

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

|   |   |                         |
|---|---|-------------------------|
| In the Matter of American Augers, Inc., | ) |                         |
|   | ) |                         |
| Complainant,                            | ) |                         |
|   | ) |                         |
| v.                                      | ) | Case No. 12-2207-GA-CSS |
|   | ) |                         |
| Petro Evaluation Services, Inc.,        | ) |                         |
|   | ) |                         |
| Respondent.                             | ) |                         |

ENTRY

The attorney examiner finds:

- (1) On August 1, 2012, American Augers, Inc. (complainant) filed a complaint against Petro Evaluation Services, Inc. (Petro) alleging that, from 1999 to 2010, Petro provided complainant with a source of natural gas under a sales agreement, via a gas pipeline installed on complainant's property. Complainant alleges that Petro unilaterally changed the terms of the sales agreement and did not supply sufficient natural gas to meet complainant's needs. When complainant joined the Consumer Gas Cooperative, Petro sued complainant in the Wayne County Court of Common Pleas for breach of the sales agreement. Complainant counterclaimed and raised numerous defenses. In the present case, complainant requests that the Commission make a determination that Petro's services are subject to Commission regulation, find that Petro has violated Commission rules or regulations, and order Petro to provide a refund of certain over-charges to complainant.
- (2) On August 17, 2012, Petro filed a motion for an extension of time to file its answer and a request for expedited treatment of its motion. In support of its motion, Petro explains that it requires additional time to review complainant's claims, and requests that its answer be due August 31, 2012. With respect to its request for expedited treatment, Petro certifies that it has contacted counsel for complainant, who does not oppose the motion for an extension.

- (3) The attorney examiner finds that Petro's motion for an extension of time to file its answer is reasonable and should be granted. Accordingly, Petro is directed to file its answer by August 31, 2012.

It is, therefore,

ORDERED, That Petro's motion for an extension of the time for filing its answer be granted. It is, further,

ORDERED, That Petro file its answer by August 31, 2012. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Katie Stenman

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By: Katie L. Stenman  
Attorney Examiner

JRJ/sc

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/20/2012 3:28:40 PM**

**in**

**Case No(s). 12-2207-GA-CSS**

Summary: Attorney Examiner Entry granting Respondent's motion for an extension to file its answer by 08/31/12. - electronically filed by Sandra Coffey on behalf of Katie Stenman, Attorney Examiner, Public Utilities Commission of Ohio