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Cinergy Services, Inc.
139 East Fourth Street, Rm 25 AT II
P.O. Box 960
Cincinnati, OH 45201-0960
Tel 513.287.3075
Fax 513.287.3810
michael.pahutski@cinergy.com

MICHAEL J. PAHUTSKI
Counsel

Via Overnight Mail

October 30, 2001

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215
Attn: Docketing

CINERGY.

Re: Case No. 01-1933-GE-ATA
In the Matter of the Application of The Cincinnati Gas & Electric Company for
Approval of its Rider SBS, Optional Summary Billing Service Pilot

Dear Sirs:

Enclosed please find an original and thirteen copies of The Cincinnati Gas & Electric
Company's Motion for Waiver of OAC 4901:1-10-17(A).

Please date-stamp the extra three copies and return to me in the overnight envelope
provided.

Should you have any questions, please contact me at (513) 287-3075.

Very truly yours,



Michael J. Pahutski
Counsel
The Cincinnati Gas & Electric Company

Enclosures

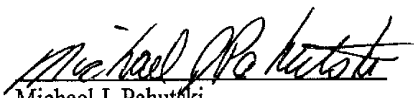
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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Cincinnati)
Gas & Electric Company for Approval of its Rider) Case No. 01-1933-GE-ATA
SBS, Optional Summary Billing Service Pilot)

**THE CINCINNATI GAS & ELECTRIC COMPANY'S
MOTION FOR WAIVER OF OAC 4901:1-10-17(A)**

Comes now The Cincinnati Gas & Electric Company (CG&E), and respectfully
moves this Commission to waive the requirements of OAC 4901:1-10-17(A) for CG&E's
Summary Billing customers. A Memorandum in Support is attached hereto.


Michael J. Pahutski
Counsel
The Cincinnati Gas & Electric Company
139 East Fourth Street
Cincinnati, Ohio 45202
(513) 287-3075

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Cincinnati)
Gas & Electric Company for Approval of its Rider) Case No. 01-1933-GE-ATA
SBS, Optional Summary Billing Service Pilot)

**MEMORANDUM IN SUPPORT OF THE CINCINNATI GAS & ELECTRIC
COMPANY'S MOTION FOR WAIVER OF OAC 4901:1-10-17(A)**

The Cincinnati Gas & Electric Company (CG&E) respectfully moves this Commission to waive the requirements of OAC 4901:1-10-17(A) for CG&E's Summary Billing customers.

On August 1, 2001, CG&E filed its proposed tariff schedules, Rider SBS, Optional Summary Billing Service Pilot (Electric) and Rider SBS, Optional Summary Billing Service Pilot (Gas). These tariff schedules are applicable to non-residential jurisdictional customers having multiple electric and/or gas accounts with CG&E, and who request that the billings for such accounts be summarized on a single statement. *See* Rider SBS, Optional Summary Billing Service Pilot (Electric), P.U.C.O. Electric No. 19, Sheet No. 99, Page 1 of 2 and Rider SBS, Optional Summary Billing Service Pilot (Gas), P.U.C.O. Gas No. 18, Sheet No. 83, Page 1 of 2. Summary Billing was developed to provide customers the convenience of receiving and paying one billing statement for their gas and electric utility accounts. *Id.*

Under the Summary Billing gas and electric tariff schedules, CG&E and the customer desiring Summary Billing will enter into a service agreement specifying the applicable terms and conditions under which the customer agrees to accept Summary Billing. *Id.* CG&E will render one Summary Billing Statement each month that will

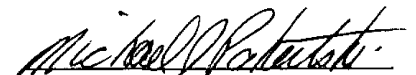
summarize the customer's accounts. *Id.* The amount shown as owed on the Summary Billing Statement shall be due by the Summary Billing due date. *Id.* This due date will be derived by applying Generally Accepted Accounting Principles and incorporating the Time Value of Money. *Id.* Customers will agree to waive their rights to the normal grace period between the rendering of the Summary Billing Statement and the due date, as specified in the proposed Summary Billing tariffs. *Id.* The period of time covered by the Summary Billing Statement shall be a uniform time period as agreed to by the parties prior to billing. *Id.* Payment will be considered delinquent if not received by CG&E on or before the established Summary Bill due date. *Id.*

The terms of CG&E's proposed Summary Billing tariffs, and the nature of Summary Billing itself, make it impossible for a customer's summary bill to comply with the requirements of OAC 4901:1-10-17(A). Under OAC 4901:1-10-17(A), a nonresidential customer's bill for tariffed services shall not be due earlier than twenty-one days from the date of the postmark on the bill. However, because a customer's Summary Billing statement will incorporate several of the customer's accounts into one statement, some of the various accounts' charges may be due earlier than 21 days from the accounts' due dates absent Summary Billing, and some will be due later than 21 days from the typical due date. As stated earlier, in deriving the Summary Billing due date, CG&E will apply Generally Accepted Accounting Principles and the Time Value of Money to arrive at a due date which is fair and equitable to the customer and the Company. The customer's various accounts will be taken into consideration in computing the Summary Bill and a middle ground reached for a single due date which will be no less than 10 days from the time that the bill is mailed to the customer. As

such, a Summary Billing statement, by its nature, cannot comply with the 21 days requirement of OAC 4901:1-10-17(A).

CG&E recognizes that OAC 4901:1-10-17(A) exists to provide adequate time for a customer to render payment. Under the Summary Billing tariffs, adequate time for payment will still be given to each customer. As previously stated, a middle ground will be reached in regards to a customer's various accounts. While some accounts may come due sooner than the original due date, others will not be due until some time later than the original due date. Further, it will be more energy-knowledgeable, non-residential customers that will voluntarily enter into a Summary Billing arrangement. As a free, optional service, customers have the option to sign up for Summary Billing or to decline the arrangement. If the customer feels that calculated due date is not efficacious to his situation, the customer may simply opt to not avail himself of the Summary Billing option. Thus, the protection afforded customers under OAC 4901:1-10-17(A) will still exist under the Summary Billing tariffs.

Therefore, CG&E respectfully moves this Commission to waive the requirements of OAC 4901:1-10-17(A) for CG&E's Summary Billing customers.


Michael J. Pahutski
Counsel
The Cincinnati Gas & Electric Company
139 East Fourth Street
Cincinnati, Ohio 45202
(513) 287-3075