

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The East)	
Ohio Gas Company d/b/a Dominion Energy)	
Ohio to Adjust its Pipeline Infrastructure)	Case No. 17-2177-GA-RDR
Replacement Cost Recovery Charge and)	
Related Matters.)	

**THE EAST OHIO GAS COMPANY D/B/A DOMINION ENERGY OHIO'S
STATEMENT INFORMING THE COMMISSION WHETHER
THE ISSUES RAISED IN COMMENTS HAVE BEEN RESOLVED**

In accordance with the Commission's March 6, 2018 Entry, The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO) hereby informs the Commission whether the issues raised in the comments have been resolved.

Staff filed Comments on March 23, 2018, recommending approval of DEO's application as filed, subject to the following recommendations:

- "that the Commission accept DEO's proposed PIR Cost Recovery Charge rates as proposed in its Application, subject to potential reconciliation, adjustments, or refunds next year," based on recommendations arising from "Staff's ongoing investigation and/or Commission findings and directives in the 18-0047-AU-COI case";
- "that, in its Opinion and Order in this case, the Commission expressly notify DEO that next year's PIR Cost Recovery Charge rate may be adjusted to reflect any reconciliation or refunds resulting from ongoing investigations of the impacts of the federal income tax rate reduction"; and
- "that the Commission direct DEO to note in its tariffs that the PIR Cost Recovery Charge is subject to reconciliation and potential refunds as determined by the Commission."

(*Id.* at 7.)

The Office of the Ohio Consumers' Counsel (OCC) also filed comments. Similar to Staff, it requested rider language regarding refunds if charges are later found to be imprudent, unreasonable, or unlawful. OCC also recommended that DEO "should estimate its excess ADIT

[accumulated deferred income taxes] and immediately begin providing consumers the benefits of its lower corporate tax rate.” (*Id.* at 5.)

Finally, Ohio Partners for Affordable Energy (OPAE) filed comments. OPAE expressed its concern that the impact of federal-income-tax reform be “properly reflected” in the PIR Cost Recovery Charge.

DEO has discussed the issues with all three parties, and to resolve their concerns, it is willing to do the following. First, DEO would agree to the following tariff language in its PIR Tariff, which is also acceptable to Staff:

This Rider is subject to reconciliation or adjustment, including, but not limited to, increases or refunds. Such reconciliation or adjustment shall be limited to: (1) the twelve-month period of expenditures upon which the rates were calculated, if determined to be unlawful, unreasonable, or imprudent by the Commission in the docket in which those rates were approved or by the Supreme Court of Ohio; and (2) those implementing the Commission’s orders in Case No. 18-47-AU-COI or in any other case ordered by the Commission to address the impacts of federal income tax reform.

DEO would clarify that it reserves the right to propose revisions to this or any other tariff language in future proceedings, subject to Commission approval.

Second, DEO recognizes that OCC and OPAE reserve the following rights: (1) to present the issues raised in the comments regarding the treatment of excess ADIT for the Commission’s consideration in Case No. 18-47-AU-COI or any other relevant docket ordered by the Commission to address the tax reform changes in Case No. 18-47-AU-COI, and (2) to validate that DEO has appropriately accounted for excess ADIT in the February 2019 PIR Charge update filing.

In view of the proposed tariff addition, and the reservation of rights recognized above, OCC and OPAE do not oppose DEO’s Statement of Issues.

Given that Staff recommended approval of the PIR Cost Recovery Charge application, given that DEO has accepted Staff's other recommendations, and given that OCC and OPAE do not oppose the resolutions set forth above, DEO believes that a hearing in this case is unnecessary. *See* Entry ¶ (3)(f) (Mar. 6, 2018) (“*In the event that all of the issues are not resolved or the parties enter into a stipulation, a hearing shall commence . . .*”) (emphasis added). Therefore, DEO respectfully requests that the Commission approve both its February 28, 2018 Application as filed and the proposed tariff language described above.

Dated: March 30, 2018

Respectfully submitted,

/s/ Andrew J. Campbell

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ATTORNEYS FOR THE EAST OHIO GAS
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail on the 30th day of March, 2018, to the following:

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/s/ Rebekah J. Glover

One of the Attorneys for The East Ohio Gas
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Case No(s). 17-2177-GA-RDR

Summary: Notice Informing the Commission Whether Issues Raised in Comments Have Been Resolved electronically filed by Mr. Andrew J Campbell on behalf of The East Ohio Gas Company d/b/a Dominion Energy Ohio