

File

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June 10, 1998

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

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Public Utilities Commission of Ohio
ATTN: 10th Floor Docketing
180 E. Broad Street
Columbus, Ohio 43215-3793

Re: Verona Tariff
RFK&D Ref. 6431-1

Dear Sir or Madam:

Please find enclosed the original and four copies of the Schedule of Rates, Classifications and Rules and Regulations for gas service of Verona Natural Gas Company. For your information, the initial General Service Rate as specified in the Ordinance with the Village of Verona was \$2.50. Effective for bills rendered on December 1, 1990, due to an inflation rate of 4.3%, the General Service Rate was increased to \$2.61. Effective for bills rendered December 1, 1991, the General Service Rate was increased to \$2.74 due to an inflation rate of 4.8%. The General Service Rate has not risen since that time.

Please return a time stamped copy of the Tariff to me in the enclosed self-addressed stamped envelope. If you have any questions, please feel free to call me.

Very truly yours,

B. Scott Boster
B. Scott Boster

BSB/kv
Enclosures

cc: J. Richard Howe (w/o encl.)
Charles Walker (w/o encl.)
Duane Gordon (w/encl.)

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JUN 12 1998

DOCKETING DIVISION
PUCO

98-926-BA-ATA

SCHEDULE OF RATES, CLASSIFICATIONS,
RULES AND REGULATIONS

FOR

GAS SERVICE

OF

VERONA NATURAL GAS COMPANY

P.O. BOX 965

5181 COLLEGE CORNER PIKE

OXFORD, OHIO 45056

PUCO No.

Issued by J. Richard Howe, President

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Verona Natural Gas Company

Original Sheet No. 1

P.U.C.O. No.

SECTION I - RATES AND CHARGES

For Gas Service Outside the Village of Verona, Ohio

General Service Schedule

1. Rate. All existing and future Customers shall be bound by the Company's ordinance with the Village of Verona, Ohio. The Customer shall pay the same rate then in effect with the Company's customers within the Verona village limits. The Customer shall enter into a written service agreement with the Company agreeing to be bound by the Company's ordinance with the Village of Verona, Ohio. The agreement shall set forth the rate to be charged.
2. Gas Cost Recovery Rate. The consumer's bill shall be adjusted each month by the effective Gas Cost Recovery Rate following the procedure specified in the Company's ordinance with the Village of Verona, Ohio.
3. Customer Inquiries. Customers with inquiries or complaints about the Company's rates, charges or service may contact the PUCO's Consumer Services Department or the Ohio Consumer's Counsel (as to residential matters).
4. Schedule of Rates and Charges. Pertinent rates and charges and the section of the Company's ordinance with the Village of Verona, Ohio (attached as Appendix A) which contain the appropriate rates and charges are as follows:

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<u>ITEM</u>	<u>RATE OR CHARGE</u>	<u>ORDINANCE SECTION</u>
Customer Service Charge	\$4.74	2 (C)
Deferred Payment Charge	5% of total bill	5 (C)
Deposit Criteria	130% of estimated average monthly bill	5 (B)
General Service Rate	\$2.74/MCF	2 (A)
Off-Peak Rate	\$2.63/MCF	2 (B)
Returned Check Charge	\$10.00	5 (A)

5. Other Charges. Pertinent charges not included in the Company's ordinance with the Village of Verona are as follows:

<u>ITEM</u>	<u>RATE OR CHARGE</u>
Field Collection Fee	\$ 5.00
Reconnection Charge	\$25.00

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6. Percent of Income Payment Plan ("PIPP").

a. The following definitions apply to this section:

- i. "Household income" has the meaning attributed to it by the Division of Energy, Department of Development, in the administration of the Home Energy Assistance Program.
- ii. "Primary source of heat" means that energy which is the heat source for the central heating system of the residence or, if the residence is not centrally heated, that energy which makes up the bulk of the energy used for space heating.
- iii. "Secondary source of heat" means that energy which is the heat source for space heating other than that provided by the central heating system of the residence or, if the residence is not centrally heated, that energy which does not make up the bulk of the energy used for space heating or, if the residence is centrally heated using some other form of energy, the energy required to operate equipment needed for the proper functioning of the central heating system.

b. The Company shall not disconnect the service of any residential customer for nonpayment or refuse to reconnect because of an arrearage in the service of a residential customer who has requested to transfer service from one address to another as long as that customer meets each of the following qualifications:

- i. Has a household income for the past three months which if annualized would equal one hundred fifty percent of the federal poverty level or less, or if the household income for the past three months

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annualized is more than one hundred fifty percent of the federal poverty level, the customer has a household income for the past twelve months equal to one hundred fifty percent of the federal poverty level or less.

- ii. For usage during any billing period pays at least:
 - (1) Five percent of the customer's monthly household income to the Company where another utility company or person provides the primary source of heat; or
 - (2) Ten percent of the customer's monthly income to the Company when the Company provides the primary source of heat and another utility company or person provides the secondary source of heat.
 - (3) Fifteen percent of the customer's monthly household income to the Company if it provides both primary and secondary sources of heat.
- iii. Applies for all public energy assistance for which the customer is eligible.
- iv. Applies for all weatherization programs for which the customer is eligible.
- v. Provides proof to the Company no less often than once in every twelve months that the customer qualifies for this plan.
- vi. Signs a waiver permitting the Company to receive information from any public agency or private agency providing income or energy assistance and from any employer whether public or private.

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- c. For the purpose of sections 6.b.i. and 6.b.ii. of this tariff, any money provided to the Company on a regular monthly basis on behalf of the customer by a public or private agency as energy assistance shall not be considered as household income nor shall it be counted as part of the monies paid by the customer to meet the percentage of income requirement. Any money provided to the Company on an irregular or on an emergency basis by a public or private agency for the purpose of paying utility bills shall not be considered as household income. These monies shall first be applied to the customer's current monthly payment obligation as determined in accordance with section 6.b.ii. of this tariff with any money in excess of the amount necessary to satisfy such current monthly payment obligation being applied to either the amount the customer is in default on an extended payment plan, or if no such default exists, then to the customer's arrearage.
- d. A customer's failure to make any payment provided for under this rule shall entitle the Company to terminate service in accordance with the procedures set forth in OAC Rule 4901:1-18-05.
- e. When a PIPP customer ceases to be eligible for the PIPP program because the customer's income exceeds the eligibility level:
 - i. The customer will be allowed to make the monthly payment required in section 6.b.ii. of this tariff during the twelve months following the loss of eligibility.
 - ii. No later than in the thirteenth month following the loss of PIPP eligibility, the customer shall pay the actual monthly bill.

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- iii. No later than in the twenty-fifth month following the loss of PIPP eligibility, the customer shall pay the actual monthly bill, plus an arrearage component which shall consist of the sum of the customer's arrearage balance existing at the end of the last month of PIPP eligibility, plus any arrearage balance accumulated thereafter, divided by the number of months the customer was enrolled in PIPP plus twenty-four, but in no event shall the arrearage component be required to exceed Twenty Dollars (\$20.00) per month. Beginning the twenty-fifth month and thereafter, no less than once every six months, the customer's arrearage balance will be reduced by an amount equal to the arrearage component dollars actually paid during the applicable period. As long as the customer has paid the amounts due under the actual monthly bill during the applicable period, failure to make an arrearage component payment in any month shall not affect the arrearage credit provided herein. All payments made by the customer during this period shall be first applied to the current bill obligation and second to the arrearage component.
- iv. Any customer may pay any amount in excess of what is required under section 6.e.i.-iii. Such excess shall be considered a payment toward that month's actual bill or the arrearage component, whichever is applicable.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

SECTION II - SERVICE

1. Application for Service. All applications for service shall be made through the local office of the Company or its authorized agents.
2. Turning on Gas. The customer, after making proper application for service, shall notify the Company when he desires service to be established. In no case shall the customer, customer's agent, or customer's employee turn on the gas at the curb or meter cock. Gas shall be turned on, upon the date specified, by an authorized agent of the Company. If the Company finds itself unable to establish the service on the date specified, it shall so notify the customer as much in advance as possible (but not less than two days before the date requested by the customer), and a new date shall be established by mutual agreement and shall be adhered to.
3. Service not Transferable. No person may commence the use of gas until after making application therefor and requesting the Company to turn on the service in accordance with paragraphs (1) and (2) above. In the event of violation of this provision, in addition to other rights of the Company, such person shall be liable for all gas consumed in the premises from the date such person occupied the premise. Any successor in interest to a customer, including without limitation, heirs, executors, administrators, assignees, trustees, guardians, receivers, and conservators, shall be deemed to be a person who must make application for service, provided that successors in interest whose rights arise from death or incompetence of the customer shall have thirty (30) days in which to make application.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

4. Continuity of Service. The Company will furnish necessary and adequate service and facilities in compliance with Section 4905.22 of the Ohio Revised Code. The Company shall not be liable in damages for failure to supply gas or for interruptions in service, and shall be relieved of its obligation to serve and may discontinue or modify service, if such failure or interruption is due to acts of God or the public enemy, military action, wars, insurrections, riots, civil disturbances, vandalism, strikes, fires, floods, washouts, explosions, acts or orders of any civil, judicial or military authorities, and without limitation by the foregoing, accidents, contingencies or other causes beyond the control of the Company.

Without incurring any liability therefor, the Company may also suspend service for such periods as may be reasonably necessary in order to make repairs to or changes in its plant, transmission or distribution systems or other property; provided that the Company shall keep a record of any interruption of service affecting its entire system or a major division thereof, including a statement of time, duration and cause of interruption. It will also notify each customer affected by the interruption in advance of the contemplated work, and approximately how long the interruption will last.

Subject to Original Sheet Nos. 9-10, Section II, Item 13, the Company shall not discontinue service to any customer, nor cause any deviation from adequate, uniform pressure at the point of delivery to any customer, without giving such customer at least forty-eight (48) hours notice of the intention to do so. Such notice shall be positive, preferably by word of mouth delivered either personally or telephonically. In provable emergencies, however caused, when time does not permit the giving of such notice in advance of a discontinuance of service or a change in pressure caused by circumstances beyond the control of the Company, prompt notice shall be given to all customers affected advising them that

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Verona Natural Gas Company

Original Sheet No. 9

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service is off and of the time at which service or pressure is
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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

In the event there has been an interruption of service to any premises, however caused, the Company shall, before restoring such service, ascertain and assure itself that all precautions have been taken to prevent accidents that might be caused in or around any customer's premises by the discharge of gas into or around such premises. Without limitation, this shall be accomplished by inspections of such premises by competent Company personnel who shall turn off all appliance valves and block all thermostatic controls, or, when access to the premises cannot be obtained, shall turn off service at the curb cock.

5. Service not to be Disturbed. No customer shall attach or use any appliance which may result in the injection of air, water, or other foreign matter into the Company's lines and, without prior approval from the Company, no customer shall attach or use any appliance which will increase or decrease the pressure in the Company's lines intermittently to such extent as to interfere with continuous service to other customers.
6. No Customer Shall Sell to Another. Gas furnished by the Company is for the sole use of the customer and shall not be resold by customer except on written permission obtained from the Company. The renting of premises with the cost of gas service included in the rental as an incidence of tenancy will not be considered a resale of such services.

Where gas services supplied through one meter to an apartment house or multiple dwelling, for billing purposes, the rates will be applied as a single customer.

The customer may arrange customer's piping, at customer's expense, so as to separate the combined service and permit the Company to install a separate meter for each individual apartment. In such cases, each individual apartment shall be billed as a single customer.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

7. Access to Premises. Neither the Company or its agents or employees shall have any inherent rights to enter into nor upon the premises of a customer without the express permission of such customer except in cases of provable emergency. Any agent or employee seeking entrance into or upon the premises of a customer shall have or wear, and show, adequate symbols of identification not easily counterfeited. Any agent or employee seeking entrance to a premises shall advise the owner or occupant as to his purpose in doing so. No customer shall be obligated to afford entrance or access to his premises except during normal business hours and then only to such parts of the premises as may be the location of Company-owned property.
8. Customer's Responsibility. Customer assumes all responsibility for property owned by the customer on customer's side of the point of delivery, generally the outlet side of the curb cock, for the service supplied or taken, as well as for the installation of appliances used in connection therewith, and will save Company harmless from and against all claims for injury or damages to persons or property occasioned by or in any way resulting from such service or the use thereof on customer's side of the point of delivery.
9. Right-of-Way. Customer, without reimbursement, will make or procure conveyance to Company of right-of-way satisfactory to it across the property owned or controlled by customer for Company's distribution mains, extensions thereof, or appurtenances necessary or incidental to the supplying of service to customer.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
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10. Charges and Payment for Temporary Service. In addition to regular payments for gas used, the customer shall pay the cost for all material, labor, and all other necessary expense incurred by the Company in supplying gas service to the customer at his request for any temporary purpose or use. The Company may, at its option, require that any customer for temporary service shall deposit with the Company, a sum equal to the Company's estimate of the cost to be incurred by it as above.

After the service has been discontinued and all actual costs determined, any sum deposited by the customer in excess of actual cost shall be refunded to him or if the cost exceeded the Company's estimate, the customer shall be liable for payment of the excess. It is provided further that if the Company shall elect to leave in place any or all of the facilities provided, constructed or installed to render such temporary service, a proportional amount of the customer's deposit shall be returned to him or he shall only be charged for the facilities not retained, a proportional share of the total cost.

11. Customer Indebted to Company. Service will not be supplied to any premises, if at the time of application for service, the applicant is indebted to Company for service previously supplied at the same or other premises, until payment of such indebtedness or other arrangement satisfactory to the Company shall have been made. The Company shall follow the reconnection procedures established by Ohio Administrative Code, Chapter 4901:1-18, and any subsequent amendments thereto, which section is incorporated herein by reference. Unpaid balances of previously rendered final bills may be transferred and included on the initial or subsequent bill for a like service account. Such transferred final bills, if unpaid, will be part of the past due balance of the transferee account and subject to the Company's collection and disconnection procedures which are governed by Chapter 4901:1-18 of the Ohio Administrative Code. The transfer of final

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
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bills is limited to like service, i.e. residential to residential, commercial to commercial. The Company may not transfer a delinquent commercial/industrial account to any account where any end user is a residential customer.

12. Customer Shall Satisfactorily Secure Account. Company may require a customer to satisfactorily secure an account in accordance with the provisions of Ohio Revised Code, Section 4933.17 and Ohio Administrative Code, Chapter 4901:1-17. In the event such security is required, the procedures with respect thereto shall be in accordance with Ohio Revised Code, Section 4933.17 and Ohio Administrative Code, Chapter 4901:1-17 and any subsequent amendments thereto, which sections are incorporated by reference herein. Copies of the statute and rule shall be made available for inspection upon the request or inquiry of any customer or applicant for service. All returned deposits will be paid in accordance with Ohio Administrative Code, Chapter 4901:1-17.
13. Right to Discontinue Service. The Company shall have the right to discontinue service for any of the following reasons or purposes:
 - (1) Refusing access.
 - (2) Non-payment of bills for gas when bills are due.
 - (3) Failure to furnish or maintain a required security deposit in accordance with Ohio Administrative Code, Chapter 4901:1-17.
 - (4) Violation of any of these rules and regulations.

The Company shall have the right to discontinue service, and disconnect and remove from the premises of any consumer, the meter and any other property belonging to the Company for any of the following reasons or purposes:

- (1) Non-use of gas.
- (2) Fraudulent representation or practice.
- (3) Whenever deemed necessary by the Company for safety reasons.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
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With respect to residential customers, the Company shall follow the termination procedures in compliance with Ohio Administrative Code, Chapter 4901:1-18, and any subsequent amendments thereto, which section is incorporated herein by reference. Copies of these rules shall be made available for inspection upon the request or inquiry of any customer or applicant for service.

14. Change of Address of Customer. When customer changes his address, he should give notice of his intent to do so to Company prior to the date of change. Customer shall be responsible for all services supplied to the former premises until such notice has been received and Company has had a reasonable time of two (2) regular Company business days to discontinue service.
15. Information Relative to Service. Information relative to the service that will be supplied at a given location should be obtained from Company. A full and complete copy of the Company's tariff covering rates and charges for service and terms and conditions of service is available for public inspection at the Company's business office during normal business hours. The Company shall comply with the tariff disclosure requirements established by the Public Utilities Commission of Ohio and set forth in Chapter 4901:1:1-03 of the Ohio Administrative Code, as amended from time to time.
16. Change in Tenancy or Ownership. At such time as the Company is notified of a change of tenancy or ownership, whether such notice is given by the customer or otherwise, the Company shall make a final meter reading and prepare and mail a final bill. Former customer is responsible for all service supplied to the premises until such notice has been received and Company has had a reasonable time to make a final meter reading. Reasonable time is defined as being two (2) regular Company business days.

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Verona Natural Gas Company

Original Sheet No.15

P.U.C.O. No.

RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
AND SALE OF GAS

17. Property Agent/Rental Agent Disconnection Notice. In addition, if a customer who is a Property Owner/Rental Agent requests disconnection of service and there are remaining residential tenants at the premises, the Company is required to notify the tenants of the intended disconnection of service. This notification will be posted in a conspicuous place at the premises at least ten (10) working days prior to the scheduled date for disconnection of service. The Property Owner/Rental Agent shall continue to be liable for all gas consumed during the ten (10) day notice period.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
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SECTION III - METERING AND BILLING

1. Quantity of Gas Delivered by Meter. Gas will be measured by a meter installed by the Company, which shall be and remain the property of the Company. Subject to certain exceptions, enumerated below, consumption shall be determined on the basis of the meter registration and bills shall reflect the consumption so registered. Any mistake in reading the registration, however, shall not affect the liability for gas consumed as determined by a corrected reading of the registration, subject to Section III, Item 2, Original Sheet No. 14, on backbilling of residential customers.

When the meter is not read, the Company may estimate the quantity of gas consumed and render a bill for such quantity.

All meters shall be tested at such intervals and using such methods as may be prescribed from time to time by the Public Utilities Commission of Ohio. The meter shall be removed from the customer's premises for such test and a substitute meter, newly tested, shall be installed in its place. After the meter has been tested and before it is returned to service at the same or a different location, it shall be adjusted to be accurate within three percent (3%) plus or minus.

The Company shall also test the meter at any time, at the request of the customer using the method prescribed by the Public Utilities Commission of Ohio. Such test shall be performed in the presence of the customer if he so requests. If the meter is found to be correct, as defined below, the customer shall pay a fee of Twenty Five Dollars (\$25.00) for the testing in accordance with Ohio Revised Code, Section 4933.09. The date of reinspection shall be stamped on the meter.

A meter registering between three percent (3%) fast and three percent (3%) slow shall be deemed for all purposes to be

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registering correctly. A meter registering incorrectly shall be replaced by the Company at its expense.

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RULES AND REGULATIONS GOVERNING THE DISTRIBUTION
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During any period that incorrect registration can be established, the meter readings and bills based thereon shall be adjusted by the Company to the satisfaction of the customer on the basis of all available information concerning the use of gas by the customer. If, as the result of such adjustment, overpayments are shown to have occurred, the Company shall reimburse the customer in the amount of such overpayments. The Company shall continue to supply gas to the customer and the customer shall pay the amounts billed, pending the adjustment.

2. Backbilling. The Company's policy on backbilling shall comply with the guidelines established by the Public Utilities Commission of Ohio and the Ohio Revised Code, Section 4933.28, as amended from time to time.
3. Billing Periods. Bills shall be rendered regularly at monthly intervals. Non-receipt of bills by customer does not release or diminish the obligation of customer with respect to payment thereof.

Meters are ordinarily read at monthly intervals but may be read more or less frequently at Company's option.

4. Payment of Bills. Bills shall be paid by the customer at any office of the Company during its regular office hours or to any one of the Company's authorized collecting agents during the regular office hours of such agent. Any remittance received by mail at any office of the Company bearing U.S. Postal Office cancellation date corresponding with or previous to the last date on which said bill is payable "net" will be accepted as within the net payment period. Payments received within fifteen (15) days of the mailing date of the bill will be considered as being paid on time.

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5. Removal of Service by Company. At the option of the Company, the Company shall have the right to shut off the gas and to remove its property from the customer's premises and to demand immediate payment for all gas theretofore, delivered to the customer and not paid for, which amount shall become due and payable immediately upon demand, when the customer vacates the premises.
6. Bill Format and Billing Procedure. The Company's policy on bill format and billing procedure shall comply with the guidelines established by the Public Utilities Commission (Ohio Administrative Code, Chapter 4901:1-18-10 and Ohio Revised Code, Section 4905.30) as amended from time to time.
7. Initial and Final Meter Readings. When service is terminated for any reason, the Company will render a final bill addressed to the customer's forwarding address, if known, or to the last known address, for the entire balance of the account, including a bill calculation from the last reading date to the requested final bill date. Customer may require that the Company attempt to obtain an actual final meter reading. However, with customer approval, the Company may estimate the reading for the final bill date, or allow the customer to provide the final meter read, subject to the Customer's review for reasonableness, and if necessary actual reading.

When the customer begins use of service, an initial bill is normally rendered for the period from the initial date of service to the first regular meter reading date, this period normally being less than thirty (30) days, except no bill is rendered if the period is less than three (3) days. However, customer's usage for that unbilled period will be included, and billed, in the next month's bill. The Company may estimate the reading for the initial date of service. However, upon customer request, the Company will attempt to obtain an actual reading for the initial date of service or allow the customer to provide the initial meter read.

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SECTION IV - PHYSICAL PROPERTY

1. Service Lines. The general term "service pipe" or "service line" is commonly used to designate the complete line or connection from the Company main up to and including the meter connection. It consists of two distinct parts, (a) the service line connection, and (b) the customer service line.

(a) Service Line Connection

The service line connection consists of the connection at the main, necessary pipe and appurtenances to extend to the property line or the curb cock location, curb cock, and curb box. This connection shall be made by the Company, or its representative, without cost to the customer and it remains the property of the Company.

(b) Customer Service Line

The customer service line consists of the pipe from the outlet to the curb cock to and including the meter connection. The customer shall own the customer service line. The Company shall have the right to prescribe the size, location, and termination points of the customer's service line. The Company shall have no obligation to install or repair said customer service line. The Company shall not provide or pay, directly or indirectly, the cost of customer service lines when competing with another regulated natural gas company, unless such company offers to provide or pay for customer service lines, directly or indirectly, or unless such assistance is essential to induce a prospective customer to utilize natural gas rather than an alternate source of energy.

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2. Meter Furnished. The Company will furnish each customer with a meter of such size and type as the Company may determine will adequately serve the customer's requirements and such meter shall be and remain the property of the Company and the Company shall have the right to replace it as the Company may deem necessary.

3. Meter Location. The Company shall determine the location of the meter.

When changes in a building or arrangements therein render the meter inaccessible or exposed to hazards, the Company may require the customer, at the customer's expense, to relocate the meter setting together with any portion of the customer's service line necessary to accomplish such relocation.

4. Only Company Can Connect Meter. The owner or customer shall not permit anyone who is not an authorized agent of the Company to connect or disconnect the Company's meters, regulators, or gauges or in any way alter or interfere with the Company's meters, regulators, or gauges.

5. House Piping. The customer shall install and maintain, at the customer's expense, the house piping from the outlet of the meter to gas-burning appliances. The Company shall have no obligation to install, maintain, or repair said piping.

6. Appliances. The customer shall own and maintain all gas-burning appliances. The Company shall have no obligation to install, maintain, or repair appliances.

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7. Standards for Customer's Property. The customer's service line, house lines, fittings, valve connections, and appliance venting shall be installed with materials and workmanship which meet the reasonable requirements of the Company and shall be subject to inspection or test by the Company. The Company shall have no obligation to establish service until after such inspection and test demonstrate compliance with such requirements of the Company with respect to the facilities in place at the time of the test.
8. Discontinuance of Supply on Notice of Defect in Customer's Property. If the customer's service line, other gas lines, fittings, valves, connections, gas appliances, or equipment on a customer's premises are defective or in such condition as to constitute a hazard, the Company, upon notice to it of such defect or condition, may discontinue the supply of gas to such appliance or equipment or to such service line or such other gas lines until such defect or condition has been rectified by the customer, in compliance with the reasonable requirements of the Company.

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9. Responsibility for Material or Workmanship. The property owner shall install and replace as necessary, at his expense, and shall be the owner of the service line extending from the service valve, or where there is no service valve, then from and including the tie-in and coupling, to the meter on the owner's property. Before turning on gas, the Company shall have the right to inspect the owner's service line and to refuse to turn on gas if in the opinion of the Company, the service line is not properly constructed, fitted and laid. At the request of the property owner, and at his expense, the Company may install the service line from the service valve, or from tie-in coupling where there is no service valve, to the meter on the owner's property. The property owner shall promptly pay for all material furnished and labor used in the installation of such service line, of which he shall be the sole owner. Requests for the installation by the Company of a service line shall be made to the Company on a form to be furnished by the Company. The service line from the service valve to the meter, or where there is no service valve then from and including the tie-in coupling to the meter, all gas lines on the outlet side of the meter, and all fittings and connections, shall be the property of the owner of the premises, shall be kept under his exclusive control and shall be replaced as necessary and kept by him in good repair and safe condition, and the Company shall not be liable for any imperfections therein or for any damage, injury or loss resulting, directly or indirectly, from the escape of gas therefrom. The Company shall be responsible for these facilities in accordance with the applicable provisions of the Pipeline Safety Act of 1994 as amended, 49 USC 60101 et. seq., 49 C.F.R. Part 192 and all applicable federal regulations, and Chapter 4901:1-16 of the Ohio Administrative Code. Such responsibility shall include, but not be limited to, the Company's responsibilities for cathodic protection and leak detection of the service line up to and including the meter.
10. Inspection of Altered Piping. It shall be the duty of the customer to notify the Company promptly of any additions,

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changes, alterations, remodeling or reconstruction affecting
gas piping on the customer's premises.

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11. Extension of Distribution Mains. The Company will extend its distribution mains (not to exceed two inches in diameter) on any dedicated street or highway without cost, up to but not more than, a distance of one hundred (100) feet for each applicant. Upon application for a domestic service extension of main in excess of one hundred (100) feet for each Applicant, the Company may enter into a line extension agreement providing for a deposit with the Company of a sum deemed adequate by the Company to cover the cost to be incurred by it for that portion of the extension in excess of the footages which the Company will construct without cost to the Applicant. The amount of deposit shall be determined by multiplying the excess footage as hereinabove determined by the average cost per foot to the Company of a similar size distribution main installed during the preceding calendar year. The sum so deposited shall be subject to refund on the basis of the cost per foot deposited multiplied by one hundred (100) for each additional Applicant who becomes a bona fide customer connected to the extension but not to laterals therefrom or to further extensions thereof. No refunds shall be paid after the expiration of ten (10) years from the date of the agreement.

Where a main extension is necessary to provide service availability to plots of lots or real estate subdivisions and such main extension is not deemed justified at the Company's expense, the owners or promoters of such plots of lots or real estate subdivisions may enter into a line extension agreement and deposit with the Company the estimated cost of that portion of the main extension which is not deemed justified at the Company's expense. This deposit will be refunded at the average cost of one hundred (100) feet for each bona fide customer connected to the extension but not to laterals therefrom or to further extensions thereof. No refunds shall be paid after the expiration of ten (10) years from the date of the Agreement.

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Where a main extension is requested for commercial or industrial purposes and all or part of such main extension is not deemed economically justified at the Company's expense, based on a cost-benefit study, the Company shall require the Applicant or Applicants to enter into a line extension agreement and deposit with the Company the estimated cost of that portion of the main extension which is not deemed economically justified at the Company's expense, based on such study. This deposit will be refunded annually, based upon the incremental volumes sold directly from the main extension which are over and above those volumes used to determine the portion of the main extension to be done at the Company's expense. The refund shall be determined by multiplying such incremental volumes by the applicable base rates. No refunds shall be paid after the expiration of ten (10) years from the date of the agreement.

In no case shall the total of refunds exceed the amount deposited for the extension. Deposits will not draw interest. All extensions shall be the property of the Company.

The Company shall have no obligation to make any extensions during the months of December, January, February, or March.

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SECTION V - GENERAL

1. These rules and regulations are subject to, and include as part thereof, all orders, rules, and regulations applicable to the Company from time to time issued or established by The Public Utilities Commission of Ohio under its emergency powers.
2. The Company reserves the right to modify, alter or amend the foregoing rules and regulations and to make such further and other rules and regulations as experience may suggest and as the Company may deem necessary or convenient in the conduct of its business. Said new or amended rules and regulations are to become effective, and will be added to the Company's tariff, only after submission to and approval by The Public Utilities Commission of Ohio.
3. All of the foregoing rules and regulations shall apply to living units located in mobile home parks or similar installations. This shall apply particularly with regard to those sections of the rules and regulations dealing with, and setting standards for, piping within such living units and the venting of all appliances in which gas is used or burned.
4. Nothing contained in the Company's tariffs shall relieve the Company of its duties and obligations under the Pipeline Safety Act of 1994 as amended, 49 USC 60101 et. seq., 49 C.F.R. Part 192 and all applicable federal regulations, and Chapter 4901:1-16 of the Ohio Administrative Code. All customers will come under the standards for gas pipings and appliance venting on customer's premises.

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5. These rules and regulations shall not apply during periods of shortage in the supply of natural gas available to the Company, to the extent that compliance by the Company with such rules and regulations is precluded by the shortage in supply. During periods of shortage of supply to the Company, restrictions on new service and curtailment of existing service shall be governed by such other rule of general or specific applicability as may be approved by The Public Utilities Commission of Ohio.
6. Approval of the above tariff language by The Public Utilities Commission of Ohio does not constitute a determination by the Commission that the limitation of liability imposed by the Company should be upheld in a court of law. Approval by the Commission merely recognizes that since it is a court's responsibility to adjudicate negligence and consequent damage claims, it is also the court's responsibility to determine the validity of the exculpatory clause.

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APPENDIX A

RESOLUTION
ORDINANCE NO. 1989-66

AN ORDINANCE TO REGULATE THE RATES AND PRICES TO BE CHARGED AND THE SERVICES TO BE RENDERED BY VERONA NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR GAS AND GAS SERVICE FURNISHED TO ALL OF ITS CUSTOMERS WITHIN THE LIMITS OF THE VILLAGE OF VERONA, OHIO.

BE IT ORDAINED BY THE VILLAGE BOARD OF THE VILLAGE OF VERONA, PREBLE FOR MONTGOMERY COUNTIES, STATE OF OHIO THAT:

SECTION 1: DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this ordinance unless the context clearly shows a different meaning is intended;

"Village" means Village of Verona, Ohio.

"Company" means Verona Natural Gas Company, Inc., its successors and assigns.

"Supplier(s)" means any pipeline, transmission company, broker or producer supplying gas.

"FERC" means Federal Energy Regulatory Commission.

"PUCO" means Public Utilities Commission of Ohio.

"Council" means Village Council of the Village of Verona, Ohio.

"Gas" means any vaporized fuel transported or supplied to customers, including, but not limited to natural gas, synthetic gas, liquefied natural gas, propane, or any combination thereof which is not subject to the jurisdiction of the PUCO.

"OAC" means Ohio Administrative Code.

SECTION 2: GAS DISTRIBUTION CHARGES

From the effective date of this ordinance and for the period ending November 30, 1992, the Company, its successors and assigns, may charge

for gas furnished to all its customers within the Village limits the following rates and prices:

- (A) General Service Rate--Each one thousand cubic feet (1 MCF): \$2.50 for all customers inside the Village and \$2.60 for all customers outside the Village. The general service rate is the rate authorized for all customers except off-peak customers.
- (B) Off-Peak Rate--Each one thousand cubic feet (1 MCF): \$2.40 for all customers inside the Village and \$2.50 for all customers outside the Village. The off-peak rate is to be charged those customers who use more than one thousand cubic feet (1 MCF) per hour and who have contracted with the Company agreeing to curtail or interrupt the use of gas so as to give service priority to other customers during periods of peak demand, subsequent normally to eight (8) hours notice by the Company to a customer of any proposed curtailment or interruption. Nothing in this ordinance prevents the Company from raising the customers in this rate class to the general service rate class if the Company so determines.
- (C) Customer Service Charge--A customer service charge of \$4.50 shall be charged each customer/meter each month and shall not be prorated.

SECTION 3: GAS DISTRIBUTION CHARGE ESCALATOR

The Company may increase, decrease its general service rate, off-peak rate and customer service charge in the following manner:

- (A) The general service rate and customer service charge may be increased by the Company on November 30, 1990; and on November 30, 1991 effective with bills rendered on and after December 1, 1990 and December 1, 1991,

by a percentage amount equal to that percentage increase in the index known as the "GMP Deflator" reported by the U.S. Department of Commerce, Bureau of Economic Analysis, during the most immediate previous twelve-month (12) period for which that index is reported.

- (B) The off-peak rate may be increased by the Company on November 30, 1990 effective with bills rendered on and after December 1, 1990; and on November 30, 1991, effective with bills rendered on and after December 1, 1991, by subtracting ten cents (\$0.10) from the general service rate calculated on the aforementioned dates of this paragraph.
- (C) Prior to sixty (60) days in advance of any such rate increase, the Company shall notify the Village Clerk in writing of its intent to increase the general service rate, off-peak rate and customer service charge, the effective date of the increase, the amount of the increase, the resulting new rates, a report of the above-named index and any other supporting information.

SECTION 4: OFF PEAK RATE ADJUSTMENT

- (A) Nothing contained in this ordinance shall prohibit the Company from entering into such special arrangements with interruptible customers as it considers necessary to protect and preserve interruptible sales, provided that the Company shall not discriminate among customers similarly situated. No special arrangement shall result in any rate less than the rate for the customer's alternative fuel or more than the interruptible rate authorized by this ordinance.
- (B) Should the Company's interruptible sales fall below ninety percent (90%) of existing sales during any calendar year of this ordinance

due to conversion to alternative fuels, the rates set forth herein shall be subject to renegotiation with the Village to restore the revenue deficiency resulting from such a decrease in sales.

- (C) Nothing shall prevent the Company from entering into special contracts approved by the PUCO.

SECTION 5: OTHER SERVICE CHARGES

From the effective date of this ordinance, the Company may charge for gas furnished to all of its customers the following additional rates and prices:

- (A) Returned Check Charge--Where a bank returns a customer's check for non-sufficient funds, which check was issued to the Company as payment for services rendered, the customer shall be assessed a returned check charge of \$10.00.
- (B) Deposits--As security for prompt payment of a customer's bill, the Company may require any new customer or current delinquent customer to provide a deposit equal to 130% of the estimated average monthly bill based on annual consumption. In lieu thereof, the Company may accept the written guarantee of prompt payment of a customer's bills from any person owning real estate within the Village. The Company shall pay simple interest at the rate of six percent (6%) per annum on such deposits and will refund the same to the customer together with interest, if any, less any unpaid charges when service is discontinued or the customer's credit has been established to the satisfaction of the Company.

In a case where the Company must charge any sums owed and unpaid against any deposit or the Company must proceed under the guarantee provided in lieu thereof, the Company shall be entitled to recover any expenses permitted by law in addition to recovery of the amount due from the customer.

- (C) Deferred Payment Charges--All bills will be rendered monthly and are due when rendered. To all such bills not paid within fifteen (15) days from the date the bill is postmarked, five percent (5%) may be added as a deferred payment charge.

SECTION 6: GAS COST RECOVERY

- (A) Rates and prices for gas service as specified above do not include the cost of gas purchased from the Company's Supplier(s).
- (B) The cost of gas purchased shall be added to the general service and off-peak rates. Whenever a revision is made in any of the costs of gas as defined in OAC 4901:1-14 which results in an increase or decrease in the cost of gas purchased by the Company, the general service and off-peak rates will be increased or decreased by the Company to reflect such increase or decrease in the Company's gas cost, including any increase in associated excise tax.
- (C) The Company shall provide a gas cost recovery filing to the Village Clerk ten (10) or more days prior to the date of billing.

SECTION 7: AUTOMATIC TAX ADJUSTMENT

In the event the State of Ohio, the U.S. Government or the Village should impose a tax upon the Company that was not imposed as of November 30, 1989, or should increase the rate of any tax now imposed upon the Company or should remove an

existing tax or lessen an existing tax rate, other than income tax or other than the rate on property listed in the real estate list and duplicate, then the rates prescribed above shall be increased to the extent necessary to compensate the Company for the increase in cost due to such new tax or higher tax rate, or shall be decreased to the extent necessary to lessen revenue to the Company in the amount of any such savings to the Company as a result of the removal of a tax or the lessening of a tax rate. Such increase or decrease in rates prescribed above shall be computed and calculated as follows:

- (A) If the new tax or higher tax rate or the tax removed or lessened is or was computed in direct relation to gas sold or revenues received for the sale of gas, the rates set forth herein shall be adjusted to the extent necessary to recompense the Company for the amount thereof, or to decrease revenue to the Company by the amount of such decreased cost to the Company.
- (B) If the new tax or higher tax rate or the removal of tax or the lessening of tax rate is or was not related directly to gas sold or to revenues received for the sale of gas, then the total dollar effect upon the cost of serving gas by the Company shall be determined, based on operations of the Company during the most recently available twelve-month (12) period ending on the last day of the December preceding the affected date of the new tax, higher tax rate, removal of tax or lessening of tax rate; the total dollars so computed shall then be divided by the total sales made to the classes of customers covered by this ordinance during the same twelve-month (12) period. The rates prescribed herein shall be correspondingly adjusted, being either increased or decreased.

The adjustment of the rate prescribed in this ordinance, as provided in subparagraphs (A) and (B) above, shall be made by rounding the mathematical result of the computation so prescribed to the nearest one-quarter (0.0025) cent per one thousand cubic feet.

The adjusted rate shall be placed in effect and shall apply to all meter readings occurring on or after the effective date of the statute, ordinance or resolution pursuant to which the new tax or increased tax rate is imposed.

Written notification of the adjustment shall be sent to the Village Clerk within ten (10) days of the determination of the effect of the new tax, the higher tax rate, removal of a tax, or lessening of a tax rate.

The Company shall provide, with the adjustment notification to the Village Clerk, the figures, computations, and calculations used to corroborate the increase or decrease and the Village shall be entitled to verify the same by inspecting any Company books or records as may be necessary to justify the adjustment calculations arrived at by the Company.

SECTION 8: RATES AND CHARGES DURING TERM OF LEASE AGREEMENT

In the event that the Village Council and the Company shall not have entered into a new ordinance contract to replace and supersede this ordinance upon its expiration date, the Company's rates, charges, and terms and conditions for service within the Village limits shall continue to be governed hereby until such time as a new ordinance contract is entered into or until rates, charges, terms and conditions have been authorized by the PUCO.

SECTION 9: CUSTOMER COMPLAINTS

The Company shall, by notice to the Village Clerk, designate a place in the Village where charges and fees for consumption and use of gas and services may be paid by customers and where complaints and notices may be filed by the Village and its inhabitants. The place or places so designated may be changed at any time by written notice to the Village Clerk. It shall be incumbent upon any customer served by the Company pursuant to the terms of this ordinance to attempt to resolve any complaints said customer might have against the Company regarding its rates or services in discussion with the Company, before the Village Council takes any other action against the Company.

SECTION 10: COMPANY ACCEPTANCE OF ORDINANCE

If written acceptance of this ordinance by the Company is filed with the Clerk of the Village within thirty (30) days after its passage by the Village Council, this ordinance shall constitute a contract between the Village and the Company for the period heretofore stated.

SECTION 11: EFFECTIVE DATE

This ordinance shall take effect at the earliest time allowed by law.

Clyde Noble
MAYOR

ADOPTED: 6 Nov. 89

ATTEST: Brenda D. White
VILLAGE CLERK