

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Waterville Gas Company for Approval of) Case No. 06-1245-GA-AEC
a Contract with Johns Manville)
International, Inc.)

ENTRY

The Commission finds:

- (1) Section 4905.31, Revised Code, authorizes reasonable arrangements between a gas utility and its customers, conditioned upon approval by the Public Utilities Commission of Ohio.
- (2) October 12, 2006, Waterville Gas Company ("Waterville" or "Company") filed an application for approval of the termination of an existing contract and approval of a new agreement between Waterville and Johns Manville International, Inc. ("Johns Manville") for natural gas transportation service.
- (3) This agreement replaces a previous transportation agreement filed with the Commission in Case No. 01-1991-GA-AEC, which the Commission approved on January 3, 2002. In Ordering Paragraph Four of that Finding and Order, the Commission directed that any termination of the transportation arrangement receive Commission approval. Waterville's application requests that approval. The Company notified Johns Manville of its intent to terminate the existing transportation arrangement effective January 2, 2007 the expiration date of the term of the arrangement.
- (4) The new agreement provides that Johns Manville will provide to Waterville's city gate the gas to be delivered to its manufacturing facility in Waterville Township and Waterville will, subject to the provisions of the agreement, deliver said volumes of gas on a firm basis.
- (5) The Commission has reviewed the application and determined that it conforms to the Commission's guidelines established in Case No. 85-800-GA-COI for arrangements for transporting gas and should be approved.

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- (7) The application also contained a motion for a protective order seeking protection of the price and volumes under the contract. The confidential information has been filed under seal. We understand that the negotiated price and quantity terms can be sensitive information in a competitive environment. In accordance with Rule 4901-1-24, O.A.C., a protective order prohibiting disclosure of the confidential information provided under seal will be granted. This protective order will automatically expire 18 months after the date of this entry. If Waterville wishes to extend this confidential treatment, it should file an appropriate motion at least 45 days in advance of the expiration date.

It is, therefore,

ORDERED, That the application filed by Waterville on October 12, 2006, approving the termination of the agreement approved in Case No. 01-1991-GA-AEC, and approving a new agreement, be approved. It is, further,

ORDERED, That any amendment, modification, assignment or termination of the new agreement with Johns Manville must receive prior Commission approval. It is, further,


ORDERED, That the Commission's approval of this control does not constitute state action for purposes of antitrust laws. It is, further,

ORDERED, That the motion for a protective order be granted. It is, further,

ORDERED, That for 18 months from the date of this Entry, the Docketing Division of the Commission should maintain under seal, the confidential information filed under seal on October 12, 2006. It is, further,

ORDERED, That a copy of this Entry be served on each of the parties to the arrangement.


THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Ronda Hartman Fergus

Judith A. Jones

Valerie A. Lemmie


Donald L. Mason

JR:sm

Entered in the Journal

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Renee J. Jenkins
Secretary