

FILE



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August 30, 2013

Via Hand Delivery

Public Utilities Commission of Ohio
ATTN: Docketing Division
180 East Broad Street
Columbus, OH 43215

RECEIVED-DOCKETING DIV
2013 AUG 30 PM 3:42
PUCO

Re: In the Matter of the Application of
Eureka Hunter Pipeline, LLC)
for Authority to Abandon Service to)
Twenty-six Premises, Pursuant to)
Ohio Revised Code Sections)
4905.20 and 4905.21)

Case No. 13 1893- GA - ABN

Dear Sir/Madam:

Please find attached for filing an **original** and 10 copies of the **APPLICATION OF EUREKA HUNTER PIPELINE, LLC FOR AUTHORITY TO ABANDON SERVICE TO TWENTY-SIX PREMISES.**

Thank you for your attention in this matter. Should you have any questions or concerns, please feel free to contact me.

Very truly yours,

Paul N. Garinger

PNG/dc
Enclosures

cc: Barbara Bossart
Christopher Rhodes, Esq.
Beth Blackmer

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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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APPLICATION OF
EUREKA HUNTER PIPELINE, LLC
FOR AUTHORITY TO ABANDON SERVICE
TO TWENTY-SIX PREMISES

Now comes the Applicant, Eureka Hunter Pipeline, LLC (hereinafter "Eureka Hunter" or "Applicant"), and files its application, pursuant to Sections 4905.20 and 4905.21 of the Ohio Revised Code, for authority to abandon natural gas service to twenty-six premises along the Beverly Bell Pipeline. Eureka Hunter respectfully requests that this application be granted prior to the commencement of the "winter heating season", October 31, 2013. In support of its application, Eureka Hunter states that:

1. Eureka Hunter is a gas gathering company engaged in the business of transporting natural gas through gathering lines, which is expressly excluded from the definition of a public utility pursuant to Ohio Revised Code §4905.03¹.
2. Eureka Hunter acquired the Beverly Bell Pipeline and its twenty-six (26) House Gas customers in February 2010, along with numerous other natural gas assets through the bankruptcy of Triad Energy Corp. of WVA Inc. ("Triad Energy"). Eureka Hunter's sole purpose in the acquisition of the Triad Energy assets such as the subject pipeline was to utilize any existing right-of-ways for gathering lines, not for the purpose of buying and selling natural gas to consumers.

¹ By filing this application, Eureka Hunter is not waiving its legal position that it is a not subject to this Commission's jurisdiction.

3. To Eureka Hunter's knowledge, the Beverly Bell Pipeline which runs through Washington County Ohio, has provided natural gas to a minimal number of customers located along the Beverly Bell Pipeline right-of-way for at least twenty (20) years (See Map attached as Exhibit A).
4. Since acquiring the Beverly Bell Pipeline and the underlying right-of-way, Eureka Hunter's inspection and knowledge of the pipeline reflects that it consists of 27.73 miles of 4 and 6 inch steel and composite pipe patchworked together. This inspection reveals that the pipeline has significant structural problems such that a substantial amount of natural gas is lost through leaks and has experienced difficulty in maintaining regular service. Moreover, the gas shipped through this line is not "pipeline quality gas" which increases the concerns about the safety and reliability of the line.
5. The Beverly Bell Pipeline has been identified as needing significant capital expenditures in order to ensure safe and reliable service to the house gas customers in question. As a gas gathering company, Eureka Hunter is not able to maintain the resources or personnel necessary to ensure continued reliable service. It is therefore necessary to abandon any house gas service along the right-of-way, as such service is highly unreliable, not economically feasible, and potentially hazardous.
6. Eureka Hunter has notified all twenty-six house gas customers that Eureka Hunter will assist in the transition to an alternative energy source. Eureka Hunter has contacted a local propane distributor who will conduct an evaluation of any necessary costs to convert any customers to propane. Such an evaluation has been offered at no cost to the customer. Eureka Hunter has also notified all twenty-six house gas customers that it will provide assistance to cover the conversion costs.

7. Eureka Hunter has also assisted twelve of the twenty-six house gas customers in locating an alternative natural gas supplier. Based upon Eureka Hunter's knowledge and understanding, such alternatives will be in place before the upcoming heating season. Eureka Hunter continues in its efforts to assist any remaining house gas customers in locating alternative energy sources.
8. The names and addresses of affected house gas customers are as follows:

**Tim (Chester) & Mary Burdette
290 Hartline Road
Whipple, OH 45788**

**Rodney Lord
320 Hartline Road
Whipple, OH 45788**

**H. Chuck & Diana Nonnenmacher
1259 Hartline Road
Whipple, OH 45788**

**Leonard Perrine
1252 Hartline Road
Whipple, OH 45788**

**HC Pete & Marylin Nonnenmacher
50 Schneider Road
Whipple, OH 45788-5056**

**Matt Nonnenmacher
50 Schneider Road
Whipple, OH 45788-5056**

**Ruth Hartline
55 Schneider Road
Whipple, OH 45788**

**Helen McKenna
450 DAV Road
Whipple, OH 45788**

**Stephan & Barbara Guckert
452 DAV Road
Whipple, OH 45788**

**Dennis Peterson
458 DAV Road
Whipple, OH 45788**

**c/o John & Mary Boley
2585 Logan-thornville Road
Bremen, OH 43107**

**Roger & Melody Smith
450 Highland Ridge Road
Marietta, OH 45750**

**Dennis Cook
742 Highland Ridge Road
Lowell, OH 45744**

**James Jackson
944 Highland Ridge Road
Lowell, Ohio 45744**

**Loren Dimit
920 Highland Ridge Road
Lowell, OH 45744**

**John D. Biehl
Rt. 2 Box 56-F
Lowell, OH 45744**

**John & Margaret Arnold
Rt. 2 Box 56E
Lowell, OH 45744**

**Michael & Laura Pytilk
Rt. 2 Box 57
Lowell, OH 45744**

James R. Miller
1387 Highland Ridge Road
Lowell, OH 45744

Dave & Elizabeth Rogers
Rt. 2 Box 85A
Lowell, OH 45744

Robert Smith
1459 Highland Ridge Road
Lowell, OH 45744

Julie Ryan
Shaila Schadd (Rental)
Rt. 1 Box 218
Waterford, OH 45786

Donald & Linda Marks
Rt. 1 Box 219
Waterford, OH 45786

Precision Auto
Care of Jeffrey Bauerbach
Rt. 1 Box 220A
Waterford, Oh 45786

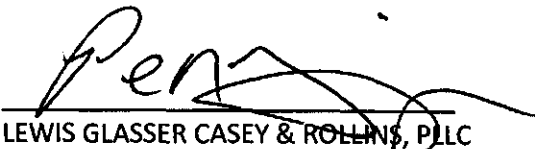
Jeffrey & Terri Bauerbach
Rt. 1 Box 220A
Waterford, OH 45786

Darren Stollar
Rt. 2 Box 90A
Waterford, OH 45786

9. In view of the poor condition of the Beverly Bell Pipeline, the limited number of house gas customer's located along the right-of-way, and the fact that it is not economically feasible to maintain reliable and uninterrupted service to the twenty-six house gas customers located along the right-of-way, Eureka Hunter submits that this abandonment is reasonable having due regard for the welfare of the public and the cost of operating the service. R.C. 4905.21

WHEREFORE, Eureka Hunter respectfully asks that the Commission authorize prior to October 31, 2013, the abandonment of natural gas service to the twenty-six house gas customers located along the Beverly Bell Pipeline.

Eureka Hunter Pipeline, LLC
By Counsel



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