

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE MOTION TO
MODIFY THE EXEMPTION GRANTED TO
THE EAST OHIO GAS COMPANY D/B/A
DOMINION ENERGY OHIO.

CASE NO. 18-1419-GA-EXM

ENTRY

Entered in the Journal on January 15, 2020

{¶ 1} The East Ohio Gas Company d/b/a Dominion Energy Ohio (DEO) is a natural gas company as defined in R.C. 4905.03 and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4929.04 authorizes the Commission, upon the application of a natural gas company, to exempt any commodity sales service or ancillary service from all provisions of R.C. Chapters 4905, 4909, and 4935, with certain exceptions; from specified sections of R.C. Chapter 4933; and from any rule or order issued under those chapters or sections, including the obligation under R.C. 4905.22 to provide the commodity sales service or ancillary service, and subject to certain requirements.

{¶ 3} R.C. 4929.08 provides that the Commission, upon the motion of any person adversely affected by an exemption granted under R.C. 4929.04, and after notice and hearing, may abrogate or modify any order granting an exemption, if the Commission determines that the findings upon which the order was based are no longer valid and that the abrogation or modification is in the public interest. Further, the abrogation or modification must not be made more than eight years after the effective date of the order, unless the affected natural gas company consents.

{¶ 4} Ohio Adm.Code 4901:1-19-11 provides that the Commission shall order such procedures as it deems necessary, consistent with Ohio Adm.Code Chapter 4901:1-19, in its consideration of whether to modify an order granting an exemption.

{¶ 5} On December 28, 2007, in Case No. 07-1224-GA-EXM, DEO filed an application, pursuant to R.C. 4929.04, for approval of a general exemption of certain natural

gas commodity sales from specified provisions contained in R.C. Chapters 4905, 4909, 4933, and 4935.

{¶ 6} On June 18, 2008, in Case No. 07-1224-GA-EXM, the Commission approved the terms of a stipulation and recommendation filed by various parties on April 10, 2008, in response to DEO's application. The Commission authorized DEO to implement phase two of its plan to exit the merchant function, in which DEO implemented a standard choice offer (SCO), wherein suppliers bid for the right to supply gas in tranches to choice-eligible customers at a retail level. On January 9, 2013, in Case No. 12-1842-GA-EXM, the Commission granted DEO's motion to modify the exemption approved in Case No. 07-1224-GA-EXM and adopted a stipulation and recommendation that authorized DEO to discontinue the availability of its SCO to choice-eligible non-residential customers beginning in April 2013.

{¶ 7} On September 14, 2018, in the above-captioned case, Ohio Partners for Affordable Energy filed a motion for modification of the Commission's exemption order. The Ohio Consumers' Counsel also filed a motion for modification of the exemption order on August 16, 2019.

{¶ 8} By Entry dated August 16, 2019, the attorney examiner established a procedural schedule, which was subsequently modified by Entries issued on October 3, 2019, and October 31, 2019.

{¶ 9} An evidentiary hearing in this matter was called on November 5, 2019, and continued to December 3, 2019.

{¶ 10} On November 25, 2019, the attorney examiner issued an Entry to continue the hearing to December 17, 2019, at the request of the parties.

{¶ 11} The evidentiary hearing reconvened on December 17, 2019. During the hearing, the parties requested additional time for the purpose of continuing to work toward

a settlement of the issues raised in this proceeding. The parties agreed to reconvene on January 16, 2020, at 10:00 a.m.

{¶ 12} Due to another matter occurring on January 16, 2020, at the Commission offices, which poses a scheduling conflict for some of the parties to this case, the attorney examiner finds that the evidentiary hearing should reconvene on January 16, 2020, at 3:00 p.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793. At that time, the parties should be prepared to provide an update on the status of their settlement negotiations.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the evidentiary hearing in this matter reconvene on January 16, 2020, at 3:00 p.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793. It is, further,

{¶ 15} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Sarah J. Parrot

By: Sarah J. Parrot
Attorney Examiner

JRJ/mef

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/15/2020 11:01:00 AM

in

Case No(s). 18-1419-GA-EXM

Summary: Attorney Examiner Entry ordering the evidentiary hearing reconvene on 1/16/20 at 3:00 pm at the Commission offices. electronically filed by Ms. Mary E Fischer on behalf of Sarah J. Parrot, Attorney Examiner, Public Utilities Commission of Ohio