

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Foraker Gas Company, Inc. for Approval)
of an Amendment to Its Contracts) Case No. 13-1910-GA-AEC
Governing the Provision of Natural Gas)
Service to Its Residential and Commercial)
Customers and Related Matters.)

In the Matter of the Application of)
Foraker Gas Company, Inc. for Authority)
to Implement a Purchased Gas) Case No. 13-1911-GA-GCR
Adjustment Clause Pursuant to Chapter)
4901:1-14, Ohio Administrative Code.)

ENTRY

The attorney examiner finds:

- (1) Foraker Gas Company, Inc. (Foraker or the Company) is a public utility as defined in Section 4905.02, Revised Code, and a natural gas company under Section 4905.03, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On September 6, 2013, Foraker filed an application, pursuant to Section 4905.31, Revised Code, seeking authority to amend its agreements governing the provision of natural gas service to the Company's approximately 300 residential customers and 26 commercial customers. Specifically, Foraker proposes to replace the current fixed per-thousand-cubic-foot rate for service with a base distribution rate, monthly customer charge, gross receipts tax rider, and a separate gas cost recovery (GCR) rate for commodity service. According to Foraker, the proposed transition to the new rate structure would be revenue neutral from the customers' perspective, resulting in, at most, a minimal initial impact on customers' bills, while protecting the Company in periods of high gas prices. Foraker also seeks pre-approval of any additional agreements that the Company may enter into with other residential and commercial customers, so long as

the rates and terms contained in the agreements are consistent with those set forth in the proposed amendments. Finally, Foraker seeks authority to implement a purchased gas adjustment clause pursuant to Chapter 4901:1-14, Ohio Administrative Code (O.A.C.), and requests that the Commission establish a GCR docket for the filing of monthly adjustments to the Company's GCR rate in accordance with Rule 4901:1-14-05, O.A.C.

- (3) In support of the application, Foraker notes that the Commission has previously determined that the Company's provision of service to its residential and commercial customers pursuant to individual agreements constitutes a reasonable arrangement under Section 4905.31, Revised Code. Foraker adds that its Commission-approved tariff specifically provides that the Company's rates will be governed by Commission-approved agreements. Foraker asserts that its application is merely intended to fine tune the existing reasonable arrangement to incorporate a GCR rate, which will enable the Company to weather increases in gas costs and benefit customers when gas prices fall.
- (4) Attached to the application, Foraker submitted a copy of an executed amended residential customer agreement and an executed amended commercial customer agreement. Foraker proposes to distribute the proposed amendments to all customers that have not yet executed an amended agreement, along with a customer notice in a form to be submitted to Staff for review. Upon approval of the proposed amendments, Foraker notes that it will file a revised bill format reflecting the inclusion of a GCR rate.
- (5) In order to assist the Commission in its review of Foraker's application, the attorney examiner finds that the Company's residential and commercial customers, as well as any other interested stakeholders, should have the opportunity to comment on the application. Accordingly, the following procedural schedule should be established:

- (a) December 17, 2013 – Deadline for Foraker to provide notice of the application to its residential and commercial customers, a copy of which should be provided to Staff, at least 10 days prior to its distribution to customers.
- (b) January 16, 2014 – Deadline for the filing of comments on the application.
- (c) January 31, 2014 – Deadline for the filing of reply comments.

It is, therefore,

ORDERED, That the procedural schedule set forth in finding (5) be adopted. It is, further,

ORDERED, That a copy of this entry be served upon all parties and other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

By: Sarah J. Parrot
Attorney Examiner

JRJ/sc

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in

Case No(s). 13-1910-GA-AEC, 13-1911-GA-GCR

Summary: Attorney Examiner Entry sets forth the procedural schedule indicated in finding (5). - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio