

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of NRG)
Ohio Pipeline Company LLC for) Case No. 13-2315-PL-ACE
Authority to Operate as an Ohio Pipeline)
Company.)

FINDING AND ORDER

The Commission finds:

- (1) On November 27, 2013, as amended on February 12, 2014, NRG Ohio Pipeline Company LLC (NRG Pipeline or Company) filed an application, pursuant to R.C. 4905.02, 4905.03(F), and 4905.63, for authority to operate as an intrastate pipeline company in the state of Ohio. In the application, NRG Pipeline states that it is a Delaware limited liability company that is registered to do business in Ohio. NRG Pipeline further states that it is a wholly-owned subsidiary of NRG Energy, Inc. (NRG), which is one of the largest power companies in the country, with nearly 100 generation assets producing more than 47,000 megawatts (MW), and retail energy providers serving more than 2 million customers in 16 states. NRG Pipeline notes that one of NRG's subsidiaries, NRG Power Midwest LP, owns a 753 MW coal-fired generating facility in Avon Lake, Ohio, and plans to add natural gas as a fuel source for the boilers at the facility. NRG Pipeline explains that it intends to provide the pipeline infrastructure to deliver natural gas to the facility, and plans to construct and operate approximately 20 miles of 24-inch to 30-inch high pressure steel pipeline in Lorain County, Ohio, which would be installed adjacent to road right-of-way to the extent practicable.
- (2) In support of the application, NRG Pipeline states that it has the technical, financial, and managerial capability needed to operate a natural gas transmission system of the type planned to serve the Avon Lake facility, as well as the requisite financial means to construct the proposed pipeline. NRG Pipeline notes that it has provided, along with the application, proof of the Company's registration with the Ohio Secretary of State, a map depicting the corridors of two

potential pipeline routes, a summary of the Company's technical and managerial background, and financial information pertaining to NRG.

- (3) Additionally, NRG Pipeline explains that, at the appropriate time, it plans to file an application with the Ohio Power Siting Board for a certificate to construct and operate the proposed pipeline. NRG Pipeline further explains that, after the pipeline is constructed, the Company or one of its affiliates will enter into a special contract with any customer served by the pipeline, pursuant to R.C. 4905.31, with any such contracts being filed with the Commission for approval prior to commencement of service. For that reason, NRG Pipeline notes that it has not proposed a tariff at this time, and that the appropriate filing will be made with the Commission, if the Company or an affiliate later decides to establish a tariff. NRG Pipeline emphasizes that, although a limited number of other commercial or manufacturing customers may seek transportation of natural gas through the proposed pipeline, its purpose is to serve the Avon Lake facility, such that natural gas may be used in place of coal for the generation of electricity at the facility.
- (4) Upon review of NRG Pipeline's application, the Commission finds that the application is reasonable and should be approved. Specifically, we find that NRG Pipeline's request for authority to operate as an intrastate pipeline company in the state of Ohio should be granted. NRG Pipeline has provided sufficient information in support of its application, including several exhibits intended to document that the Company and its affiliates have the necessary technical and managerial expertise and financial resources to construct and operate the proposed pipeline. Accordingly, we find that NRG Pipeline is a public utility and pipeline company, pursuant to R.C. 4905.02 and 4905.03, and, as such, is subject to the Commission's jurisdiction. We further find that, pursuant to R.C. 4905.63, NRG Pipeline is subject to R.C. Chapters 4901, 4903, 4905, 4909, and any other applicable chapter set forth therein. We also emphasize that NRG Pipeline is subject to the ongoing jurisdiction and supervision of the Commission with respect to the gas pipeline safety standards and requirements, as set forth in R.C. 4905.90 through 4905.96 and Ohio Adm.Code Chapter

4901:1-16. Finally, we note that our approval of NRG Pipeline's application in this case does not relieve the Company of the obligation to file a proper application with the Commission, at the appropriate time, for approval of a proposed tariff or reasonable arrangement entered into with any customer, or to file the necessary application with the Ohio Power Siting Board for a certificate to construct and operate the proposed pipeline.

It is, therefore,

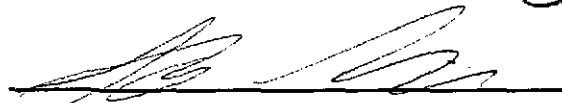
ORDERED, That NRG Pipeline's application be approved. It is, further,

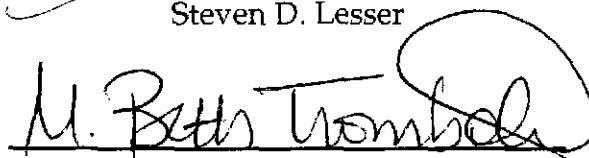
ORDERED, That NRG Ohio Pipeline Company LLC be added to the roll of public utilities regulated by this Commission. It is, further,

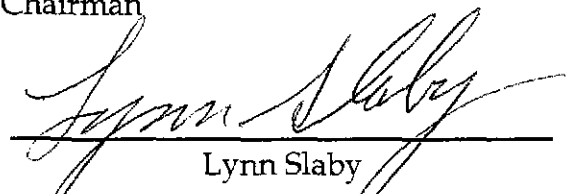
ORDERED, That a copy of this Finding and Order be served upon all interested persons and parties of record.

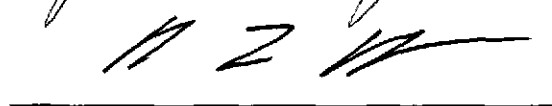
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser


M. Beth Trombold


Lynn Slaby


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SJP/sc

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Barcy F. McNeal
Secretary