

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF THE APPLICATION  
OF THE EAST OHIO GAS COMPANY  
D/B/A DOMINION ENERGY OHIO FOR  
APPROVAL OF CHANGES IN RULES AND  
REGULATIONS.**

**CASE NO. 17-1088-GA-ATA**

**FINDING AND ORDER**

Entered in the Journal on June 21, 2017

**I. SUMMARY**

{¶ 1} The Commission approves the application of The East Ohio Gas Company d/b/a Dominion Energy Ohio to amend its tariffs to address customer-requested installations of excess flow valves and to update bill due dates.

**II. DISCUSSION**

{¶ 2} The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO or the Company) is a natural gas company as defined in R.C. 4905.03, a public utility as defined in R.C. 4905.02, and an operator as defined in R.C. 4905.90. As such, DEO is subject to the jurisdiction and supervision of this Commission. Accordingly, DEO is required to comply with Ohio Adm.Code Chapter 4901:1-16, which sets forth the safety standards and requirements for intrastate gas pipeline facilities subject to the jurisdiction of the Commission. Pursuant to Ohio Adm.Code 4901:1-16-03(A), these rules adopt the United States Department of Transportation's gas pipeline safety regulations contained in 49 C.F.R. Parts 40, 191, 192, and 199.

{¶ 3} R.C. 4909.18 provides, in part, that a public utility may file an application to establish any rate, charge, regulation, or practice. If the Commission determines that the application is not for an increase in any rate and does not appear to be unjust or unreasonable, the Commission may approve the application without the need for a hearing.

{¶ 4} On April 19, 2017, DEO filed, pursuant to R.C. 4909.18, an application to amend its tariffs, in order to conform to regulations recently enacted by the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) in Docket No. PHMSA-2011-0009, Amdt. No. 192-121, which took effect on April 14, 2017. Specifically, DEO proposes to add certain provisions to its tariffs, consistent with 49 C.F.R. 192.383, to address eligibility, installation, and cost responsibility with respect to excess flow valves (EFV), which are safety devices installed on natural gas distribution pipelines to reduce the risk of accidents. DEO states that PHMSA's regulations require EFV installation on new or replaced service lines serving single-family residences, while the new regulations also require EFV installation for certain requesting customers. DEO notes that, following consultation with Staff, the Company seeks approval of proposed tariffs that would provide that a customer requesting EFV installation on an existing service line will be responsible for the costs associated with the installation. Additionally, DEO submits that, beginning on April 14, 2017, it has provided, as mandated by PHMSA, customer notification regarding the right to request EFV installation. DEO adds that it will not commence any customer-requested installations until such time as the Commission issues an order approving the tariff changes. Finally, DEO notes that, to the extent the requested authorization to recover the actual costs constitutes a rate or charge under R.C. 4909.18, it would represent a "first filed" charge and, thus, the Company's application should be considered an application not for an increase in rates.

{¶ 5} In its application, DEO also proposes to update its tariffs addressing bill due dates, in order to reflect changes to Ohio Adm.Code 4901:1-13-11(C) that increased the payment time from 14 to 17 days for residential bills issued from locations outside the state of Ohio.

{¶ 6} On May 25, 2017, Staff filed its review and recommendations regarding DEO's application. Staff notes that DEO's application seeks to establish the terms and

conditions associated with EFV installation and proposes to bill the actual cost to the customer requesting the installation. Following its review, Staff concludes that DEO's proposed tariff language is consistent with PHMSA's new regulations and the Commission's tariff requirements. Accordingly, Staff recommends that the Commission approve DEO's proposed tariff language regarding customer-requested EFV installation. Staff also finds that DEO's proposed tariffs regarding the bill payment timeframe are consistent with the changes made to Ohio Adm.Code 4901:1-13-11(C) and recommends that the proposed tariff language be approved.

{¶ 7} The Commission finds that DEO's application to revise its tariffs does not appear to be unjust or unreasonable and that it should be approved. The Commission notes that, other than Staff's review and recommendations, no comments or motions to intervene were filed in response to the application. We find that DEO's proposed tariffs constitute a "first filing" and, thus, the Company's application is an application not for an increase in rates. *City of Cleveland v. Pub. Util. Comm.*, 67 Ohio St.2d 446, 424 N.E.2d 561 (1981); *Cookson Pottery v. Pub. Util. Comm.*, 161 Ohio St. 498, 120 N.E.2d 98 (1954). Therefore, consistent with R.C. 4909.18, the Commission finds that no hearing is required in this case.

### III. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That DEO's application to revise its tariffs be approved. It is, further,

{¶ 10} ORDERED, That DEO be authorized to file tariffs, in final form, consistent with this Finding and Order. DEO shall file one copy in this case docket and one copy in its TRF docket. It is, further,

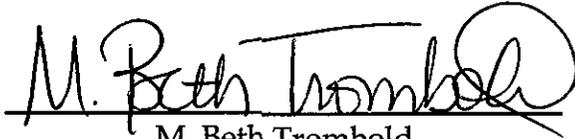
{¶ 11} ORDERED, That the effective date of the new tariffs shall be a date not earlier than the date upon which the final tariff pages are filed with the Commission. It is, further,

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

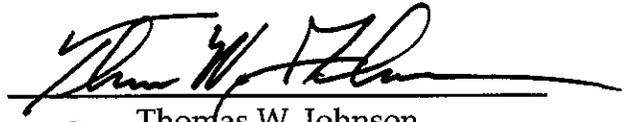
THE PUBLIC UTILITIES COMMISSION OF OHIO



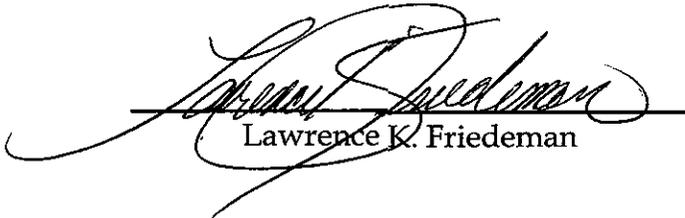
Asim Z. Haque, Chairman



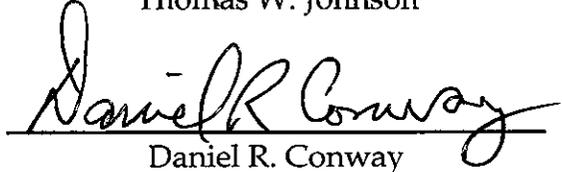
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

SJP/sc

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Barcy F. McNeal  
Secretary