

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Eureka )  
Hunter Pipeline, LLC for Authority to ) Case No. 13-1893-GA-ABN  
Abandon Service. )

FINDING AND ORDER

The Commission finds:

- (1) Eureka Hunter is a natural gas company and a public utility within the meaning of R.C. 4905.02 and 4905.03 and is, therefore, subject to the jurisdiction of this Commission.
- (2) On August 30, 2013, as supplemented on October 22, 2013, Eureka Hunter Pipeline, LLC (Eureka Hunter) filed an application seeking to abandon natural gas service to 26 premises. In support of its application, Eureka Hunter submits that it acquired the Beverly Bell Pipeline, along with 26 house gas customers, through its acquisition of the Triad Energy Corporation (Triad Energy) in February 2010. Eureka Hunter maintains that its sole purpose in the acquisition of Triad Energy was to utilize any existing right-of-ways for gathering lines, but notes that the Beverly Bell Pipeline has provided natural gas to 26 customers for over 20 years. Eureka Hunter states that the Beverly Bell Pipeline needs significant capital expenditures to ensure safe and reliable service for the 26 natural gas customers. In light of these expenditures, Eureka Hunter claims it is necessary to abandon natural gas service along its right-of-way, as such service is unreliable, hazardous, and not economically feasible. Eureka Hunter believes its abandonment of natural gas service is reasonable and meets the criteria set forth in R.C. 4905.20 and 4905.21.
- (3) Rule XII, Section 2(A) of the Government of the Bar of Ohio (Bar Rule) provides rules governing eligibility to practice pro hac vice in Ohio. Pursuant to Section 2(A)(6) of the Bar Rule, motions for admission pro hac vice must be accompanied by a certificate of pro hac vice registration furnished by the Supreme Court Office of Attorney Services.
- (4) On November 19, 2013, a motion for admission to practice pro hac vice and a certificate of pro hac vice registration was filed

on behalf of Richard L. Gottlieb, representing Eureka Hunter. The Commission finds that the motion for admission pro hac vice should be granted.

- (5) By Entry issued September 25, 2013, this matter was scheduled for a prehearing conference on October 24, 2013. Notice of the prehearing conference was served by certified mail and regular mail on each of the 26 customers affected by this application. At the conclusion of the prehearing conference, Eureka Hunter and the 16 customers that were represented at the conference agreed to continue discussions concerning alternative energy sources and the possibility of receiving natural gas service from an alternate natural gas supplier.
- (6) On May 29, 2014, Eureka Hunter filed a supplemental report in support of its application, which reflects that, through Eureka Hunter's effort, with the coordination of Staff, alternative suppliers will assume service to the affected customers. Specifically, Eureka Hunter states that, of the 26 customers served by Eureka Hunter: 22 have signed stipulations and releases stating that they do not oppose Eureka Hunter's application to abandon service, as they will be transferred to Northeast Ohio Natural Gas Corporation; two former customers voluntarily terminated service and are no longer customers of Eureka Hunter; one former customer has transferred his/her natural gas service to The East Ohio Gas Company d/b/a Dominion East Ohio; and, despite Eureka efforts, one customer has not responded, however, the residence is now unoccupied. Eureka Hunter states that, based on the stipulations and affidavit attached to the supplemental report, as well as Eureka Hunter's efforts to reach the one remaining customer, its application is unopposed.
- (7) Upon review of the application, as supplemented on October 22, 2013, and May 29, 2014, the Commission finds that, in light of the direct notices given to the 26 customers, the extensive discussions and documentation resolving the issue of the provision of service to the customers if the abandonment is approved, and the fact that the application is not opposed, the customers' interests have been protected. Therefore, the Commission concludes that the application for abandonment filed by Eureka Hunter is reasonable and should be approved, without the need for a hearing on the application, subject to the

transfer of all customers to the agreed-to alternative service provider. In addition, we find that, immediately upon completion of the efforts necessary to transfer all customers to the agreed-to alternative service provider, Eureka is directed to file a letter in this docket informing the Commission of its final date of service to the customers.

It is, therefore,

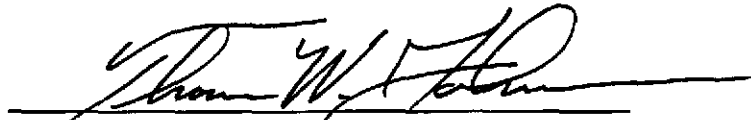



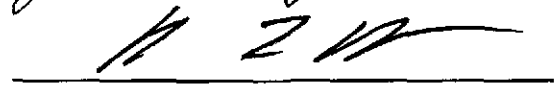
ORDERED, That the motion for admission pro hac vice filed November 19, 2013, on behalf of Richard L. Gottlieb be granted. It is, further,

ORDERED, That, in accordance with finding (7), the application, as supplemented, to abandon service filed by Eureka Hunter is approved. It is, further,

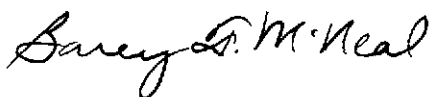
ORDERED, That Eureka Hunter file a letter in this docket informing the Commission of its final date of service to the customers, as directed herein. It is, further,

ORDERED, That a copy of this Finding and Order be served upon Eureka Hunter, each of the 26 customers whose names and addresses are listed the supplemental report filed on May 29, 2014, and all other interested persons of record.

## THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Thomas W. Johnson, Chairman  
Steven D. Lesser  
Lynn Slaby  
M. Beth Trombold  
Asim Z. Haque

CMTP/vrm

Entered in the Journal  
**JUN 11 2014**Barcy F. McNeal  
Secretary