

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
COBRA PIPELINE COMPANY, LTD FOR AN  
INCREASE IN ITS RATES AND CHARGES.

CASE No. 16-1725-PL-AIR

### ENTRY

Entered in the Journal on June 22, 2018

{¶ 1} Cobra Pipeline Company, LTD (Cobra or the Company) is a pipeline company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} On August 15, 2016, Cobra filed its application in the above-captioned case, in response to the Commission's Opinion and Order in Case No. 14-1654-GA-CSS, et al. In its Opinion and Order, the Commission directed Cobra and any other pipeline companies owned or controlled by Richard M. Osborne to file applications, pursuant to R.C. Chapter 4909, to determine just and reasonable rates that include charges for firm and interruptible transportation services and rates for shrinkage. *In re Complaint of Orwell Natural Gas Co. v. Orwell-Trumbull Pipeline Co., LLC*, Case No. 14-1654-GA-CSS, et al., Opinion and Order (June 15, 2016) at ¶ 77.

{¶ 3} An amended abbreviated application was filed by Cobra on September 26, 2016.

{¶ 4} By Entry dated November 9, 2016, the Commission approved Cobra's proposed test year and date certain, and accepted the amended application as of its filing date of September 26, 2016. The Commission also directed Cobra to publish legal notice of the application in a newspaper of general circulation throughout its territory.

{¶ 5} On April 13, 2018, Staff filed a written report of its investigation (Staff Report) in this matter.

{¶ 6} By Entry dated May 1, 2018, the attorney examiner established a procedural schedule, including a deadline of May 14, 2018, for direct expert testimony and an evidentiary hearing to commence on June 6, 2018.

{¶ 7} On May 8, 2018, Cobra filed a motion for continuance of the evidentiary hearing and a motion for an extension of time to file its testimony. Specifically, Cobra requested that both the deadline for filing direct testimony and the date for the evidentiary hearing be extended by 21 days.

{¶ 8} By Entry dated May 11, 2018, the attorney examiner suspended the deadline for filing direct expert testimony until otherwise ordered by the Commission. Further, the attorney examiner continued the evidentiary hearing to a date to be set by future entry. Finally, the attorney examiner directed the parties to appear for a prehearing conference on May 21, 2018, in order to discuss the procedural schedule, including the deadline for filing direct expert testimony and the date for commencement of the evidentiary hearing.

{¶ 9} On May 14, 2018, Cobra filed its objections to the Staff Report.

{¶ 10} The prehearing conference was convened, as scheduled, on May 21, 2018. During the prehearing conference, Cobra proposed that the evidentiary hearing commence in late August 2018, in order to enable the Company to prepare for the hearing, while also pursuing a potential settlement agreement with intervenors and Staff.

{¶ 11} At this time, the attorney examiner finds that the following procedural schedule should be established:

- (a) Direct expert testimony on behalf of Cobra and intervenors should be filed by August 3, 2018.
- (b) A prehearing conference will be held on August 23, 2018, at 10:00 a.m. in Hearing Room 11-C at the offices of the Commission, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215.

- (c) The evidentiary hearing will commence on September 5, 2018, at 10:00 a.m. in Hearing Room 11-C at the offices of the Commission, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215.

{¶ 12} On March 1, 2018, Stand Energy Corporation (Stand Energy) filed a motion to intervene in this case. Stand Energy states that it is a customer of Cobra and, as a supplier of natural gas, serves a large number of small manufacturing customers in the Company's service territory. Stand Energy, therefore, states that it has a real and substantial interest in this case and that the Commission's disposition of this proceeding may impair or impede its ability to protect that interest. No memoranda contra the motion to intervene were filed. The attorney examiner finds that Stand Energy's motion is reasonable and should be granted.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the procedural schedule set forth in Paragraph 11 be adopted. It is, further,

{¶ 15} ORDERED, That the motion for intervention filed by Stand Energy on March 1, 2018, be granted. It is, further,

{¶ 16} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Sarah J. Parrot

By: Sarah J. Parrot  
Attorney Examiner

NJW/mef



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**Case No(s). 16-1725-PL-AIR**

Summary: Attorney Examiner Entry setting the procedural schedule and granting the motion for intervention. electronically filed by Ms. Mary E Fischer on behalf of Sarah J. Parrot, Attorney Examiner, Public Utilities Commission of Ohio