

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Self Complaint of)	
Vectren Energy Delivery Ohio, Inc.)	
Regarding Its Pooling Service Tariffs and)	Case No. 17-2284-GA-SLF
Application of Commission Rules)	
Concerning Customer Information)	

**RESPONSE TO THE REPLY COMMENTS
OF THE RETAIL ENERGY SUPPLY ASSOCIATION
ON BEHALF OF VECTREN ENERGY DELIVERY OF OHIO, INC.**

On May 7, 2018, in accordance with the Commission’s March 28, 2018 Entry in this proceeding, two parties filed reply comments: Vectren Energy Delivery of Ohio, Inc. (VEDO or the Company) and the Retail Energy Supply Association (RESA). VEDO files this response to RESA’s reply comments for the purpose of clarifying its position and facilitating the resolution of this proceeding.

In its own reply comments, VEDO noted that no party indicated opposition to VEDO’s tariff provisions or the Company’s interpretation of its tariff or the Commission’s rules. All parties appeared to agree that customer information, such as the eligible customer list, should not be provided to an entity that is not engaged in the provision of competitive retail natural gas (CRNG) service to customers.

RESA’s reply comments indicated support for VEDO’s core position: “a utility should not be required to provide an eligible customer list to a Supplier not actively engaged in the market.” (RESA Reply at 1.) Nor did RESA’s reply comments state any concerns with VEDO’s existing qualification process for the Choice Program. (*See id.* at 3 (“RESA does not have an issue with the Vectren approval in the Choice Program which involves multiple prerequisites before the eligible-customer list is available to Suppliers”).) RESA, however, expressed concerns about the possibility of “an advisory opinion” addressing issues not necessary for the

resolution of this matter, in particular concerning conflicts between a utility's tariffs and Commission rules. (*Id.* at 1, 4–6.)

VEDO tends to agree with RESA that this case can and should be disposed of without reaching unnecessary issues. The broker at issue was served with the self-complaint but has not intervened, filed comments, or otherwise become involved in the proceeding. Those parties who did participate have indicated support for VEDO's decision not to provide the customer list to an entity not engaged in the provision of CRNG service. In particular, none of the commenters have questioned whether VEDO's tariffs are in conflict with Ohio law or the Commission's rules.

All this being the case, VEDO agrees it is not necessary to go beyond the allegations of the self-complaint and explore hypothetical conflicts between tariffs and rules. VEDO would also clarify that it has *not* taken the position that a utility's tariffs generally control in the event of a conflict with the Commission's rules. The self-complaint asks whether a utility "may disregard its tariff provisions if a CRNG supplier *asserts* that a given tariff provision is inconsistent with the Commission's rules." (Complaint at 10 (emphasis added).) VEDO's position is simply that the mere *assertion* of a conflict by some third party does not provide sufficient grounds for a utility to disregard its tariff.

VEDO accordingly reiterates its request for relief set forth in its self-complaint, namely, that the Commission should answer the three questions posed by VEDO in the negative and find that reasonable grounds for complaint have not been stated with respect to VEDO's provision of service. (*See* Complaint at 10.) Given that no party has either opposed VEDO's request or disputed the allegations in the complaint, VEDO believes that a hearing is not required and that the complaint may be dismissed.

Dated: May 31, 2018

Respectfully submitted,

/s/ Andrew J. Campbell

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail this
31st day of May, 2018 to the following:

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/s/ Andrew J. Campbell
One of the Attorneys for Vectren Energy
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Summary: Response to the Reply Comments of the Retail Energy Supply Association electronically filed by Ms. Rebekah J. Glover on behalf of Vectren Energy Delivery of Ohio, Inc.