more than ten days after being disconnected for nonpayment will receive at least one Standard Service Offer ("SSO") bill, after which they may enroll with a CRNGS or participate in an opt-out governmental aggregation program. If they do not do so, such Non-Residential Customers will, after their second SSO bill, be assigned to a CRNGS that has agreed to accept customers at its posted MVR rate subject to the limitations set forth in the Monthly Variable Rate Commodity Service portion of DEO's tariff.

b. The Signatory Parties, excluding DEO, agree that they shall not individually or jointly request Commission approval for DEO to exit the merchant function for its General Sales Service – Residential or Energy Choice Transportation Service – Residential customers (collectively, "Residential Customers") with an effective date prior to April 1, 2015. DEO agrees that it shall not file a request for Commission approval to exit the merchant function for Residential Customers prior to April 1, 2015.<sup>5</sup> DEO further agrees that, in the event it subsequently files such a request, it shall propose a transition that includes an additional one-year SSO/SCO auction that gives Residential Customers the option to receive SCO service for the year over which the auction results are approved. In the event a third party who is not a Signatory Party makes a Commission filing which includes a request for approval of DEO's exit of the merchant function for Residential Customers prior to April 1, 2015, DEO and the OGMG may support other

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<sup>4</sup> Hess Corporation takes no position as to how Non-Residential Customers should be assigned to a CRNGS after April 1, 2013.

<sup>5</sup> This Stipulation does not require DEO to seek an exit of the merchant function for Residential Customers, but DEO would have to file a request for Commission approval if it were to seek an exit of the merchant function for Residential Customers.

parts of such an application, but shall take the position that the exit of the merchant function for Residential Customers of DEO should not be implemented prior to April 1, 2015.<sup>6</sup>

c. OCC reserves the right to challenge any application or request filed with the Commission by a Signatory Party or Non-Signatory Party seeking approval of DEO's exit of the merchant function for Residential Customers. The Signatory Parties agree that, in the event OCC makes such a challenge, OCC shall be entitled to exercise all rights available to it under the Commission's rules and Ohio law, including, as applicable, to conduct discovery, present and cross-examine witnesses at an evidentiary hearing, and make legal arguments through a full and adequate briefing schedule that includes initial and reply briefs. Other Signatory Parties may respond to OCC as they see fit.

d. If DEO determines to file an application or request Commission approval to exit the merchant function for its Residential Customers (which filing, if any, shall not be made before April 1, 2015), DEO shall notify the other Signatory Parties of its intent to file such an application or request at least ninety (90) days before filing such an application or request. DEO shall provide OCC with readily available, aggregated non-CRNGS specific rate, usage and customer count information in a format agreed to in advance by the Signatory Parties intended to enable OCC to periodically analyze, at OCC's discretion, the impact of an exit from the merchant function on Non-Residential Customers.<sup>7</sup> The Signatory Parties agree to work cooperatively so that the data can be

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<sup>6</sup>Should an application be docketed at the Commission requesting DEO to exit the merchant function for Residential Customers with an effective date prior to April 1, 2015, the OGMG upon request by any Signatory Party shall file a letter or other appropriate notice in such a docket stating that the OGMG has agreed that DEO should not exit the merchant function for service to Residential Customers with an effective date prior to April 1, 2015.

<sup>7</sup> DEO shall provide this information to the OCC on a periodic basis or when requested, and agrees to submit such data as part of any eventual Application to exit the merchant function for Residential Customers. To the extent that

provided on a timely basis and with the understanding that the OCC and DEO may reasonably modify from time to time the information to be provided pursuant to this paragraph or request such modification. DEO shall not be obligated to retain any information, or retain information in any format, that it is not already retaining or utilizing as of the date of this Stipulation and Recommendation. OCC shall not use such data or information in any proceeding that does not directly involve DEO's exit from the merchant function for Residential Customers; provided, however, that the restriction on use of information pursuant to this paragraph shall not prohibit OCC from serving discovery requests in future proceedings to seek information previously provided to OCC pursuant to this paragraph which has independent relevance in such future proceeding. To the extent there is a dispute concerning whether information previously provided to OCC is independently relevant in a future proceeding, such dispute shall be addressed in the future proceeding.

2. The Signatory Parties agree that no additional modification to the Exemption Order or the Stipulation and Recommendation approved therein is intended by this Stipulation and Recommendation, except as expressly stated herein.

3. This Stipulation and Recommendation is entered into as an overall compromise and resolution of certain issues presented in this proceeding, and does not necessarily represent the position any Signatory Party would have taken absent its execution.

4. The Signatory Parties believe that this Stipulation and Recommendation represents a reasonable compromise of varying interests. This Stipulation and Recommendation is expressly conditioned upon adoption in its entirety by the Commission without material

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such information is deemed to contain trade secrets by DEO, then OCC agrees to enter into an appropriate Confidentiality Agreement with DEO.

modification by the Commission. Should the Commission reject or materially modify all or any part of this Stipulation and Recommendation, the Signatory Parties shall have the right, within thirty days of issuance of the Commission's order, to file an application for rehearing, or to terminate and withdraw from the Stipulation and Recommendation by filing a notice with the Commission in this proceeding, with service to all Parties. Upon the Commission's issuance of an entry on rehearing that does not adopt the Stipulation and Recommendation in its entirety without material modification, any Signatory Party may terminate and withdraw from the Stipulation and Recommendation by filing a notice with the Commission within thirty days of the Commission's entry on rehearing. Other Signatory Parties to this Stipulation and Recommendation shall not oppose the withdrawal and termination of the Stipulation and Recommendation by any other Party.<sup>8</sup> Upon notice of termination or withdrawal by any Signatory Party, pursuant to the above provisions, the Stipulation and Recommendation shall immediately become null and void. In such event, the Signatory Parties agree that the hearing should continue, and the Signatory Parties should be afforded the opportunity to litigate the case, which will include but not be limited to the opportunity to present evidence including testimony with respect to any issues that remain to be litigated, to cross-examine all witnesses who have not previously been made available for cross-examination with respect to any issues that remain to be litigated, to present rebuttal testimony if and as deemed appropriate by the Commission, and to brief all issues which shall be decided based upon the record as if this Stipulation and Recommendation had never been executed.

5. This Stipulation and Recommendation is submitted for purposes of this proceeding to modify the Exemption Order, and is neither binding in any other proceeding, nor is

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<sup>8</sup> Any Signatory Party has the right, in its sole discretion, to determine what constitutes a "material" change for the purposes of that Party withdrawing from the Stipulation and Recommendation.



it to be offered or relied upon in any other proceeding, except as necessary to enforce the terms of this Stipulation and Recommendation.


6. The Signatory Parties stipulate and agree to use reasonable efforts to enable the Commission to issue an Opinion and Order in this proceeding ordering the adoption of this Stipulation and Recommendation including as follows:

- a. The terms and conditions agreed to in this Stipulation and Recommendation are approved in accordance with R.C. 4929.08;
- b. The changes to the following rate schedules to be made effective for bills rendered in April 2013 are approved;
  - i. General Sales Service – Residential
  - ii. General Sales Service – Non-Residential
  - iii. Large Volume General Sales Service
  - iv. Energy Choice Transportation Service – Residential
  - v. Energy Choice Transportation Service – Non-Residential
  - vi. Large Volume Energy Choice Transportation Service
  - vii. Standard Choice Commodity Service
  - viii. Monthly Variable Rate Commodity Serviceand
- c. The joint motion to modify the portions of the Exemption Order approving an exemption is hereby granted in accordance with the recommendations of the Signatory Parties set forth in this Stipulation and Recommendation.

The undersigned hereby stipulate and agree and each presents that it is authorized to enter into this Stipulation and Recommendation this 15th day of June, 2012. This Stipulation and

Recommendation may be signed in counterparts.

**The East Ohio Gas Company d/b/a  
Dominion East Ohio**

By:   
Counsel

Date: 6/15/12

**The Office of the Ohio Consumers' Counsel**

By: Larry Sauer (per authority, etc)  
Counsel

Date: 6/15/12

**Ohio Gas Marketers Group**

By: M. Howard Petricoff  
Counsel

Date: 6/15/12

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Stipulation and Recommendation was served by electronic mail to the following persons on this 15<sup>th</sup> day of June, 2012:

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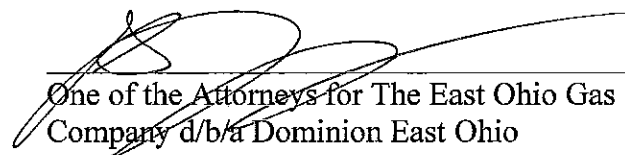
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## **General Sales Service - Residential (GSS-R)**

### **1. Applicability**

Service under this rate schedule is available to residential Customers throughout East Ohio's service area who purchase and receive all of their natural gas requirements directly from East Ohio pursuant to this rate schedule and use less than 3,000 Mcf per year as determined on an annual basis by East Ohio. The following classes of Customers are able to receive service under this rate schedule:

- 1) Customers participating in the Percentage Income Payment Plan and
- 2) Customers who are not eligible to receive service under the Energy Choice Transportation Service - Residential ("ECTS-R") rate schedule.

Customers who are eligible to receive service under the ECTS-R rate schedule are able to initially receive service under this rate schedule for up to two consecutive billing periods after which they must receive service under the ECTS-R or Large Volume Energy Choice Transportation Service ("LVECTS") rate schedule. Such customers may receive commodity service under the Standard Choice Offer Commodity Service ("SCO") or Monthly Variable Rate Commodity Service ("MVR") rate schedule in conjunction with the ECTS-R tariff, or under the MVR rate schedule in conjunction with the Energy Choice Transportation Service – Nonresidential ("ECTS-NR") or LVECTS tariff.

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

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

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

- 3.1 The volumetric charges for each Customer at each delivery point served under this rate schedule shall include a charge for the cost of gas based on the Standard Service Offer rate as set forth on tariff sheet B-SSO 1 plus a charge equal to the Transportation Surcredit Rider, in addition to the riders, as specified in 3.3, applicable to service rendered under this rate schedule.
- 3.2 Each Customer shall be assessed a service charge of \$17.58 per delivery point for each billing period or any portion thereof.
- 3.3 Customers receiving service under this rate schedule shall be responsible for charges pursuant to East Ohio's Gross Receipts Tax Rider, Excise Tax Rider, Interim Emergency and Temporary PIP Plan Rider, Uncollectible Expense Rider,

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Transportation Migration Rider-Part B, Demand Side Management Rider, AMR Cost Recovery Charge, PIR Cost Recovery Charge and Transportation Surcredit Rider, as applicable.

**4. Resumption of Service After Interruption**

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

**5. Prohibition on Resale of Gas**

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

**6. Regulations**

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

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## **General Sales Service - Nonresidential (GSS-NR)**

### **1. Applicability**

Service under this rate schedule is available to nonresidential Customers throughout East Ohio's service area who purchase and receive all of their natural gas requirements directly from East Ohio pursuant to this rate schedule and use less than 3,000 Mcf per year as determined on an annual basis by East Ohio. The following class of Customers is able to receive service under this rate schedule:

- 1) Nonresidential Customers who are not eligible to receive service under the Energy Choice Transportation Service - Nonresidential ("ECTS-NR") rate schedule.

Customers who are eligible to receive service under the ECTS-NR rate schedule are able to initially receive service under this rate schedule for up to two consecutive billing periods after which they must receive service under the ECTS-NR or Large Volume Energy Choice Transportation Service ("LVECTS") rate schedule. Such customers may receive commodity service under the Monthly Variable Rate Commodity Service ("MVR") rate schedule in conjunction with the ECTS-NR or LVECTS tariff.

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

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

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

- 3.1 The volumetric charges for each Customer at each delivery point served under this rate schedule shall be the rates set forth below plus the riders, as specified in 3.3, applicable to service rendered under this rate schedule:

- 1) For the first 50 Mcf each month, \$0.378 per Mcf,  
For all over 50 Mcf each month, \$1.198 per Mcf.

- 2) A charge for the cost of gas based on the standard service offer rate as set forth on tariff sheet B-SSO 1 plus a charge equal to the Transportation Surcredit Rider.

- 3.2 Each Customer shall be assessed a service charge of \$20.00 per delivery point for each billing period or any portion thereof.

- 3.3 Customers receiving service under this rate schedule shall be responsible for charges pursuant to East Ohio's Gross Receipts Tax Rider, Excise Tax Rider, Interim Emergency and Temporary PIP Plan Rider, Uncollectible Expense Rider,

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Transportation Migration Rider-Part B, Demand Side Management Rider, AMR Cost Recovery Charge, PIR Cost Recovery Charge and Transportation Surcredit Rider as applicable.

**4. Resumption of Service After Interruption**

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

**5. Prohibition on Resale of Gas**

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

**6. Regulations**

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

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## Large Volume General Sales Service (LVGSS)

### 1. Applicability

Service under this rate schedule is available to Customers throughout East Ohio's service area who purchase and receive all of their natural gas requirements directly from East Ohio pursuant to this rate schedule, are not eligible to receive service under the Large Volume Energy Choice Transportation Service ("LVECTS") rate schedule and have entered into a written contract with East Ohio for service under this rate schedule for a minimum of twelve months. East Ohio may waive the requirement that the customer enter into a written contract to receive service under this rate schedule.

Customers who are eligible to receive service under the LVECTS rate schedule are able to initially receive service under this rate schedule for up to two consecutive billing periods after which they must receive service under the LVECTS rate schedule. Such customers may receive commodity service under the Monthly Variable Rate Commodity Service ("MVR") rate schedule in conjunction with the LVECTS tariff.

### 2. Character of Service

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

### 3. Rates and Charges

3.1 The volumetric charges for each Customer at each delivery point served under this rate schedule shall be the rates set forth below plus the riders, as specified in 3.3, applicable to service rendered under this rate schedule:

- |     |               |     |                 |         |          |
|-----|---------------|-----|-----------------|---------|----------|
| (1) | For the first | 100 | Mcf each month, | \$1.250 | per Mcf, |
|     | For the next  | 400 | Mcf each month, | \$0.970 | per Mcf, |
|     | For all over  | 500 | Mcf each month, | \$0.820 | per Mcf. |

- (2) A charge for the cost of gas based on the standard service offer rate as set forth on tariff sheet B-SSO 1 plus a charge equal to the Transportation Surcredit Rider.

3.2 In addition to the volumetric charge, each Customer shall be assessed a service charge of \$60.00 per delivery point for each billing period or any portion.

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

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**4. Termination of Contract**

After receiving service under this rate schedule for at least twelve months, the Customer may terminate purchases under the contract and under this rate schedule upon thirty days written notice to East Ohio, which notice shall specify the termination date.

**5. 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, and the Customer subsequently requests and receives service under East Ohio's General Sales Service – Residential or General Sales Service – Nonresidential, East Ohio shall not be under any obligation to resume service to the same Customer at the same premises under this rate schedule during the twelve consecutive months subsequent to the interruption or termination. East Ohio shall not be required to resume service under any rate schedule 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 or any other rate schedule, a reconnection payment of \$60.

**6. Prohibition on Resale of Gas**

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

**7. Regulations**

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

## **Standard Choice Offer Commodity Service**

### **1. Description**

Standard Choice Offer (“SCO”) commodity service is provided by competitive retail natural gas (“CRNG”) suppliers participating in Dominion East Ohio’s (“East Ohio”) Energy Choice program pursuant to the June 18, 2008 Opinion and Order issued by the Public Utilities Commission of Ohio (“PUCO”) in Case No. 07-1224-GA-EXM. SCO commodity service is rendered in conjunction with East Ohio’s Energy Choice Transportation Service – Residential (“ECTS-R”) rate schedule.

### **2. Price**

The price for SCO commodity service equals the New York Mercantile Exchange (“NYMEX”) settlement price for the prompt month natural gas contract on the final day of trading for each month plus a Retail Price Adjustment of \$0.60 per Mcf as approved by the February 29, 2012 Entry issued by the PUCO in Case No. 11-6076-GA-EXM. The amount billed for SCO commodity service will also include the applicable Ohio sales and use tax for those Customers not exempted from the payment of that tax.

### **3. Applicability**

Provided they are eligible to receive service under the ECTS-R rate schedule, SCO commodity service will be provided to the following Customers (“Choice-eligible Customers”):

- a) Customers assigned to a CRNG supplier in accordance with the February 28, 2012 auction conducted to establish SCO pricing and to determine suppliers for those Choice-eligible Customers receiving Standard Service Offer (“SSO”) or SCO commodity service as of the March 2012 billing period.
- b) New Customers assigned to a CRNG supplier after having received SSO service for up to two consecutive billing periods. New Customers include Customers (i) establishing service with East Ohio for the first time, (ii) relocating within East Ohio’s service territory and whose Energy Choice or government aggregation agreement is not portable, and (iii) restoring service more than ten days after being disconnected for non-payment.
- c) Customers assigned to a CRNG supplier after having received SSO service for up to two consecutive billing periods following termination of their opt-out governmental aggregation program.

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- d) Customers assigned to a CRNG supplier after having received SSO service for up to two consecutive billing periods following termination of their Energy Choice or opt-in governmental aggregation program only if such Customers elect to be assigned to SCO commodity service; otherwise, such Customers shall be assigned to a CRNG supplier that has agreed to accept Customers at the supplier's posted monthly variable rate ("MVR").

#### **4. Other Terms and Conditions**

- 4.1 SCO commodity service will be billed by East Ohio in conjunction with charges for service under the ECTS-R rate schedule.
- 4.2 Customers may cease receiving SCO commodity service at any time at no additional charge from East Ohio or the SCO supplier by enrolling with a CRNG supplier in accordance with standard Energy Choice enrollment provisions or participating in an opt-out governmental aggregation program.
- 4.3 Customers assigned to SCO commodity service may not select their SCO supplier. SCO commodity service shall be provided by the Customer's assigned CRNG supplier through the March 2013 billing period unless the Customer enrolls with a CRNG supplier, participates in an opt-out governmental aggregation program, or becomes ineligible to receive SCO commodity service prior to the March 2013 billing period.
- 4.4 In the event of a supplier default that would cause the aggregate annualized volume assigned to SCO suppliers to be more than 50% above the level assigned in the February 28, 2012 auction, East Ohio shall solicit volunteers from non-defaulting SCO suppliers to serve the defaulted load through the March 2013 billing period at the price established in that auction. If non-defaulting SCO suppliers agree to serve the defaulted load under those terms, East Ohio shall assign the Customers previously served by the defaulting supplier that have not already selected another CRNG supplier or enrolled in a governmental aggregation program to non-defaulting SCO suppliers in proportion to the SCO load each serves at the time of the assignment. If a proportionate assignment does not accommodate assignment of the entire load, East Ohio may utilize another basis provided assignments are made in a non-discriminatory manner approved by PUCO Staff. In the event non-defaulting SCO suppliers do not voluntarily agree to serve the entire defaulted load under the terms described in this section, East Ohio shall conduct a supplemental auction under the supervision of PUCO Staff for the volume that had been served by the defaulting supplier. East Ohio shall assign Customers as ordered by the PUCO in its decision regarding the results of the supplemental auction.

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## Monthly Variable Rate Commodity Service

### 1. Description

Monthly Variable Rate ("MVR") commodity service is provided by competitive retail natural gas ("CRNG") suppliers participating in Dominion East Ohio's ("East Ohio") Energy Choice program pursuant to the June 18, 2008 Opinion and Order issued by the Public Utilities Commission of Ohio ("PUCO") in Case No. 07-1224-GA-EXM. MVR commodity service is rendered in conjunction with East Ohio's Energy Choice Transportation Service - Residential ("ECTS-R"), Energy Choice Transportation Service - Nonresidential ("ECTS-NR"), and Large Volume Energy Choice Transportation Service ("LVECTS") rate schedules.

### 2. Price

- 2.1 The price for MVR commodity service is based on the Customer's assigned CRNG Supplier's posted MVR price. CRNG Suppliers shall post or otherwise make available the MVR price by the first of each month for the applicable billing period. A CRNG Supplier's MVR price charged for a monthly billing period shall be no greater than any of its monthly variable rates ("Competitive MVRs") posted on the PUCO's Apples-to-Apples Chart for the same billing period. All CRNG Suppliers offering MVR commodity service are required to have a Competitive MVR posted on their list of active offers available to all eligible customers on the PUCO's Apples-to-Apples Chart.
- 2.2 The amount billed for MVR commodity service will also include the applicable Ohio sales and use tax for those Customers not exempted from the payment of that tax. A CRNG supplier shall charge all of its MVR Customers the same posted MVR price for the billing period over which the price is to be effective. The MVR price shall be denominated as the rate per Mcf of Customer usage.

### 3. Applicability

For those Customers eligible to receive service under the ECTS-R rate schedule, MVR commodity service will be provided to Customers assigned to a CRNG supplier after having received Standard Service Offer ("SSO") service for up to two consecutive billing periods following termination of their Energy Choice or opt-in governmental aggregation program, unless such Customers elect to receive Standard Choice Offer ("SCO") commodity service.

For those Customers eligible to receive service under the ECTS-NR or LVECTS rate schedules, MVR commodity service will be provided to Customers that do not select a CRNG supplier or participate in an opt-out governmental aggregation program after having received SSO service for up to two consecutive billing periods.

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#### **4. Other Terms and Conditions**

- 4.1 MVR commodity service will be billed by East Ohio in conjunction with charges for service under the ECTS-R, ECTS-NR, or LVECTS rate schedule.
- 4.2 Customers may cease receiving MVR commodity service at any time at no additional charge from East Ohio or the MVR supplier by enrolling with a CRNG supplier in accordance with standard Energy Choice enrollment provisions, participating in an opt-out governmental aggregation program, or, in the case of Customers eligible to receive service under the ECTS-R rate schedule, electing to receive SCO commodity service.
- 4.3 Customers assigned to MVR commodity service may not select their MVR supplier. MVR commodity service shall be provided by the Customer's assigned CRNG supplier unless the Customer enrolls with a CRNG supplier, participates in an opt-out governmental aggregation program, becomes ineligible to receive MVR commodity service, or, in the case of Customers eligible to receive service under the ECTS-R rate schedule, elects to receive SCO commodity service.

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## **Energy Choice Transportation Service - Residential (ECTS-R)**

### **1. Applicability**

Transportation service pursuant to this rate schedule is available to residential Customers throughout East Ohio's service area who use less than 3,000 Mcf per year as determined on an annual basis by East Ohio and:

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

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

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

### **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 charge for commodity service as agreed between the Customer and its natural gas supplier or as determined under an applicable governmental aggregation program. Customers under this rate schedule may receive commodity service at the Standard Choice Offer Commodity Service ("SCO") or Monthly Variable

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Rate Commodity Service (“MVR”) rate in accordance with the applicability of those rate schedules.

4.2 Each Customer shall be assessed a service charge of \$17.58 per Delivery Point for each billing period or any portion thereof.

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

## **5. Billing**

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

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

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

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

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

Where East Ohio is rendering a combined bill for both distribution and commodity service, non-payment of the bill, including the Supplier gas commodity portion, shall subject Customer to disconnection of service in accordance with rule 9 of Section K – Rules and Regulations of the Company’s tariffs.

## **8. Regulations**

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

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## 9. Definitions

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

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

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

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

**OAC** – Ohio Administrative Code.

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

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

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## **Energy Choice Transportation Service – Nonresidential (ECTS-NR)**

### **1. Applicability**

Transportation service pursuant to this rate schedule is available to nonresidential Customers throughout East Ohio's service area who use less than 3,000 Mcf per year as determined on an annual basis by East Ohio and:

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

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

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

### **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 charges for each Customer at each Delivery Point served under this rate schedule shall be the rates set forth below plus the riders, as specified in 4.3, applicable to service rendered under this rate schedule:

- 1) For the first 50 Mcf each month, \$0.378 per Mcf,  
For all over 50 Mcf each month, \$1.198 per Mcf.

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- 2) The charge for commodity service as agreed between the Customer and its natural gas supplier or as determined under an applicable governmental aggregation program. Customers under this rate schedule may receive commodity service at the Monthly Variable Rate Commodity Service ("MVR") rate in accordance with the applicability of that rate schedule.

4.2 Each Customer shall be assessed a service charge of \$20.00 per Delivery Point for each billing period or any portion thereof.

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

## **5. Billing**

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

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

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

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

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

Where East Ohio is rendering a combined bill for both distribution and commodity service, non-payment of the bill, including the Supplier gas commodity portion, shall subject Customer to disconnection of service in accordance with rule 9 of Section K – Rules and Regulations of the Company's tariffs.

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## 8. Regulations

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

## 9. Definitions

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

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

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

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

**OAC** – Ohio Administrative Code.

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

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

## **Large Volume Energy Choice Transportation Service (LVECTS)**

### **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) have entered into a written contract for service under this rate schedule for a minimum of twelve months if so required by East Ohio; 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. In the event of an emergency, service may be curtailed pursuant to PUCO rules or a curtailment plan approved for East Ohio by the PUCO.
- 2.2 In the event the Customer is no longer eligible to receive transportation service, the Customer must purchase and receive all of its natural gas requirements from East Ohio pursuant to East Ohio's General Sales Service – Residential, General Sales Service – Nonresidential, or Large Volume General Sales Service rate schedule.

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

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

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#### 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:

- 1) For the first 100 Mcf each month, \$1.250 per Mcf,  
For the next 400 Mcf each month, \$0.970 per Mcf,  
For all over 500 Mcf each month, \$0.820 per Mcf.

- 2) The charge for commodity service as agreed between the Customer and its natural gas supplier or as determined under an applicable governmental aggregation program. Customers under this rate schedule may receive commodity service at the Monthly Variable Rate Commodity Service ("MVR") rate in accordance with the applicability of that rate schedule.

4.2 In addition to the volumetric charge, each Customer shall be assessed a service charge of \$60.00 per Delivery Point for each billing period or any portion thereof.

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

#### 5. Billing

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

#### 6. Resumption of Service after Interruption

If service is interrupted as a result of the Customer's failure to make payment or at the Customer's request, and the Customer subsequently requests and receives service under East Ohio's General Sales Service – Residential, General Sales Service – Nonresidential, Energy Choice Transportation Service – Residential, or Energy Choice Transportation Service – Nonresidential, East Ohio shall not be under any obligation to resume service to the same Customer at the same premises under East Ohio's Large Volume General Sales Service or this rate schedule during the twelve consecutive months subsequent to the interruption or termination. East Ohio shall not be required to resume service under any rate schedule to the same Customer at the same premises unless East Ohio shall have received, in addition to

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payment for all gas received by the Customer under this or any other rate schedule, a reconnection payment of \$60.

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

## **7. Disconnection For Nonpayment**

Where East Ohio is rendering a combined bill for both distribution and commodity service, nonpayment of the bill, including the Supplier gas commodity portion, shall subject Customer to disconnection of service in accordance with rule 9 of Section K – Rules and Regulations of the Company's tariffs.

## **8. Regulations**

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

## **9. Definitions**

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

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

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

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

**OAC** – Ohio Administrative Code.

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

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

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Anne E. Bomar, Senior Vice President

## General Sales Service - Residential (GSS-R)

### 1. Applicability

Service under this rate schedule is available to residential Customers throughout East Ohio's service area who purchase and receive all of their natural gas requirements directly from East Ohio pursuant to this rate schedule and use less than 3,000 Mcf per year as determined on an annual basis by East Ohio. The following classes of Customers are able to receive service under this rate schedule:

- 1) Customers participating in the Percentage Income Payment Plan and
- 2) Customers who are not eligible to receive service under the Energy Choice Transportation Service - Residential ("ECTS-R") rate schedule.

Customers who are eligible to receive service under the ECTS-R rate schedule are able to initially receive service under this rate schedule for up to two consecutive billing periods after which they must receive service under the ECTS-R or Large Volume Energy Choice Transportation Service ("LVECTS") rate schedules. Such customers may receive commodity service under the Standard Choice Offer Commodity Service ("SCO") or Monthly Variable Rate Commodity Service ("MVR") rate schedules in conjunction with the ECTS-R tariff, or under the MVR rate schedule in conjunction with the Energy Choice Transportation Service – Nonresidential ("ECTS-NR") or LVECTS tariffs.

### 2. Character of Service

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

### 3. Rates and Charges

- 3.1 The volumetric charges for each Customer at each delivery point served under this rate schedule shall include a charge for the cost of gas based on the Standard Service Offer rate as set forth on tariff sheet B-SSO 1 plus a charge equal to the Transportation Surcredit Rider, in addition to the riders, as specified in 3.3, applicable to service rendered under this rate schedule.
- 3.2 Each Customer shall be assessed a service charge of \$17.58 per delivery point for each billing period or any portion thereof.
- 3.3 Customers receiving service under this rate schedule shall be responsible for charges pursuant to East Ohio's Gross Receipts Tax Rider, Excise Tax Rider, Interim Emergency and Temporary PIP Plan Rider, Uncollectible Expense Rider,

\_\_\_\_ Transportation Migration Rider-Part B, Demand Side Management Rider, AMR Cost Recovery Charge, PIR Cost Recovery Charge and Transportation Surcredit Rider, as applicable.

**4. Resumption of Service After Interruption**

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

**5. Prohibition on Resale of Gas**

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

**6. Regulations**

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



## General Sales Service - Nonresidential (GSS-NR)

### 1. Applicability

Service under this rate schedule is available to nonresidential Customers throughout East Ohio's service area who purchase and receive all of their natural gas requirements directly from East Ohio pursuant to this rate schedule and use less than 3,000 Mcf per year as determined on an annual basis by East Ohio. The following class of Customers is able to receive service under this rate schedule:

- 1) Nonresidential Customers who are not eligible to receive service under the Energy Choice Transportation Service - Nonresidential ("ECTS-NR") rate schedule.

Customers who are eligible to receive service under the ECTS-NR rate schedule are able to initially receive service under this rate schedule for up to two consecutive billing periods after which they must receive service under the ECTS-NR or Large Volume Energy Choice Transportation Service ("LVECTS") rate schedules. Such customers may receive commodity service under the ~~Standard Choice Offer Commodity Service ("SCO") or~~ Monthly Variable Rate Commodity Service ("MVR") rate schedules in conjunction with the ECTS-NR or LVECTS tariffs.

### 2. Character of Service

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

### 3. Rates and Charges

3.1 The volumetric charges for each Customer at each delivery point served under this rate schedule shall be the rates set forth below plus the riders, as specified in 3.3, applicable to service rendered under this rate schedule:

- 1) For the first 50 Mcf each month, \$0.378 per Mcf,  
For all over 50 Mcf each month, \$1.198 per Mcf.
- 2) A charge for the cost of gas based on the standard service offer rate as set forth on tariff sheet B-SSO 1 plus a charge equal to the Transportation Surcredit Rider.

3.2 Each Customer shall be assessed a service charge of \$20.00 per delivery point for each billing period or any portion thereof.

3.3 Customers receiving service under this rate schedule shall be responsible for charges pursuant to East Ohio's Gross Receipts Tax Rider, Excise Tax Rider, Interim Emergency and Temporary PIP Plan Rider, Uncollectible Expense Rider,

\_\_\_\_ Transportation Migration Rider-Part B, Demand Side Management Rider, AMR Cost Recovery Charge, PIR Cost Recovery Charge and Transportation Surcredit Rider as applicable.

**4. Resumption of Service After Interruption**

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

**5. Prohibition on Resale of Gas**

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

**6. Regulations**

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

## Large Volume General Sales Service (LVGSS)

### 1. Applicability

Service under this rate schedule is available to Customers throughout East Ohio's service area who purchase and receive all of their natural gas requirements directly from East Ohio pursuant to this rate schedule, are not eligible to receive service under the Large Volume Energy Choice Transportation Service ("LVECTS") rate schedule and have entered into a written contract with East Ohio for service under this rate schedule for a minimum of twelve months. East Ohio may waive the requirement that the customer enter into a written contract to receive service under this rate schedule.

Customers who are eligible to receive service under the LVECTS rate schedule are able to initially receive service under this rate schedule for up to two consecutive billing periods after which they must receive service under the LVECTS rate schedule. Such customers may receive commodity service under the ~~Standard Choice Offer Commodity Service ("SCO")~~ or Monthly Variable Rate Commodity Service ("MVR") rate schedules in conjunction with the LVECTS tariff.

### 2. Character of Service

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

### 3. Rates and Charges

3.1 The volumetric charges for each Customer at each delivery point served under this rate schedule shall be the rates set forth below plus the riders, as specified in 3.3, applicable to service rendered under this rate schedule:

- |     |               |     |                 |         |          |
|-----|---------------|-----|-----------------|---------|----------|
| (1) | For the first | 100 | Mcf each month, | \$1.250 | per Mcf, |
|     | For the next  | 400 | Mcf each month, | \$0.970 | per Mcf, |
|     | For all over  | 500 | Mcf each month, | \$0.820 | per Mcf. |

- (2) A charge for the cost of gas based on the standard service offer rate as set forth on tariff sheet B-SSO 1 plus a charge equal to the Transportation Surcredit Rider.

3.2 In addition to the volumetric charge, each Customer shall be assessed a service charge of \$60.00 per delivery point for each billing period or any portion.

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

**4. Termination of Contract**

After receiving service under this rate schedule for at least twelve months, the Customer may terminate purchases under the contract and under this rate schedule upon thirty days written notice to East Ohio, which notice shall specify the termination date.

**5. 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, and the Customer subsequently requests and receives service under East Ohio's General Sales Service – Residential or General Sales Service – Nonresidential, East Ohio shall not be under any obligation to resume service to the same Customer at the same premises under this rate schedule during the twelve consecutive months subsequent to the interruption or termination. East Ohio shall not be required to resume service under any rate schedule 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 or any other rate schedule, a reconnection payment of \$60.

**6. Prohibition on Resale of Gas**

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

**7. Regulations**

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

## Standard Choice Offer Commodity Service

### 1. Description

Standard Choice Offer ("SCO") commodity service is provided by competitive retail natural gas ("CRNG") suppliers participating in Dominion East Ohio's ("East Ohio") Energy Choice program pursuant to the June 18, 2008 Opinion and Order issued by the Public Utilities Commission of Ohio ("PUCO") in Case No. 07-1224-GA-EXM. SCO commodity service is rendered in conjunction with East Ohio's Energy Choice Transportation Service – Residential ("ECTS-R"), ~~Energy Choice Transportation Service – Nonresidential ("ECTS-NR"), and Large Volume Energy Choice Transportation Service ("LVECTS")~~ rate schedules.

### 2. Price

The price for SCO commodity service equals the New York Mercantile Exchange ("NYMEX") settlement price for the prompt month natural gas contract on the final day of trading for each month plus a Retail Price Adjustment of \$0.60 per Mcf as approved by the February 29, 2012 Entry issued by the PUCO in Case No. 11-6076-GA-EXM. The amount billed for SCO commodity service will also include the applicable Ohio sales and use tax for those Customers not exempted from the payment of that tax.

### 3. Applicability

Provided they are eligible to receive service under the ECTS-R, ~~ECTS-NR, and LVECTS~~ rate schedules, SCO commodity service will be provided to the following Customers ("Choice-eligible Customers"):

- a) Customers assigned to a CRNG supplier in accordance with the February 28, 2012 auction conducted to establish SCO pricing and to determine suppliers for those Choice-eligible Customers receiving Standard Service Offer ("SSO") or SCO commodity service as of the March 2012 billing period.
- b) New Customers assigned to a CRNG supplier after having received SSO service for up to two consecutive billing periods. New Customers include Customers (i) establishing service with East Ohio for the first time, (ii) relocating within East Ohio's service territory and whose Energy Choice or government aggregation agreement is not portable, and (iii) restoring service more than ten days after being disconnected for non-payment.
- c) Customers assigned to a CRNG supplier after having received SSO service for up to two consecutive billing periods following termination of their opt-out governmental aggregation program.

- d) Customers assigned to a CRNG supplier after having received SSO service for up to two consecutive billing periods following termination of their Energy Choice or opt-in governmental aggregation program only if such Customers elect to be assigned to SCO commodity service; otherwise, such Customers shall be assigned to a CRNG supplier that has agreed to accept Customers at the supplier's posted monthly variable rate ("MVR").

#### 4. Other Terms and Conditions

- 4.1 SCO commodity service will be billed by East Ohio in conjunction with charges for service under the ECTS-R, ~~ECTS-NR~~, or ~~LVECTS~~ rate schedules.
- 4.2 Customers may cease receiving SCO commodity service at any time at no additional charge from East Ohio or the SCO supplier by enrolling with a CRNG supplier in accordance with standard Energy Choice enrollment provisions or participating in an opt-out governmental aggregation program.
- 4.3 Customers assigned to SCO commodity service may not select their SCO supplier. SCO commodity service shall be provided by the Customer's assigned CRNG supplier through the March 2013 billing period unless the Customer enrolls with a CRNG supplier, participates in an opt-out governmental aggregation program, or becomes ineligible to receive SCO commodity service prior to the March 2013 billing period.
- 4.4 In the event of a supplier default that would cause the aggregate annualized volume assigned to SCO suppliers to be more than 50% above the level assigned in the February 28, 2012 auction, East Ohio shall solicit volunteers from non-defaulting SCO suppliers to serve the defaulted load through the March 2013 billing period at the price established in that auction. If non-defaulting SCO suppliers agree to serve the defaulted load under those terms, East Ohio shall assign the Customers previously served by the defaulting supplier that have not already selected another CRNG supplier or enrolled in a governmental aggregation program to non-defaulting SCO suppliers in proportion to the SCO load each serves at the time of the assignment. If a proportionate assignment does not accommodate assignment of the entire load, East Ohio may utilize another basis provided assignments are made in a non-discriminatory manner approved by PUCO Staff. In the event non-defaulting SCO suppliers do not voluntarily agree to serve the entire defaulted load under the terms described in this section, East Ohio shall conduct a supplemental auction under the supervision of PUCO Staff for the volume that had been served by the defaulting supplier. East Ohio shall assign Customers as ordered by the PUCO in its decision regarding the results of the supplemental auction.

## Monthly Variable Rate Commodity Service

### 1. Description

Monthly Variable Rate ("MVR") commodity service is provided by competitive retail natural gas ("CRNG") suppliers participating in Dominion East Ohio's ("East Ohio") Energy Choice program pursuant to the June 18, 2008 Opinion and Order issued by the Public Utilities Commission of Ohio ("PUCO") in Case No. 07-1224-GA-EXM. MVR commodity service is rendered in conjunction with East Ohio's Energy Choice Transportation Service - Residential ("ECTS-R"), Energy Choice Transportation Service - Nonresidential ("ECTS-NR"), and Large Volume Energy Choice Transportation Service ("LVECTS") rate schedules.

### 2. Price

- 2.1 The price for MVR commodity service is based on the Customer's assigned CRNG Supplier's posted MVR price. CRNG Suppliers shall post or otherwise make available the MVR price by the first of each month for the applicable billing period. A CRNG Supplier's MVR price charged for a monthly billing period shall be no greater than any of its monthly variable rates ("Competitive MVRs") posted on the PUCO's Apples-to-Apples Chart for the same billing period. All CRNG Suppliers offering MVR commodity service are required to have a Competitive MVR posted on their list of active offers available to all eligible customers on the PUCO's Apples-to-Apples Chart.
- 2.2 The amount billed for MVR commodity service will also include the applicable Ohio sales and use tax for those Customers not exempted from the payment of that tax. A CRNG supplier shall charge all of its MVR Customers the same posted MVR price for the billing period over which the price is to be effective. The MVR price shall be denominated as the rate per Mcf of Customer usage.

### 3. Applicability

~~Provided they are~~ For those Customers eligible to receive service under the ECTS-R, ECTS-NR, and LVECTS rate schedules, MVR commodity service will be provided to Customers assigned to a CRNG supplier after having received Standard Service Offer ("SSO") service for up to two consecutive billing periods following termination of their Energy Choice or opt-in governmental aggregation program, unless such Customers elect to receive Standard Choice Offer ("SCO") commodity service.

For those Customers eligible to receive service under the ECTS-NR or LVECTS rate schedule, MVR commodity service will be provided to Customers that do not select a CRNG supplier or participate in an opt-out governmental aggregation program after having received SSO service for up to two consecutive billing periods.

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GA-ATA

Anne E. Bomar, Senior Vice President

**4. Other Terms and Conditions**

- 4.1 MVR commodity service will be billed by East Ohio in conjunction with charges for service under the ECTS-R, ECTS-NR, or LVECTS rate schedules.
- 4.2 Customers may cease receiving MVR commodity service at any time at no additional charge from East Ohio or the MVR supplier by enrolling with a CRNG supplier in accordance with standard Energy Choice enrollment provisions, participating in an opt-out governmental aggregation program, or, in the case of Customers eligible to receive service under the ECTS-R rate schedule, electing to receive SCO commodity service.
- 4.3 Customers assigned to MVR commodity service may not select their MVR supplier. MVR commodity service shall be provided by the Customer's assigned CRNG supplier unless the Customer enrolls with a CRNG supplier, participates in an opt-out governmental aggregation program, ~~elects to receive SCO commodity service, or becomes ineligible to receive MVR commodity service, or, in the case of Customers eligible to receive service under the ECTS-R rate schedule, elects to receive SCO commodity service.~~



## Energy Choice Transportation Service - Residential (ECTS-R)

### 1. Applicability

Transportation service pursuant to this rate schedule is available to residential Customers throughout East Ohio's service area who use less than 3,000 Mcf per year as determined on an annual basis by East Ohio and:

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

### 2. Character of Service

2.1 The gas received by East Ohio on any Day for the account of the Customer shall be delivered by East Ohio on a firm basis. In the event of an emergency, service may be curtailed pursuant to PUCO rules or a curtailment plan approved for East Ohio by the PUCO.

2.2 In the event the Customer ~~no longer desires, or is no longer eligible, to receive~~ transportation service, the Customer must purchase and receive all of its natural gas requirements from East Ohio pursuant to East Ohio's General Sales Service - Residential 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 charge for commodity service as agreed between the Customer and its natural gas supplier or as determined under an applicable governmental aggregation program. Customers under this rate schedule may receive commodity service at the Standard Choice Offer Commodity Service ("SCO") or Monthly Variable

Rate Commodity Service (“MVR”) rates in accordance with the applicability of those rate schedules.

4.2 Each Customer shall be assessed a service charge of \$17.58 per Delivery Point for each billing period or any portion thereof.

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

## **5. Billing**

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

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

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

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

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

Where East Ohio is rendering a combined bill for both distribution and commodity service, non-payment of the bill, including the Supplier gas commodity portion, shall subject Customer to disconnection of service in accordance with rule 9 of Section K – Rules and Regulations of the Company’s tariffs.

## **8. Regulations**

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

## 9. Definitions

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

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

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

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

**OAC** – Ohio Administrative Code.

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

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

## Energy Choice Transportation Service – Nonresidential (ECTS-NR)

### 1. Applicability

Transportation service pursuant to this rate schedule is available to nonresidential Customers throughout East Ohio's service area who use less than 3,000 Mcf per year as determined on an annual basis by East Ohio and:

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

### 2. Character of Service

2.1 The gas received by East Ohio on any Day for the account of the Customer shall be delivered by East Ohio on a firm basis. In the event of an emergency, service may be curtailed pursuant to PUCO rules or a curtailment plan approved for East Ohio by the PUCO.

2.2 In the event the Customer no longer desires, or is no longer eligible, to receive transportation service, the Customer must purchase and receive all of its natural gas requirements from East Ohio pursuant to East Ohio's General Sales Service - Nonresidential 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 charges for each Customer at each Delivery Point served under this rate schedule shall be the rates set forth below plus the riders, as specified in 4.3, applicable to service rendered under this rate schedule:

- 1) For the first 50 Mcf each month, \$0.378 per Mcf,  
For all over 50 Mcf each month, \$1.198 per Mcf.

- 2) The charge for commodity service as agreed between the Customer and its natural gas supplier or as determined under an applicable governmental aggregation program. Customers under this rate schedule may receive commodity service at the ~~Standard Choice Offer Commodity Service ("SCO") or Monthly Variable Rate Commodity Service ("MVR")~~ rates in accordance with the applicability of ~~that~~ these rate schedules.

4.2 Each Customer shall be assessed a service charge of \$20.00 per Delivery Point for each billing period or any portion thereof.

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

## 5. Billing

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

## 6. Resumption of Service after Interruption

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

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

## 7. Disconnection For Non-payment

Where East Ohio is rendering a combined bill for both distribution and commodity service, non-payment of the bill, including the Supplier gas commodity portion, shall subject Customer to disconnection of service in accordance with rule 9 of Section K – Rules and Regulations of the Company's tariffs.

## 8. Regulations

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

## 9. Definitions

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

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

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

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

**OAC** – Ohio Administrative Code.

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

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

## Large Volume Energy Choice Transportation Service (LVECTS)

### 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) have entered into a written contract for service under this rate schedule for a minimum of twelve months if so required by East Ohio; 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. In the event of an emergency, service may be curtailed pursuant to PUCO rules or a curtailment plan approved for East Ohio by the PUCO.

2.2 In the event the Customer ~~no longer desires, or is no longer eligible, to receive~~ transportation service, the Customer must purchase and receive all of its natural gas requirements from East Ohio pursuant to East Ohio's General Sales Service – Residential, General Sales Service – Nonresidential, 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:

- 1) For the first 100 Mcf each month, \$1.250 per Mcf,  
For the next 400 Mcf each month, \$0.970 per Mcf,  
For all over 500 Mcf each month, \$0.820 per Mcf.

2) The charge for commodity service as agreed between the Customer and its natural gas supplier or as determined under an applicable governmental aggregation program. Customers under this rate schedule may receive commodity service at the Monthly Variable Rate Commodity Service ("MVR") rate in accordance with the applicability of that rate schedule.

4.2 In addition to the volumetric charge, each Customer shall be assessed a service charge of \$60.00 per Delivery Point for each billing period or any portion thereof.

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

#### 5. Billing

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

#### 6. Resumption of Service after Interruption

If service is interrupted as a result of the Customer's failure to make payment or at the Customer's request, and the Customer subsequently requests and receives service under East Ohio's General Sales Service – Residential, General Sales Service – Nonresidential, Energy Choice Transportation Service – Residential, or Energy Choice Transportation Service – Nonresidential, East Ohio shall not be under any obligation to resume service to the same Customer at the same premises under East Ohio's Large Volume General Sales Service or this rate schedule during the twelve consecutive months subsequent to the interruption or termination. East Ohio shall not be required to resume service under any rate schedule 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 or any other rate schedule, a reconnection payment of \$60.

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

## **7. Disconnection For Nonpayment**

Where East Ohio is rendering a combined bill for both distribution and commodity service, nonpayment of the bill, including the Supplier gas commodity portion, shall subject Customer to disconnection of service in accordance with rule 9 of Section K – Rules and Regulations of the Company's tariffs.

## **8. Regulations**

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

## **9. Definitions**

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

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

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

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

**OAC** – Ohio Administrative Code.

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

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

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**Case No(s). 12-1842-GA-EXM**

Summary: Motion Joint Motion to Modify Order Granting Exemption electronically filed by Mr. Andrew J Campbell on behalf of The East Ohio Gas Company d/b/a Dominion East Ohio