**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for a Waiver of 4901:1-13-11(B)(5) and 4901:1-17-05(B), Ohio Administrative Code. | )  )  )  )  ) | Case No. 12-888-GA-WVR |
| In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Approval of Revised Bill Format. | )  )  )  ) | Case No. 12-889-GA-UNC |
| In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio to File Revised Tariffs. | )  )  )  ) | Case No. 12-890-GA-ATA |

**APPLICATION**

Pursuant to Ohio Adm. Code 4901:1-13-02(C) and 4901:1-17-02(B)(3), The East Ohio Gas Company d/b/a Dominion East Ohio ("DEO") files this application to request a waiver from Ohio Adm. Code 4901:1-13-11(B)(5) and 4901:1-17-05(B). Pursuant to Ohio Adm. Code 4901:1-13-11(D), DEO also proposes to revise its bill format to reflect the requested waivers and revised definitions. Finally, pursuant to R.C. 4905.30, DEO proposes to update its tariffs to reflect the revised definitions. In support of this Application, DEO states:

1. DEO is an Ohio corporation engaged in the business of supplying natural gas to 1.2 million customers in northeast, western and southeast Ohio. DEO is a "natural gas company" and a "public utility" pursuant to R.C. 4905.03(A)(5) and 4905.02, and is subject to the Commission's jurisdiction.
2. As a consequence of the passage of HB 153, the Commission's November 29, 2011 Finding and Order in Case No. 11-4910-AU-ORD adopted changes to certain rules, including Ohio Adm. Code Chapter 4901:1-13. These rule changes were required because HB 153 prohibits the Office of the Ohio Consumers' Counsel ("OCC") from operating "a telephone call center for consumer complaints" and requires the OCC to forward any complaint calls to the Commission's call center.
3. The new version of Ohio Adm. Code 4901:1-13-11(B)(5) requires natural gas companies to incorporate the following text into its billing statements:

If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may contact the public utilities commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from eight a.m. to five p.m. weekdays, or at http://www.puco.ohio.gov. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio relay service).

The Ohio consumers' counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from eight a.m. to five p.m. weekdays, or at http://www.pickocc.org.

1. DEO requests a waiver to modify the required language on its bills as follows:

If your complaint is not resolved after you have called Dominion East Ohio, or your Energy Choice supplier or governmental aggregator at the number listed on the front of your bill, or for general utility information, residential and business customers may contact the Public Utilities Commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from ~~eight~~8 a.m. to ~~five~~5 p.m. weekdays, or at http://www.puco.ohio.gov. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio Relay Service). The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from ~~eight~~8 a.m. to ~~five~~5 p.m. weekdays, or at http://www.pickocc.org.

1. DEO requests these changes because customers should be encouraged to contact their Energy Choice supplier in the event they have questions concerning their bills. The style changes are requested so that DEO's bill message conforms to the Associated Press Stylebook, which is DEO's preferred format for company correspondence. The Associated Press Stylebook uses numeric times and capitalizes proper nouns. *See* Exhibit A.
2. At the same time DEO is making the change discussed above to its bills, DEO also proposes another bill format change for which a waiver is needed. DEO requests a waiver of Ohio Adm. Code 4901:1-17-05(B), which requires DEO, "[u]pon receiving a cash deposit," to furnish a receipt that includes the customer's name, address to be served, billing address, and the deposit amount and a statement that the rate of interest to be paid on the deposit will not be less than 3% per annum if the deposit is held for 180 days or longer.
3. Pursuant to the Stipulation and Recommendation approved by the Commission in Case No. 07-829-GA-AIR, *et al.*, and its tariff, DEO currently bills the security deposit "in three installments to be paid concurrently with the respective monthly bills." *See* Rules and Regulations, Fifth Revised Sheet No. K1, Section I, Rule 3; *see also* DEO Rate Case, Case No. 07-829-GA-AIR, *et al.*, Opinion and Order (October 15, 2008) at 8, 32. After each installment is paid, DEO sends a separate letter to the customer as a receipt for the security deposit. The letter includes all of the information required by Ohio Adm. Code 4901:1-17-05(B). In total, DEO sends each customer billed a deposit three letters.
4. In lieu of sending a separate receipt to customers, DEO proposes to incorporate the deposit receipt into its monthly billing statement. Combining separate information from two sources into one place (the billing statement) satisfies the intent of Ohio Adm. Code 4901:1-17-05(B), while also reducing paperwork for both DEO and its customers.
5. The revised bill format change satisfies the required content in Ohio Adm. Code 4901:1-17-05(B). DEO's bills contain the name of the customer, address of the premises served and the billing address. The revised bill format will also include the amount of each deposit installment paid in the "Credits And Charges Since Your Last Bill" section and a statement at the top of the bill instructing customers to "Keep this bill as a receipt for your deposit payment." *See* Exhibit B. The definition of "Security Deposit Installment" located on the "Explanation of Billing Terms" section of DEO's existing bills already informs customers that "[a] 3% rate of interest is paid if the full deposit is held for 180 days or longer." DEO proposes to expand that definition further to include additional information regarding the deposit that is currently contained in the receipt letter. *See* Exhibit C.
6. DEO further proposes additional changes to the "Explanation of Billing Terms" section of its bill. In order to address confusion expressed by customers regarding the terms "Basic Monthly Charge" or "Monthly Service Charge" given that DEO does not prorate the service charge for a partial month's bill, DEO proposes to revise the description of its service charges to remove the "monthly" designation.[[1]](#footnote-1) DEO will define "Service Charge" as the fixed costs for delivering gas, and "Basic Service Charges" as the Service Charge plus associated riders. The existing definitions for "Basic Monthly Charge" and "Monthly Service Charge" will be deleted. *See* Exhibit C. In conjunction with this change in definitions, DEO will revise impacted tariffs by specifying for each that the customer will be assessed a "service charge…for each billing period or any portion thereof." *See* Exhibit D.
7. DEO also proposes a variety of other minor changes to the language on the bill page containing the "Explanation of Billing Terms" section and on the back of its bill, which are to be made as a matter of preference and do not impact DEO's compliance with billing rules contained in the Ohio Administrative Code. Included among the additional changes on the back of the bill, DEO proposes to replace the "Change of Address" section with a combination address change and bank draft enrollment form. *See* Exhibit A.
8. DEO hereby submits the following Exhibits supporting its proposed bill changes:
   1. Exhibit A, which includes the existing back of DEO's bill, a revised back of bill reflecting DEO's proposed PUCO and OCC contact language with other minor language changes, and the replacement of the existing "Change of Address" section with the proposed combination change of address and bank draft enrollment form.
   2. Exhibit B, which is an example of DEO's primary bill page reflecting the deposit receipt changes previously described and the change in the line item description that is currently "Basic Monthly Charge" to "Basic Service Charges."
   3. Exhibit C, which includes the page of DEO's current bill that includes the "Explanation of Billing Terms" section and a revised page reflecting the proposed revision to the "Security Deposit Installment" definition, the addition of definitions for "Basic Service Charges" and "Service Charge," and the deletion of definitions for "Basic Monthly Charge" and "Monthly Service Charge," plus a few other minor language changes.
   4. Exhibit D, which includes clean and scored versions of the following tariff sheets reflecting the proposed change in the service charge language: General Sales Service – Residential (GSS-R), General Sales Service – Nonresidential (GSS-NR), Large Volume General Sales Service (LVGSS), Daily Transportation Service (DTS), General Transportation Service (GTS), Transportation Service for Schools (TSS), Energy Choice Transportation Service – Residential (ECTS-R), Energy Choice Transportation Service – Nonresidential (ECTS-NR) and Large Volume Energy Choice Transportation Service (LVECTS).
9. Pursuant to Ohio Adm. Code 4901:1-13-11(D), "If the commission does not act upon an application for a new bill format approval within forty-five days, the proposed bill format shall automatically be approved on the forty-sixth day." Although the bill format changes become effective automatically on the forth-sixth day, DEO requests issuance of an order approving the requested changes as soon as possible. An earlier order will allow DEO to order bill stock and make programming changes necessary to implement the new bill format.

WHEREFORE, the Commission should approve DEO's waiver requests and application to change its bill format.

Dated: March 8, 2012 Respectfully submitted,

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**EXHIBIT A**

**Back of Dominion East Ohio's Current Bill**

**Proposed Text Changes to the Back of Dominion East Ohio's Bill**

**Proposed Artwork Changes to the Back of Dominion East Ohio's Bill**

**EXHIBIT B**

**Proposed Changes to the Front of Dominion East Ohio's Bill**

**EXHIBIT C**

**Current DEO Billing Terms Page**

**Proposed Revisions to DEO Billing Terms Page**

**EXHIBIT D**

**Clean and Scored Tariff Sheets:**

**General Sales Service – Residential (GSS-R)**

**General Sales Service – Nonresidential (GSS-NR)**

**Large Volume General Sales Service (LVGSS**

**Daily Transportation Service (DTS)**

**General Transportation Service (GTS)**

**Transportation Service for Schools (TSS)**

**Energy Choice Transportation Service – Residential (ECTS-R)**

**Energy Choice Transportation Service – Nonresidential (ECTS-NR)**

**Large Volume Energy Choice Transportation Service (LVECTS)**

1. For approval of DEO's monthly service charge see Case No. 07-829-GA-AIR, *et al.* [↑](#footnote-ref-1)