

BEFORE


THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Aqua )  
Ohio, Inc., for Authority to Assess a System ) Case No. 04-1824-WW-SIC  
Improvement Charge in The Lake Erie )  
Division. )

ENTRY

The attorney examiner finds:

- (1) On December 6, 2004, Aqua Ohio, Inc. (applicant), filed an application (application) for authority to collect a system improvement charge (SIC) in its Lake Erie Division.
- (2) On December 16, the attorney examiner issued an entry establishing deadlines for the submission of comments on the application.
- (3) On January 5, 2005, the attorney examiner suspended those deadlines until such time as the applicant amended its application to reflect publication of its notice of the filing of the application.
- (4) On January 14, 2005, the applicant amended its application to include proof of publication of a notice of the filing of the application.
- (5) On January 19, 2005, the attorney examiner set a new schedule for the filing of comments regarding the application.
- (6) On January 24, 2005, the applicant filed an expedited motion to revise the comment schedule, arguing that a four-month period from the date of the filing of the application until the application is "ripe for Commission consideration" is longer than should be necessary, considering that many interested parties had actual notice since December 16, 2004, well in advance of the official publication date of January 10, 2005. The applicant proposed a substitute schedule which would require initial comments by February 18, 2005, responses by February 25, 2005, and replies by March 4, 2005.
- (7) Rule 4901-1-12, Ohio Administrative Code, provides that expedited rulings may be made upon the request of the moving party, under certain circumstances. The rule requires the movants to contact all other parties to determine whether any party objects to the issuance of an expedited ruling. If no such

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business  
technician  Date Processed 2-1-05

certification is made, then memoranda contra may be filed within seven days. In this case, there is no opposing party.

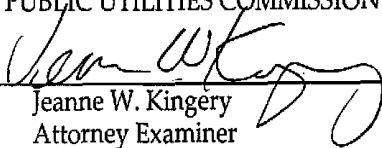
- (8) The attorney examiner finds that the applicant's argument is well-taken. Actual notice was received by many parties well in advance of the official publication date. The Commission entry adopting the guidelines for filing applications pursuant to Section 4909.172, Revised Code, specifically stated that, "while no strict timeframe is mandated under the statute, staff is encouraged to complete its analysis of all surcharge applications in an expeditious fashion."
- (9) The examiner finds that it is reasonable to alter the comment schedule to provide for a more expeditious review of the application. Therefore, the schedule will be revised to provide for comments to be filed earlier than was previously required. In addition, the filing of responses and reply comments will be eliminated, thus allowing consideration of the application at an earlier date.
- (10) Comments by any interested person, regarding the application, must now be filed with the Commission no later than February 25, 2005.


It is, therefore,

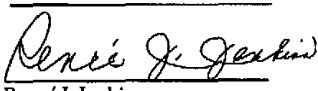
ORDERED, That the applicant and interested persons wishing to file comments regarding the application shall follow the revised schedule set forth in this entry. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By:   
Jeanne W. Kingery  
Attorney Examiner

  
Entered in the Journal  
FEB 04 2005

  
Renee J. Jenkins  
Secretary