

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
NORTHEAST OHIO NATURAL GAS CORP.  
FOR AN INCREASE IN GAS DISTRIBUTION  
RATES.

CASE No. 18-1720-GA-AIR

IN THE MATTER OF THE APPLICATION OF  
NORTHEAST OHIO NATURAL GAS CORP.  
FOR TARIFF APPROVAL.

CASE No. 18-1721-GA-ATA

IN THE MATTER OF THE APPLICATION OF  
NORTHEAST OHIO NATURAL GAS CORP.  
FOR APPROVAL OF AN ALTERNATIVE  
RATE PLAN.

CASE No. 18-1722-GA-ALT

### ENTRY

Entered in the Journal on February 20, 2019

#### I. SUMMARY

{¶ 1} The Commission accepts for filing, as of December 28, 2018, a combined application for an increase in rates and for an alternative rate plan filed by Brainard Gas Corp., Orwell Natural Gas Company, Spelman Pipeline Holdings, LLC, and Northeast Ohio Natural Gas Corp. and directs that legal notice of the application be published in the non-legal notice section of applicable newspapers.

#### II. DISCUSSION

{¶ 2} Brainard Gas Corp. (Brainard), Orwell Natural Gas Company (Orwell), Spelman Pipeline Holdings, LLC (Spelman), and Northeast Ohio Natural Gas Corp. (NEO) (collectively, NEO)<sup>1</sup> are natural gas companies or pipeline companies as defined by R.C. 4905.03 and public utilities as defined by R.C. 4905.02, and, as such, are subject to the jurisdiction of this Commission.

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<sup>1</sup> On September 28, 2018, in Case No. 18-1484-GA-UNC, et al., Brainard, Orwell, Spelman, and NEO filed a joint application seeking approval of a proposed merger of Brainard, Orwell, and Spelman into NEO. The Commission approved the joint application on January 3, 2019.

{¶ 3} The fixation of rates for public utilities in the state of Ohio is governed by R.C. Chapter 4909. The statutory requirements for an application to increase a public utility's rates are enumerated in R.C. 4909.17, 4909.18, 4909.19, and 4909.43. Also, pursuant to R.C. 4901.13, 4909.04(C), and 4909.18, the Commission adopted Ohio Adm.Code 4901-7-01 and its Appendix (Standard Filing Requirements). These Standard Filing Requirements specify the format for filing all information required in an application for an increase in rates and define the information that the Commission requires pursuant to R.C. 4909.18(E).

{¶ 4} Additionally, pursuant to R.C. 4929.05(A), a natural gas company may request approval of an alternative rate plan by filing an application to establish or change a rate under R.C. 4909.18.

{¶ 5} On November 27, 2018, NEO filed separate notices of its intent to file both an application for an increase in rates and an application for approval of an alternative rate plan. First, in accordance with Ohio Adm.Code 4901-7-01, Appendix A, Chapter I of the Standard Filing Requirements and pursuant to R.C. 4909.43(B), NEO's notice of intent to file an application for an increase in rates and charges states that NEO will file its application no earlier than December 28, 2018, which is 30 days after the filing of the notice. Second, pursuant to Ohio Adm.Code 4901:1-19-06(A), NEO's notice of intent to file an application for approval of an alternative rate plan indicates that the application will be filed no earlier than 30 calendar days from the date of the notice.

{¶ 6} Subsequently, on November 29, 2018, NEO filed a motion seeking to establish a test period and date certain, as well as requesting a waiver of a certain filing requirement. By Entry dated December 12, 2018, the Commission approved NEO's proposed test period and date certain and granted NEO's waiver request of a certain filing requirement.

{¶ 7} On December 28, 2018, NEO filed a combined application for an increase in rates and application for approval of an alternative rate plan pursuant to R.C. 4909.18 and R.C. 4929.05, respectively.

{¶ 8} On February 19, 2019, Staff filed a letter stating that NEO's application for approval of an alternative rate plan is in compliance with Ohio Adm.Code 4901:1-19-06.

{¶ 9} The Commission finds that NEO's application meets the requirements of R.C. 4909.17 to 4909.19, the Standard Filing Requirements, and Ohio Adm.Code 4901:1-19-06. As such, the Commission finds that the application shall be accepted as of the filing date of December 28, 2018.

{¶ 10} The Commission further finds that NEO's proposed notice for publication, set forth in its application as Schedule S-3, complies with the requirements of R.C. 4909.19 and the Standard Filing Requirements and should be approved. NEO shall begin publication of the newspaper notice, pursuant to R.C. 4909.19, within 30 days of the date of this Entry and such notice shall not appear in the legal notices section of applicable newspapers.

### III. ORDER

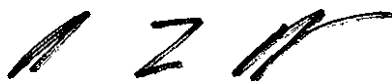
{¶ 11} It is, therefore,

{¶ 12} ORDERED, That NEO's application for an increase in rates and for an alternative rate plan be accepted for filing as of December 28, 2018. It is, further,

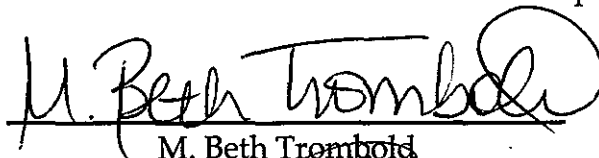
{¶ 13} ORDERED, That the proposed newspaper notice submitted by NEO be approved for publication. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



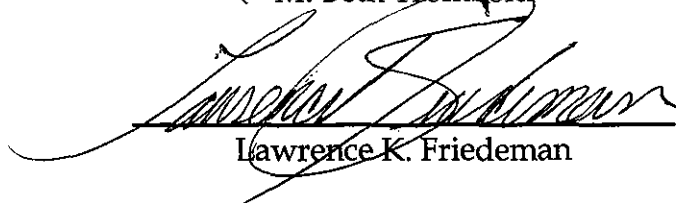
Asim Z. Haque, Chairman



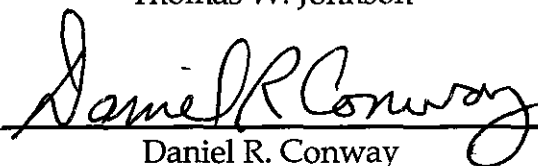
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

LLA/hac

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FEB 20 2019



Tanowa M. Troupe  
Secretary