

FILE

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application :
of Cobra Pipeline Co., Ltd. for : Case No.16-1725-PL-AIR
an Increase in Its Rates and Charges. :

PUCO

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COBRA PIPELINE COMPANY, LTD'S
ACCOUNTING FOR INCREASED REVENUES,
AS ORDERED WITHIN PARAGRAPHS 25 AND 37 OF
THE COMMISSION'S ENTRY OF APRIL 11, 2018

On April 11, 2018, the Public Utilities Commission of Ohio ("Commission") issued an Entry ("Entry"), in this matter in which it found that Ohio Revised Code ("R.C.") §4909.42 is unavailable to Cobra Pipeline Company, Ltd ("Cobra"). The Commission next concluded that Cobra therefore could not rely upon that statute to implement the rate increase it had proposed at the time it first filed this action. *Entry at ¶23.* Because Cobra had in fact earlier implemented a rate increase effective July 1, 2017, the Commission directed Cobra to

- reinstate the rate Cobra was assessing customers for transportations service prior to the date it implemented its rate increase;
- refund all revenues collected as a result of the rate increase to the customers that paid that rate increase; and
- file an accounting with this Commission, within thirty days of the Entry, to demonstrate that it had fully refunded the "excess" revenues to its customers.

Entry at ¶¶25, 37.

Cobra respectfully disagrees with the Commission's legal analysis, which fails to acknowledge that Cobra's ability to implement its proposed rate did not depend upon R.C. §4909.42 in the first place, and which further fails to recognize that this Commission simply does not have the legal authority to Order a pipeline company to refund any portion of its lawfully effective rate to customers. Accordingly, Cobra timely filed an Application for

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Rehearing (the “Application”) with this Commission pursuant to R.C. §4903.10 and Ohio Administrative Code (“O.A.C.”) §4901-1-35(A). Within its Application, Cobra identifies the specific errors of law that preclude this Commission from Ordering an immediate refund to Cobra’s customers.

Cobra desires nonetheless to demonstrate its good faith to its customers and this Commission. Accordingly, pending a final outcome in this matter, Cobra will submit information under seal that accounts in full, on an individual customer basis, for the increased revenues Cobra collected between July 1, 2017 and the April 11, 2018 date of the Entry.

Respectfully submitted,

/s/ Michael D. Dortch

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CERTIFICATE OF SERVICE

The PUCO's e-filing system will serve notice of this filing upon counsel for the parties and the Staff of the Public Utilities Commission of Ohio. Further, I hereby certify that a true and accurate copy of the foregoing was served upon counsel for the parties this May 10, 2018, by electronic mail:

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/s/ Michael D. Dortch

Notification of Delta Differential Due To Rate Increase (\$0.95 to \$0.50) For Time Period Between July 2017 And March 2018 (Based Upon Actual Volumes Shipped)

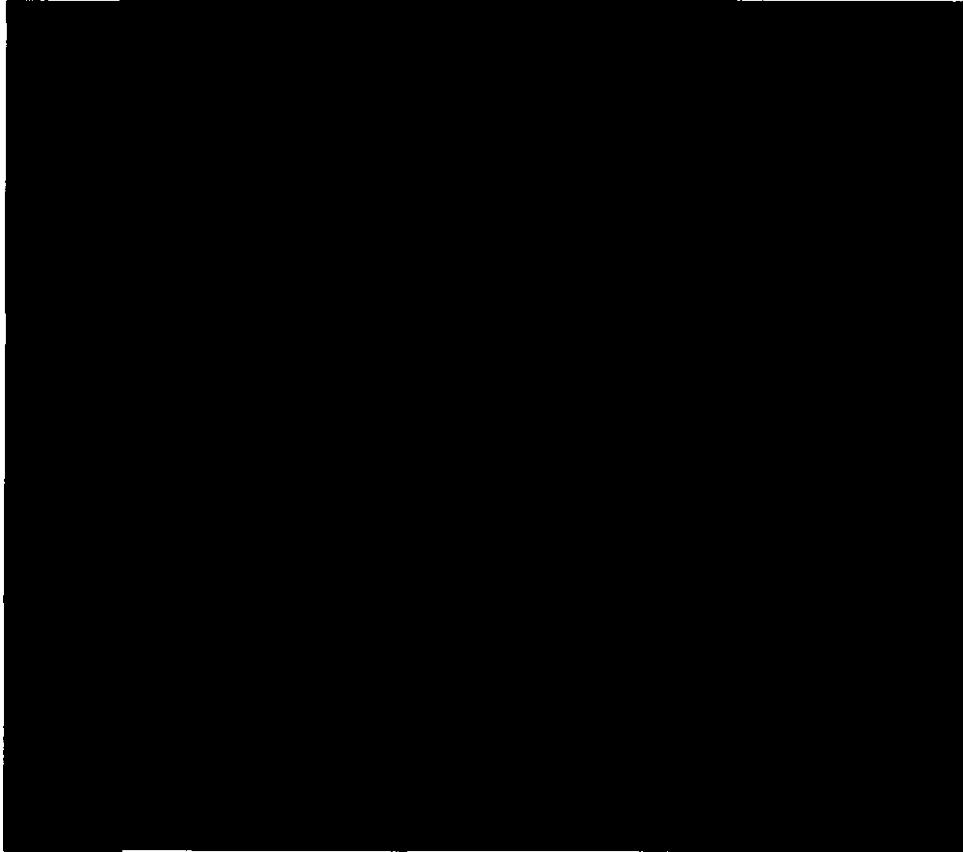
	July	August	September	October	November	December	January	February	March	Total
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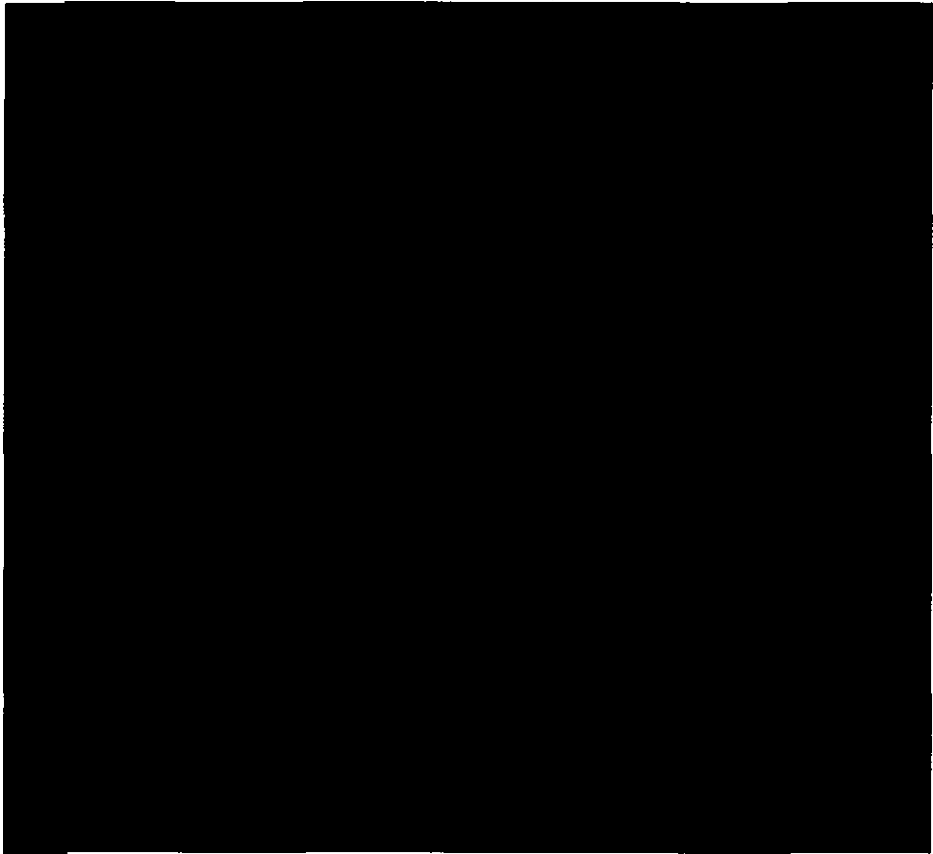
Jul-17

\$0.95 Transport \$0.50 Transport Difference



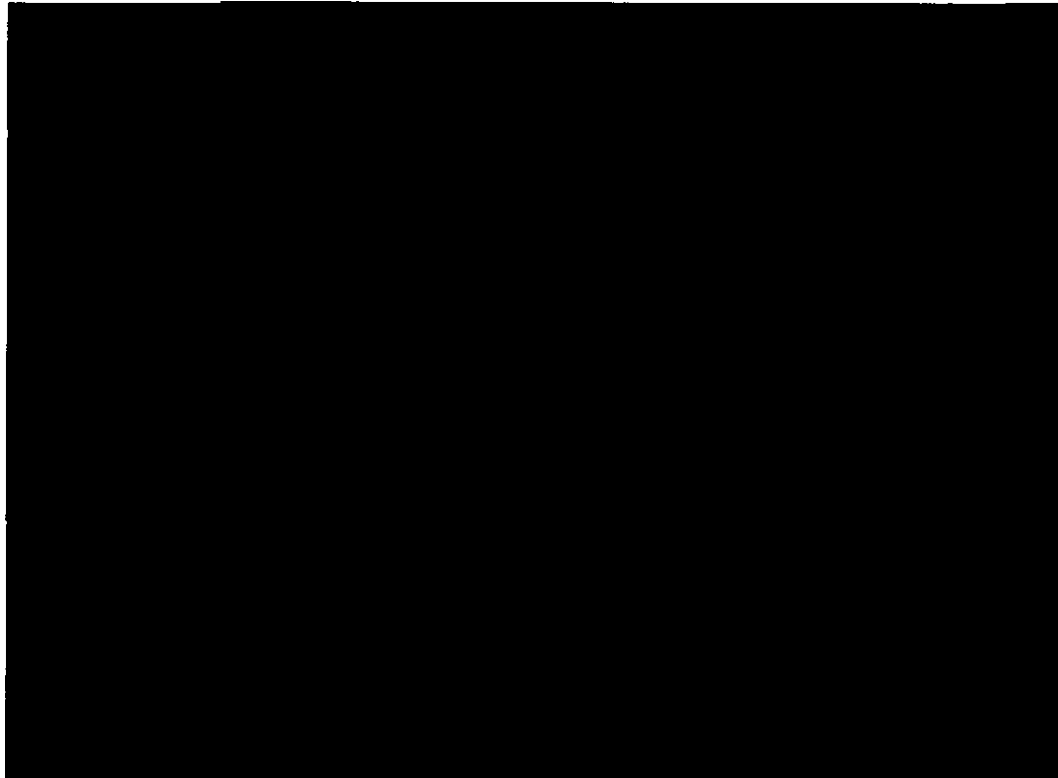
Aug-17

\$0.95 Transport \$0.50 Transport Difference



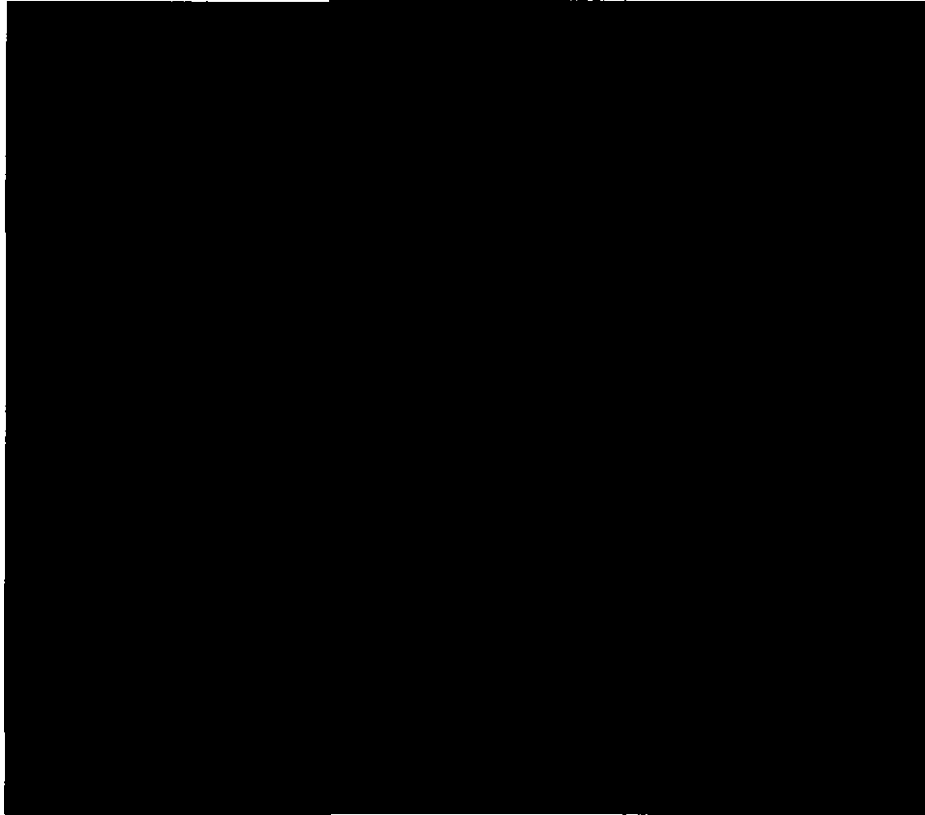
Sep-17

\$0.95 Transport \$0.50 Transport Difference



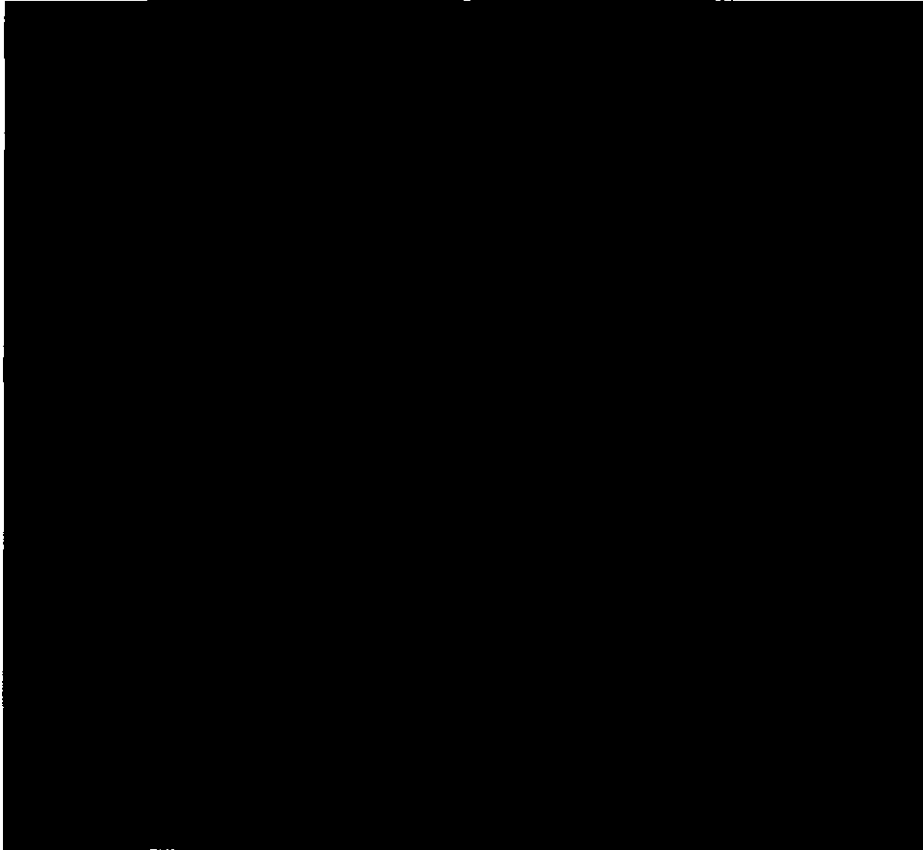
Oct-17

\$0.95 Transport \$0.50 Transport Difference



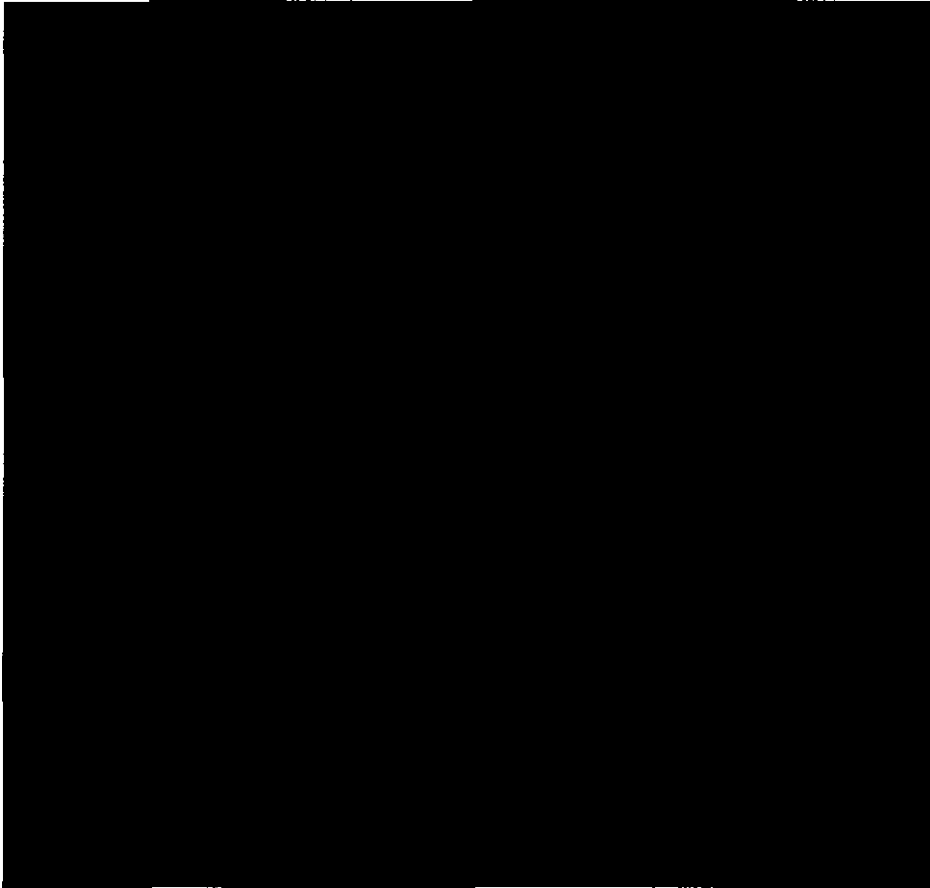
Nov-17

\$0.95 Transport \$0.50 Transport Difference



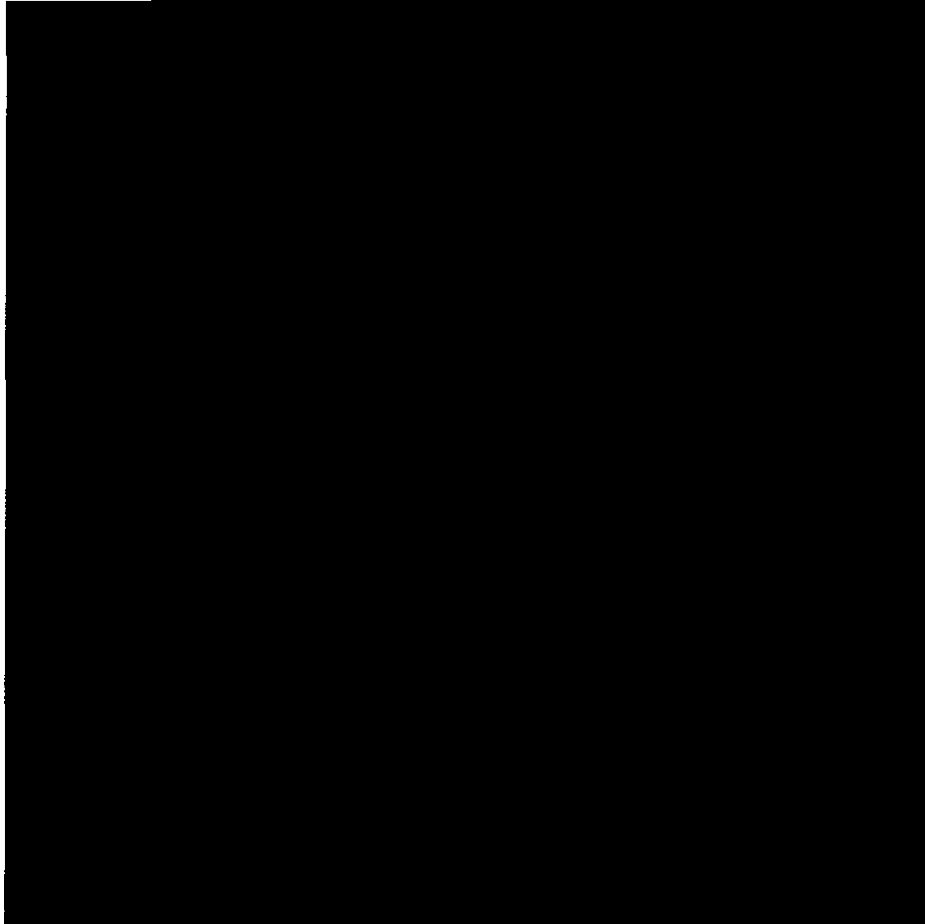
Dec-17

\$0.95 Transport \$0.50 Transport Difference



Jan-17

\$0.95 Transport \$0.50 Transport Difference



Feb-17

\$0.95 Transport \$0.50 Transport Difference



Mar-17

\$0.95 Transport \$0.50 Transport Difference

