BEFORE

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of )

Cleveland Thermal Steam Distribution, )

LLC for Approval of an Amendment ) Case No. 15-0032-HT-AEC

to the Steam Supply and Distribution )

Agreement with 800 Superior LLC. )

**APPLICATION FOR APPROVAL OF AN AMENDMENT OF AN EXISTING INTERRUPTIBLE STEAM SERVICE AGREEMENT**

Frank P. Darr (Reg. No. 0025469)

Counsel of Record

Matthew R. Pritchard (Reg. No. 0088070)

McNees Wallace & Nurick LLC

 Fifth Third Center

 21 East State Street, 17th Floor

 Columbus, OH 43215

Telephone: 614-469-8000

Telecopier: 614-469-4653

fdarr@mwncmh.com

willing to accept service by e-mail

mpritchard@mwncmh.com

willing to accept service by e-mail

January 7, 2015 Attorneys for Cleveland Thermal Steam

Distribution, LLC

BEFORE

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of )

Cleveland Thermal Steam Distribution, )

LLC for Approval of an Amendment ) Case No. 15-0032-HT-AEC

to the Steam Supply and Distribution )

Agreement with 800 Superior LLC. )

**APPLICATION FOR APPROVAL OF AN AMENDMENT OF AN EXISTING INTERRUPTIBLE STEAM SERVICE AGREEMENT**

Pursuant to Section 4905.31, Revised Code, Cleveland Thermal Steam Distribution, LLC (“Cleveland Thermal”) submits an amendment to an Interruptible Steam Service Agreement (“Agreement”) for the Public Utilities Commission of Ohio’s (“Commission”) review and approval.

In support of this Application, Cleveland Thermal states that:

1. Cleveland Thermal is a public utility and a heating company pursuant to Section 4905.03(A)(8), Revised Code, providing steam service to consumers in Cleveland, Ohio, and is subject to the jurisdiction of this Commission.
2. The Commission approved the Agreement between Dominion Cleveland Thermal, LLC, the predecessor in interest of Cleveland Thermal and IPC McDonald Properties, LLC, predecessor in interest to 800 Superior LLC (“800 Superior”) in Case No. 02-2760-HT-AEC. The Agreement is attached hereto as Attachment A.
3. This Application seeks approval of an amendment to the Agreement (“Amendment”). The Amendment is attached hereto as Attachment B.
4. The Amendment is the result of ongoing negotiations between the parties while the parties are reviewing changes in the scope of services provided by Cleveland Thermal to 800 Superior.
5. The Amendment provides for the following:
	1. References to Customer in the Agreement shall refer to the customer referred to in the Amendment; references to Company or Dominion shall refer to Cleveland Thermal; the term “Agreement” shall refer to the Agreement, including the Amendment; and “Mlb” shall refer to “MMbtu” as defined in the Amendment.
	2. Paragraph 2 of the Agreement is amended in its entirety and states that the term of the Agreement shall continue to December 31, 2015.
	3. Paragraph 5 is amended in its entirety and states pricing terms consistent with Cleveland Thermal’s current pricing terms of a Consumption Rate, Purchased Steam Cost Recovery Charge, GRT Charge, Late Charge, Regulatory Recovery Charge, and Rate Ceiling in lieu of the current structure of charges. In Case No. 13-2369-HT-AEC (pricing terms other than the Rate Ceiling) and in the case approving the Agreement (the Rate Ceiling), the Commission previously approved similar pricing.
	4. Paragraph 8.0 is amended in its entirety to identify the parties to which notice is to be provided.
6. The provision of steam service by Cleveland Thermal to 800 Superior would be a continuation of existing service and will not impair or reduce the quality of service to other Cleveland Thermal customers. There is no revenue not collected under this proposed Amendment that would be recovered from other customers of Cleveland Thermal.
7. The Agreement as amended by the Amendment is lawful, just, and reasonable.

**WHEREFORE**, Cleveland Thermal respectfully requests the Commission to approve the Amendment of the Agreement between Cleveland Thermal and 800 Superior.

Respectfully submitted,

/s/ Frank P. Darr

Frank P. Darr (Reg. No. 0025469)

Counsel of Record

Matthew R. Pritchard (Reg. No. 0088070)

McNees Wallace & Nurick LLC

Fifth Third Center

21 East State Street, 17th Floor

Columbus, OH 43215

Telephone: 614-469-8000

Telecopier: 614-469-4653

fdarr@mwncmh.com

willing to accept service by e-mail

mpritchard@mwncmh.com

willing to accept service by e-mail

**Attorneys for Cleveland Thermal**

**Steam Distribution, LLC**

**ATTACHMENT A**

**ATTACHMENT B**