

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Promulga-)
tion of Rules for Competitive Retail Natural) Case No. 01-1371-GA-ORD
Gas Services and its Providers Pursuant to)
Chapter 4929, Revised Code.)

ENTRY

The Commission finds:

- (1) On November 20, 2001, as modified on April 9, 2002, the Commission issued a ruling in this case, in which it adopted a variety of administrative rules in accordance with the directives of Chapter 4929, Revised Code.
- (2) On July 4, 2002, the administrative rules adopted by the Commission in this docket became effective.¹
- (3) On November 1, 2002, The East Ohio Gas Company d.b.a. Dominion East Ohio (DEO) filed a motion for waiver of two rules.
- (4) On February 25, 2003, DEO filed a letter with the Commission. DEO notes that, after further investigation, it believes it can comply with Rule 4901:1-29-06(H)(3), Ohio Administrative Code (O.A.C.). Therefore, DEO withdraws its request for a waiver of that rule. DEO still seeks a waiver of the second rule (Rule 4901:1-29-12(B)(12), O.A.C.) contained in its November motion.
- (5) Rule 4901:1-29-12(B)(12), O.A.C., requires the natural gas company's bill to include a precise statement for contacting the Commission and the Ohio Consumers' Counsel. DEO proposes to include similar language on the back of its bills, but varies the wording in three respects from this precise language set forth in the rule. Specifically, DEO wants to: (a) refer the reader to the front of the bill to identify the supplier or governmental

¹ Since the new administrative rules have gone into effect, the affected natural gas companies have worked to implement the necessary changes to their systems and their tariffs. Proposed tariff modifications are under consideration by the Commission. *In the Matter of the Application of The Cincinnati Gas & Electric Company for Approval of Revisions to Rate FRAS Gas Tariff Schedule in Response to House Bill 9*, Case No. 02-2895-GA-ATA; *In the Matter of the Application of Columbia Gas of Ohio Inc. for Tariff Revisions for the Columbia Customer CHOICESM Program*, Case No. 02-2903-GA-ATA; and DEO's November 1, 2002, filing in *In the Matter of the Commission's Promulgation of Rules for Competitive Retail Natural Gas Services and Its Providers Pursuant to Chapter 4929, Revised Code*, Case No. 01-1371-GA-ORD. In some limited respects, the Commission has allowed the affected natural gas companies an extended period of time to implement certain requirements. See, adopted implementation issues timetable, Case No. 01-1371-GA-ORD, Entry (October 17, 2002).

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aggregator selected, in lieu of listing the actual name because DEO's bill stock cannot identify the supplier/governmental aggregator; (b) include the Commission's 1-800 telephone number because most of DEO's customers are outside of the 614 area code; and (c) remove the words "or as otherwise specified" because access to the Commission and the Ohio Consumers' Counsel has not been otherwise specified.

- (6) No one filed a response to this waiver request. The Commission finds that a waiver of this rule as requested by DEO is reasonable and, thus, the motion should be granted. In our view, allowing DEO to proceed as proposed will still fulfill the intent of the administrative rule.

It is, therefore,

ORDERED, That DEO's first November 1, 2002, waiver request is withdrawn and the remaining aspect of DEO's November 1, 2002 waiver request is granted. It is, further,

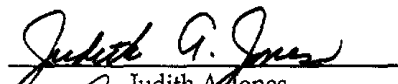
ORDERED, That the requirement of Rule 4901:1-29-12(B)(12), O.A.C., is hereby waived for DEO until otherwise determined by the Commission. DEO shall still fulfill the intent of this administrative rule in the manner set forth in this entry. It is, further,

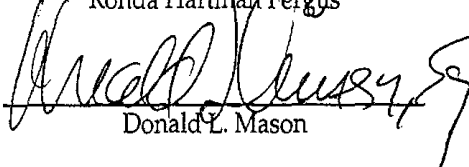
ORDERED, That a copy of this Entry be served upon all commenters and interested parties of record in this docket.

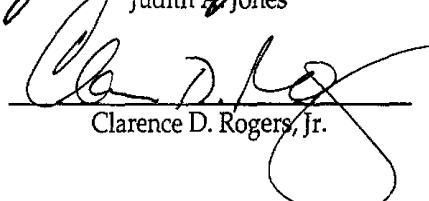
THE PUBLIC UTILITIES COMMISSION OF OHIO

Alan R. Schriber, Chairman


Ronda Hartman Fergus


Judith A. Jones



Donald L. Mason


Clarence D. Rogers, Jr.

GLP;geb

Entered in the Journal

MAR 06 2003


Renee J. Jenkins
Secretary