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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The)
East Ohio Gas Company d/b/a Dominion) Case No. 06- 1454 -GA-ATA
East Ohio for Approval of Tariff Changes)
Pursuant to Chapter 4901:1-13, Ohio)
Administrative Code)

1. APPLICANT RESPECTFULLY PROPOSES:

_____ New Service X Change in Rule or Regulation
_____ New Classification _____ Reduction in Rates
_____ Change in Classification _____ Correction of Error
_____ Other, Not Involving Increase in Rates
_____ Various Related and Unrelated Textual Revisions Without Change in Intent

2. DESCRIPTION OF PROPOSAL:

The proposed tariffs reflect changes to the Company's Rules and Regulations pursuant to the minimum gas service standards contained in Chapter 4901:1-13, Ohio Administrative Code.

3. TARIFFS AFFECTED:

Rules and Regulations, Third Revised Sheet No. K1-K8 (superseding Second Revised Sheet No. K1-K8); Original Sheet No. P-1.

Attached hereto and made a part hereof are:

 X Exhibit A - Existing schedule sheets (to be superseded) if applicable.
 X Exhibit B - Proposed schedule sheets.
_____ Exhibit C-1

a. If new service is proposed, describe;

This is to certify that the images appearing are an accurate and complete reproduction of a case file document submitted in the regular course of business.
Technician DB Date Processed 12-14-06

- b. *If new equipment is involved, describe (preferably with a picture, brochure, etc.) and, where appropriate, provide a statement distinguishing propose service from existing services;*
- c. *If proposed service results from customer requests, so state giving, if available, the number of customers requesting proposed service.*

 X **Exhibit C-2** - If a change of classification, rule or regulation is proposed, a statement explaining reason for change.

 Exhibit C-3 - Statement explaining reason for any proposal not covered in Exhibits C-1 or C-2.

 Exhibit D - Affidavit stating that this application will not result in an increase in any rate, joint rate, toll, classification, charge or rental.

Respectfully submitted,



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ATTORNEYS FOR THE EAST OHIO
GAS COMPANY D/B/A DOMINION
EAST OHIO

EXHIBIT A

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Filed under authority of The Public Utilities Commission of Ohio in Case No. 05-602-GA-UNC

Bruce C. Klink, Vice President

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Issued: _____ Effective: _____

Filed under authority of The Public Utilities Commission of Ohio in Case No. 05-602-GA-UNC
Bruce C. Klink, Vice President

Rules and Regulations

SECTION I - SERVICE

1. **Minimum Service Standards.** East Ohio shall comply with the minimum gas service standards for natural gas companies as set forth in Chapter 4901:1-13 of the Ohio Administrative Code, a copy of which is included as Section P of The East Ohio Gas Company Tariff. Where the Public Utilities Commission of Ohio has granted a waiver to East Ohio for any provision of the minimum gas service standards, East Ohio shall comply with the terms of any Order granting such waiver.

2. ~~1.~~ **Application for Service.** All applications for gas service shall be made to the local office of ~~through~~ East Ohio's Customer Service Center.

3. ~~2.~~ **Security Deposit.** If a proposed consumer is not a financially responsible freeholder or cannot give a reasonably safe guaranty in an amount sufficient to secure the payment of bills for sixty days' supply of gas, the consumer may be required to deposit with East Ohio an amount sufficient to cover an estimate of the monthly average of the annual consumption by such consumer plus 30%, upon which deposit interest at the rate of not less than 3% per annum will be allowed and paid to the consumer, provided it remains on deposit for six consecutive months.

Security deposits shall be governed by the "Establishment of Credit for Residential Service" adopted by The Public Utilities Commission of Ohio and contained in Chapter 4901:1-17 of the Ohio Administrative Code, a copy of which is included as Section M of the East Ohio Gas Company Tariff. For small commercial customers, security deposits shall be governed by Rule 4901:1-13-08, "Standards specific to the provision of small commercial gas service" of the Ohio Administrative Code.

4. ~~3.~~ **Service Turn On.** The consumer, after making proper application for gas, shall notify East Ohio when he desires gas turned on. In no case shall he or his agent or employee turn on the gas. East Ohio may discontinue the supply of gas to premises where persons other than East Ohio's authorized employees have turned on the gas.

5. ~~4.~~ **Service Continuity.** East Ohio will use its best efforts to furnish necessary and adequate service and facilities in compliance with Section 4905.22 of the Ohio Revised Code. East Ohio cannot and does not guarantee a sufficient supply of gas or an adequate or uniform gas pressure. East Ohio shall not be liable for any damage or loss directly or indirectly due or attributable to insufficiency of the gas supply, variation in the gas pressure, partial or total interruption of gas service, the use of gas appliances on the consumer's premises, or the presence thereon of any Company property. East Ohio will provide to customers, to the extent possible under the circumstances, prior notice of planned outages or interruptions in service.

6. ~~5.~~ **Service Disturbance.** 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.
7. ~~6.~~ **Access to Premises.** The authorized agents and employees of East Ohio shall at all reasonable times have access to any premises supplied with gas by East Ohio.
8. ~~7.~~ **Customer's Request for Discontinuance of Service.** The consumer shall notify East Ohio before vacating the premises where gas is used or before discontinuing the use of gas. The consumer shall be liable for all charges for gas consumed on such premises until 48 hours after such notice has been received, provided that access to the premises shall have been given East Ohio within such 48-hour period; and if access has not been given within such period then for all charges until such access has been given.

If a customer, who is a ~~Property Owner/Rental~~ or the agent of a property owner, requests disconnection of service and, the Company through its best reasonable efforts has determined that there are remaining residential tenants at the premises, the Company is required to notify the tenants of the disconnection of service. This notification will be mailed to such tenants or posted in a conspicuous place at the premises at least 10 working days prior to the scheduled date for disconnection of service. The ~~Property Owner, or the Rental Agent of the property owner,~~ shall continue to be liable for all gas consumed during the 10-day notice period. This notice provision shall not preclude the Company from taking appropriate actions where safety or tampering issues are raised as cited in Rule 89, subparagraph (g)b(4) and Rule 109 of these Rules and Regulations.

9. ~~8.~~ **Company's Right to Disconnect Service.**

- a. ~~East Ohio shall have the right to disconnect service and remove from the premises of any consumer the meter and any other property belonging to East Ohio of any consumer for any of the following reasons or purposes: [I would combine (a) and (b)]~~

(a) ~~1.~~ Refusing access to the meter for reading, testing, repairs or other purposes.

(b) ~~2.~~ Violation of or refusal to comply with any applicable law or ordinance, contract, or any of these Rules and Regulations.

(a) ~~b.~~ East Ohio shall have the right to disconnect and remove from the premises of any consumer the meter and any other property belonging to East Ohio for any of the following reasons or purposes:

- (c) ~~1.~~—Non-payment of bills for gas within the net payment period for such bills, including nonpayment of security deposits applied to delinquent bills as a condition for continued service.
- (d) ~~2.~~ Non-use of gas. When customer has moved from the customer location.
- (e) Use of gas in a manner detrimental to the service to other customers.
- (f) ~~3.~~—Fraudulent representation or practice.
- (g) ~~4.~~—Whenever deemed necessary by East Ohio for the safety or integrity of the gas system (such as including but not limited to instances of theft or vandalism).

Disconnection of service to residential consumers or customers pursuant to Rule 89, subparagraph (a)(1) of these Rules and Regulations -shall include, but not be limited to, circumstances where despite its reasonable efforts to do so, East Ohio has been unable to obtain an actual meter reading at least once within any full

~~calendar year of service~~ twelve-month period. "Actual meter reading" shall be as defined in Rule ~~15-16~~ of these Rules and Regulations. The reconnection of service after disconnection pursuant to Rule 89, subparagraph (a)(1) of the Rules and Regulations shall be subject to prior payment of a fee of \$20.00 for the disconnection and reconnection costs.

In order to have service restored after being disconnected for (1) failing to provide East Ohio access to its metering equipment to obtain an actual meter reading pursuant to Rule 4901:1-13-04(G) of the Ohio Administrative Code or (2) engaging in fraudulent practices, tampering or theft of service as set forth in Rule 4901:1-13-09 of the Ohio Administrative Code, a customer shall pay, in addition to all other charges owed to East Ohio, \$100.00 for the installation of automated meter reading equipment for each meter to be so equipped.

Disconnection of service to residential consumers or customers pursuant to Rule 8, subparagraph b(1) of these Rules and Regulations shall be governed by the "Termination of Residential Service" adopted by The Public Utilities Commission of Ohio and contained in Chapter 4901:1-18 of the Ohio Administrative Code, except for 4901:1-18-03(A)(1) and (B) and 4901:1-18-05(A) for which a waiver was granted. A copy of Chapter 4901:1-18 is included as Section L of the East Ohio Gas Company Tariff. For small commercial customers, disconnection of service shall be governed by Rule 4901:1-13-08, "Standards specific to the provision of small commercial gas service" of the Ohio Administrative Code.

SECTION II - METERING & BILLING

10. 9.—Pressure Regulators, Gas Meters and Tampering. The gas meter and any pressure regulator to be installed on a service line and connected with East Ohio's distribution system will be furnished by East Ohio and will remain its property, and the Company shall have the right to replace them as the Company may deem necessary. When a customer is served from the Company's field or gathering lines, then the customer shall install and maintain, at his expense, a suitable regulator or regulators for reducing the pressure. The regulator or regulators shall be installed in the manner required by the Company. If any meter or regulator, or the pipes, fittings or connections used in supplying gas to such meter or regulator, is tampered with by a consumer, his agent or employee, East Ohio may remove such meter or regulator and may discontinue the supply of gas to such consumer until payment has been made for all unregistered gas, in an amount estimated by East Ohio, and for all damage to East Ohio's property, or, at East Ohio's option, it may discontinue gas service permanently to such consumer.

11. 10.—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.

12. 11. **Meter Connections.** 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.

13. ~~12.~~ **Bill Due DateMaturity Period.** Pursuant to Section 4933.122 of the Ohio Revised Code, ~~the~~ the due date of maturity for each bill for gas is shall be no earlier than fourteen (14) days after the date of its mailing or electronic delivery to the customer.
14. ~~13.~~ **Billing Periods.** Bills ordinarily are rendered regularly at monthly intervals, but may be rendered more or less frequently at the Company's option. Non-receipt of bills by customer does not release or diminish the obligation of customer with respect to payment thereof. Unless otherwise ordered by the Commission, rate changes shall become effective for bills rendered as of the start of a billing cycle within the monthly billing period as determined by the Company.
15. ~~14.~~ **Payment of Bills.** Bills ~~shall~~ may be paid by the customer in any of the following ways:
- (a) online at www.dom.com or through a participating provider's Web site,
 - (b) by bank draft automated withdrawal from customer's bank account,
 - (c) by credit/debit card or electronic check through a participating agency,
 - (d) at any office of the Company during its regular office hours or to any one of the Company's authorized collecting payment agencies during the regular office hours of such agencies,
 - (e) by U.S. mail at the address specified on the back of the bill,
 - (f) by Electronic Data Interchange (EDI),
 - (g) by Automated Clearing House (ACH) transfer. 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 of the net payment period will be accepted by the Company as within the net payment period.
16. ~~15.~~ **Meter Reading.** East Ohio will use its best efforts to obtain an actual meter reading by Company personnel or agents at least once within each ~~full calendar year of service~~ twelve-month period. "Actual meter reading" shall mean reading of an indoor or outdoor meter by an authorized agent or employee of Dominion East Ohio or through electronic or other means acceptable to the Commission.

If the consumer has refused East Ohio access to its meter or other property, or if East Ohio has been unable to obtain an actual meter reading at least once within any ~~calendar year~~ twelve-month period, East Ohio may terminate service in accordance with Rule 9 of these Rules and Regulations. East Ohio may obtain a court order to gain access to its meter or other property.

If consumption is billed pursuant to an applicant requesting East Ohio to provide lighting services on an unmetered basis, the estimates used to define consumption for billing purposes will be tested and adjusted at least once within each full calendar year of service.

17. 16. Meter Testing. In accordance with Section 4933.09 of the Ohio Revised Code, gas meters in use shall be tested on the request of the consumer, in his presence if desired by him, with a tested and sealed meter-prover, by an authorized employee or agent of East Ohio. If the meter is found to be correct, and it is deemed correct if the variation is not greater than three percent, the party requesting the inspection shall pay a fee for the removal of the meter for the purpose of the test. The fee for a residential consumer is \$40; for all other consumers, the fee is \$100. If the meter is proved incorrect, no fees or expense shall be paid by the consumer, and East Ohio shall furnish a new meter without charge to the consumer.

18. 17. Back Billing. East Ohio's policy on backbilling shall comply with the guidelines established by The Public Utilities Commission of Ohio and the Ohio legislature (Section 4933.28 of the Ohio Revised Code) as amended from time to time.

19. 18. Delinquent Balance Transfer.

(a) ~~a.~~—Except as otherwise provided in subparagraph b., East Ohio shall have the right to transfer a delinquent commercial or industrial account balance, regardless of the service address, to another non-delinquent commercial or industrial account in the name of or owned by the same customer or owner of that business or establishment. If the same customer or owner has more than one non-delinquent account, East Ohio shall transfer the delinquent balance to the non-delinquent account having the lowest balance due.

—For purposes of this Rule ~~18~~19, "customer" means the party in whose name the account is carried.

(b) ~~b.~~—East Ohio may not transfer a delinquent commercial/industrial account to any account where any end user is a residential consumer.

Section III - Service Lines & Mainline Extensions

~~20. 19.~~ **Service Line Installation.** In the installation of a service line East Ohio will make all necessary connections with its distribution system and extend its service line from the distribution main to the service valve and -will install the service valve and curb box enclosing the same without cost to the property owner or consumer. Where no service valve is installed in the service line East Ohio will install a valve Tee at the main and will extend its service line from the main to a tie-in coupling, to be located between approximately 4 to 6 feet from and to -the coupling closest to the owner's property line in the direction toward the main. 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 coupling, to the meter on the owner's property. Before turning on gas East Ohio shall have the right to inspect the owner's service line and to refuse to turn on gas if in the opinion of East Ohio the service line is not properly constructed, fitted and laid. At the request of the property owner, and at his expense, East Ohio may, upon mutual agreement with the customer, 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 East Ohio of a service line shall be made to the local office of East Ohio on a form to be furnished by East Ohio.

~~21. 20.~~ **Service Line Responsibilities.** 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 mentioned in Rule ~~19~~20 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 under his exclusive control and shall be replaced as necessary and kept by him in

good repair and safe condition, and East Ohio 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. East Ohio shall be responsible for these facilities in accordance with the applicable provisions of the Pipeline Safety Act, 49 U.S.C. 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 responsibilities shall include, but not be limited to, East Ohio's responsibilities for cathodic protection and leak detection of the service line up to and including the meter.

22. ~~21.~~ Installation and Inspection. Before applying to East Ohio to turn on gas it shall be the duty of the applicant to see that the service line and gas lines and fittings and connections mentioned in Rule ~~20-21~~ and all gas appliances and equipment connected thereto have been installed and tested and are maintained in accordance with governmental codes and regulations and with the reasonable requirements of East Ohio and are free of leaks.

23. ~~22.~~ Service Line Extensions Prohibited. No service line supplying gas to any building shall be extended by the owner or consumer so as to furnish gas to any other building.

24. ~~23.~~ 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.

25. ~~24.~~ Appliances. The customer shall install and maintain all appliances, at the customer's expense.

26. ~~25.~~ Inspections of Altered Piping. It shall be the duty of the customer to notify the Company promptly of any additions, changes, alterations, remodeling or reconstruction affecting gas piping on the customer's premises.

27. ~~26.~~ Extension of Distribution Mains. East Ohio will extend its distribution mains for the furnishing of natural gas on any dedicated street or highway without cost to the consumer whenever at least one consumer on an average of each 100 additional feet of pipe in the street or highway in which the extension is to be run shall first agree to take a supply of gas at the applicable rate, measurement to be taken from the end of the nearest distribution main. Upon application for a service extension of main in excess of an average of 100 feet for each applicant for such service East Ohio may enter into an extension agreement with the applicant or applicants providing for a deposit with East Ohio of a sum deemed adequate by East Ohio to cover the cost to be incurred by it for the excess of the extension over the average of 100 feet for each applicant to be served, such deposit to be refunded within a period of 10 years from the date of the agreement at a rate per each additional consumer thereafter connected with said extension, equivalent to the rate per 100 feet deposited, the total amount refunded not to exceed the amount deposited. No refund shall be made after 10 years

from the date of the extension agreement and such deposit shall, after such period, become the property of East Ohio. Extension deposits shall bear no interest. Extensions of street and highway mains shall at all times be the property of East Ohio. Mainline extensions that are not installed in road right of way, or adjacent thereto, will be made only if the following guidelines are met:

(a) ~~a.~~—A minimum 20 foot legally described easement or blanket right of way is made and granted, provided, however, that all gas mainlines with a maximum allowable operating pressure at or above 100 psi must have a minimum 30 foot easement.

(b) ~~b.~~—Free and clear access to the gas mainline is maintained with no structures permitted on the easement.

East Ohio shall not be required to lay any service lines across paved streets or highways. East Ohio shall not be required to make any extensions of its mains or to lay any service lines during the months of December, January, February and March of any year.

Nothing contained herein shall be construed to prohibit East Ohio from making longer free extensions than herein prescribed, should the anticipated revenues exceed the anticipated costs over a period of twenty years, provided like free extensions are made to other applicants under similar conditions.

~~28.~~ **27. Right of Removal.** No person or entity shall erect any structure within a Company easement or change the existing grade over a Company gas line without the express permission of East Ohio. East Ohio shall have the right to remove any such structure or grade change at the expense of the customer or responsible party.

~~29.~~ **28. Discontinuance of Supply on Notice of Defect in Customer's Property.** If, at any time, in the opinion of East Ohio the property owner's service line, other gas lines, fittings, connections, gas appliances or equipment on a consumer's premises are defective or in such condition as to constitute a hazard, East Ohio, upon notice to it of such defect or condition, may discontinue the supply of gas to such appliances or equipment or to such service line or such other gas lines until such defect or condition has been rectified by the property owner or consumer in a manner satisfactory to East Ohio.

SECTION IV - MISCELLANEOUS

- ~~30.~~ **29. Tariff Disclosure.** A full and complete copy of East Ohio's current tariff covering rates and charges for service and terms and conditions of service ~~is available for public inspection at each of East Ohio's business offices during normal business hours~~ will be provided to a consumer upon request within five business days. East Ohio shall comply with the tariff disclosure requirements established by The Public Utilities Commission of Ohio and set forth in Section 4901:1-1-03 of the Ohio Administrative Code, as amended from time to time.
- ~~31.~~ **30. PUCO Orders.** These Rules and Regulations are subject to and include as part thereof all orders, rules and regulations applicable to East Ohio from time to time issued or established by The Public Utilities Commission of Ohio under its emergency powers.
- ~~32.~~ **31. Right to Modify.** East Ohio 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 East Ohio may deem necessary or convenient in the conduct of its business.

EXHIBIT B

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Rules and Regulations

SECTION I - SERVICE

1. **Minimum Service Standards.** East Ohio shall comply with the minimum gas service standards for natural gas companies as set forth in Chapter 4901:1-13 of the Ohio Administrative Code, a copy of which is included as Section P of The East Ohio Gas Company Tariff. Where the Public Utilities Commission of Ohio has granted a waiver to East Ohio for any provision of the minimum gas service standards, East Ohio shall comply with the terms of any Order granting such waiver.
2. **Application for Service.** All applications for gas service shall be made through East Ohio's Customer Service Center.
3. **Security Deposit.** If a proposed consumer is not a financially responsible freeholder or cannot give a reasonably safe guaranty in an amount sufficient to secure the payment of bills for sixty days' supply of gas, the consumer may be required to deposit with East Ohio an amount sufficient to cover an estimate of the monthly average of the annual consumption by such consumer plus 30%, upon which deposit interest at the rate of not less than 3% per annum will be allowed and paid to the consumer, provided it remains on deposit for six consecutive months.

Security deposits shall be governed by the "Establishment of Credit for Residential Service" adopted by The Public Utilities Commission of Ohio and contained in Chapter 4901:1-17 of the Ohio Administrative Code, a copy of which is included as Section M of the East Ohio Gas Company Tariff. For small commercial customers, security deposits shall be governed by Rule 4901:1-13-08, "Standards specific to the provision of small commercial gas service" of the Ohio Administrative Code.

4. **Service Turn On.** The consumer, after making proper application for gas, shall notify East Ohio when he desires gas turned on. In no case shall he or his agent or employee turn on the gas. East Ohio may discontinue the supply of gas to premises where persons other than East Ohio's authorized employees have turned on the gas.
5. **Service Continuity.** East Ohio will use its best efforts to furnish necessary and adequate service and facilities in compliance with Section 4905.22 of the Ohio Revised Code. East Ohio cannot and does not guarantee a sufficient supply of gas or an adequate or uniform gas pressure. East Ohio shall not be liable for any damage or loss directly or indirectly due or attributable to insufficiency of the gas supply, variation in the gas pressure, partial or total interruption of gas service, the use of gas appliances on the consumer's premises, or the presence thereon of any Company property. East Ohio will provide to customers, to the extent possible under the circumstances, prior notice of planned outages or interruptions in service.

Issued:

Effective: Service rendered on or after

6. **Service Disturbance.** 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.
7. **Access to Premises.** The authorized agents and employees of East Ohio shall at all reasonable times have access to any premises supplied with gas by East Ohio.
8. **Customer's Request for Discontinuance of Service.** The consumer shall notify East Ohio before vacating the premises where gas is used or before discontinuing the use of gas. The consumer shall be liable for all charges for gas consumed on such premises until 48 hours after such notice has been received, provided that access to the premises shall have been given East Ohio within such 48-hour period; and if access has not been given within such period then for all charges until such access has been given.

If a customer, who is a property owner or the agent of a property owner, requests disconnection of service and the Company through reasonable efforts has determined that there are remaining residential tenants at the premises, the Company is required to notify the tenants of the disconnection of service. This notification will be mailed to such tenants or posted in a conspicuous place at the premises at least 10 working days prior to the scheduled date for disconnection of service. The property owner, or the agent of the property owner, shall continue to be liable for all gas consumed during the 10-day notice period. This notice provision shall not preclude the Company from taking appropriate actions where safety or tampering issues are raised as cited in Rule 9, subparagraph (g) and Rule 10 of these Rules and Regulations.

9. **Company's Right to Disconnect Service.** East Ohio shall have the right to disconnect service and remove from the premises of any consumer the meter and any other property belonging to East Ohio for any of the following reasons or purposes:
 - (a) Refusing access to the meter for reading, testing, repairs or other purposes.
 - (b) Violation of or refusal to comply with any applicable law or ordinance, contract, or any of these Rules and Regulations.
 - (c) Non-payment of bills for gas within the net payment period for such bills, including nonpayment of security deposits applied to delinquent bills as a condition for continued service.
 - (d) When customer has moved from the customer location.
 - (e) Use of gas in a manner detrimental to the service to other customers.
 - (f) Fraudulent representation or practice.
 - (g) Whenever deemed necessary by East Ohio for the safety or integrity of the gas system (including but not limited to instances of theft or vandalism).

Disconnection of service to residential consumers or customers pursuant to Rule 9, subparagraph (a) of these Rules and Regulations shall include, but not be limited to, circumstances where despite its reasonable efforts to do so, East Ohio has been unable to obtain an actual meter reading at least once within any twelve-month period. "Actual meter reading" shall be as defined in Rule 16 of these Rules and Regulations. The reconnection of service after disconnection pursuant to Rule 9, subparagraph (a) of the Rules and Regulations shall be subject to prior payment of a fee of \$20.00 for the disconnection and reconnection costs.

In order to have service restored after being disconnected for (1) failing to provide East Ohio access to its metering equipment to obtain an actual meter reading pursuant to Rule 4901:1-13-04(G) of the Ohio Administrative Code or (2) engaging in fraudulent practices, tampering or theft of service as set forth in Rule 4901:1-13-09 of the Ohio Administrative Code, a customer shall pay, in addition to all other charges owed to East Ohio, \$100.00 for the installation of automated meter reading equipment for each meter to be so equipped.

Disconnection of service to residential consumers or customers shall be governed by the "Termination of Residential Service" adopted by The Public Utilities Commission of Ohio and contained in Chapter 4901:1-18 of the Ohio Administrative Code, except for 4901:1-18-03(A)(1) and (B) and 4901:1-18-05(A) for which a waiver was granted. A copy of Chapter 4901:1-18 is included as Section L of the East Ohio Gas Company Tariff. For small commercial customers, disconnection of service shall be governed by Rule 4901:1-13-08, "Standards specific to the provision of small commercial gas service" of the Ohio Administrative Code.

SECTION II - METERING & BILLING

10. **Pressure Regulators, Gas Meters and Tampering.** The gas meter and any pressure regulator to be installed on a service line and connected with East Ohio's distribution system will be furnished by East Ohio and will remain its property, and the Company shall have the right to replace them as the Company may deem necessary. When a customer is served from the Company's field or gathering lines, then the customer shall install and maintain, at his expense, a suitable regulator or regulators for reducing the pressure. The regulator or regulators shall be installed in the manner required by the Company. If any meter or regulator, or the pipes, fittings or connections used in supplying gas to such meter or regulator, is tampered with by a consumer, his agent or employee, East Ohio may remove such meter or regulator and may discontinue the supply of gas to such consumer until payment has been made for all unregistered gas, in an amount estimated by East Ohio, and for all damage to East Ohio's property, or, at East Ohio's option, it may discontinue gas service permanently to such consumer.

11. **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.
12. **Meter Connections.** 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.
13. **Bill Due Date.** The due date for each bill for gas shall be no earlier than fourteen (14) days after the date of its mailing or electronic delivery to the customer.
14. **Billing Periods.** Bills ordinarily are rendered regularly at monthly intervals, but may be rendered more or less frequently at the Company's option. Non-receipt of bills by customer does not release or diminish the obligation of customer with respect to payment thereof. Unless otherwise ordered by the Commission, rate changes shall become effective for bills rendered as of the start of a billing cycle within the monthly billing period as determined by the Company.
15. **Payment of Bills.** Bills may be paid by the customer in any of the following ways:
 - (a) Online at www.dom.com or through a participating provider's Web site,
 - (b) By bank draft automated withdrawal from customer's bank account,
 - (c) By credit/debit card or electronic check through a participating agency,
 - (d) At any one of the Company's authorized payment agencies during the regular hours of such agencies,
 - (e) By U.S. mail at the address specified on the back of the bill,
 - (f) By Electronic Data Interchange (EDI),
 - (g) By Automated Clearing House (ACH) transfer.
16. **Meter Reading.** East Ohio will use its best efforts obtain an actual meter reading by Company personnel or agents at least once within each twelve-month period. "Actual meter reading" shall mean reading of an indoor or outdoor meter by an authorized agent or employee of Dominion East Ohio or through electronic or other means acceptable to the Commission.

If the consumer has refused East Ohio access to its meter or other property, or if East Ohio has been unable to obtain an actual meter reading at least once within any twelve-month period, East Ohio may terminate service in accordance with Rule 9 of these Rules and Regulations. East Ohio may obtain a court order to gain access to its meter or other property.

If consumption is billed pursuant to an applicant requesting East Ohio to provide lighting services on an unmetered basis, the estimates used to define consumption for billing purposes will be tested and adjusted at least once within each full calendar year of service.

17. **Meter Testing.** In accordance with Section 4933.09 of the Ohio Revised Code, gas meters in use shall be tested on the request of the consumer, in his presence if desired by him, with a tested and sealed meter-prover, by an authorized employee or agent of East Ohio. If the meter is found to be correct, and it is deemed correct if the variation is not greater than three percent, the party requesting the inspection shall pay a fee for the removal of the meter for the purpose of the test. The fee for a residential consumer is \$40; for all other consumers, the fee is \$100. If the meter is proved incorrect, no fees or expense shall be paid by the consumer, and East Ohio shall furnish a new meter without charge to the consumer.
18. **Back Billing.** East Ohio's policy on backbilling shall comply with the guidelines established by The Public Utilities Commission of Ohio and the Ohio legislature (Section 4933.28 of the Ohio Revised Code) as amended from time to time.
19. **Delinquent Balance Transfer.**

- (a) Except as otherwise provided in subparagraph b., East Ohio shall have the right to transfer a delinquent commercial or industrial account balance, regardless of the service address, to another non-delinquent commercial or industrial account in the name of or owned by the same customer or owner of that business or establishment. If the same customer or owner has more than one non-delinquent account, East Ohio shall transfer the delinquent balance to the non-delinquent account having the lowest balance due.

For purposes of this Rule 19, "customer" means the party in whose name the account is carried.

- (b) East Ohio may not transfer a delinquent commercial/industrial account to any account where any end user is a residential consumer.

Section III - Service Lines & Mainline Extensions

20. **Service Line Installation.** In the installation of a service line East Ohio will make all necessary connections with its distribution system and extend its service line from the distribution main to the service valve and will install the service valve and curb box enclosing the same without cost to the property owner or consumer. Where no service valve is installed in the service line East Ohio will install a valve Tee at the main and will extend its service line from the main to a tie-in coupling, to be located between approximately 4 to 6 feet from and to the coupling closest to the owner's property line in the direction toward the main. 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 coupling, to the meter on the owner's property. Before turning on gas East Ohio shall have the right to inspect the owner's service line and to refuse to turn on gas if in the opinion of East Ohio the service line is not properly constructed, fitted and laid. At the request of the property owner, and at his expense, East Ohio may, upon mutual agreement with the customer, 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 East Ohio of a service line shall be made to the local office of East Ohio on a form to be furnished by East Ohio.

21. **Service Line Responsibilities.** 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 mentioned in Rule 20 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 under his exclusive control and shall be replaced as necessary and kept by him in good repair and safe condition, and East Ohio 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. East Ohio shall be responsible for these facilities in accordance with the applicable provisions of the Pipeline Safety Act, 49 U.S.C. 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 responsibilities shall include, but not be limited to, East Ohio's responsibilities for cathodic protection and leak detection of the service line up to and including the meter.
22. **Installation and Inspection.** Before applying to East Ohio to turn on gas it shall be the duty of the applicant to see that the service line and gas lines and fittings and connections mentioned in Rule 21 and all gas appliances and equipment connected thereto have been installed and tested and are maintained in accordance with governmental codes and regulations and with the reasonable requirements of East Ohio and are free of leaks.
23. **Service Line Extensions Prohibited.** No service line supplying gas to any building shall be extended by the owner or consumer so as to furnish gas to any other building.
24. **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.
25. **Appliances.** The customer shall install and maintain all appliances, at the customer's expense.
26. **Inspections of Altered Piping.** It shall be the duty of the customer to notify the Company promptly of any additions, changes, alterations, remodeling or reconstruction affecting gas piping on the customer's premises.

27. **Extension of Distribution Mains.** East Ohio will extend its distribution mains for the furnishing of natural gas on any dedicated street or highway without cost to the consumer whenever at least one consumer on an average of each 100 additional feet of pipe in the street or highway in which the extension is to be run shall first agree to take a supply of gas at the applicable rate, measurement to be taken from the end of the nearest distribution main. Upon application for a service extension of main in excess of an average of 100 feet for each applicant for such service East Ohio may enter into an extension agreement with the applicant or applicants providing for a deposit with East Ohio of a sum deemed adequate by East Ohio to cover the cost to be incurred by it for the excess of the extension over the average of 100 feet for each applicant to be served, such deposit to be refunded within a period of 10 years from the date of the agreement at a rate per each additional consumer thereafter connected with said extension, equivalent to the rate per 100 feet deposited, the total amount refunded not to exceed the amount deposited. No refund shall be made after 10 years from the date of the extension agreement and such deposit shall, after such period, become the property of East Ohio. Extension deposits shall bear no interest. Extensions of street and highway mains shall at all times be the property of East Ohio. Mainline extensions that are not installed in road right of way, or adjacent thereto, will be made only if the following guidelines are met:

- (a) A minimum 20 foot legally described easement or blanket right of way is made and granted, provided, however, that all gas mainlines with a maximum allowable operating pressure at or above 100 psi must have a minimum 30 foot easement.
- (b) Free and clear access to the gas mainline is maintained with no structures permitted on the easement.

East Ohio shall not be required to lay any service lines across paved streets or highways. East Ohio shall not be required to make any extensions of its mains or to lay any service lines during the months of December, January, February and March of any year.

Nothing contained herein shall be construed to prohibit East Ohio from making longer free extensions than herein prescribed, should the anticipated revenues exceed the anticipated costs over a period of twenty years, provided like free extensions are made to other applicants under similar conditions.

28. **Right of Removal.** No person or entity shall erect any structure within a Company easement or change the existing grade over a Company gas line without the express permission of East Ohio. East Ohio shall have the right to remove any such structure or grade change at the expense of the customer or responsible party.

29. **Discontinuance of Supply on Notice of Defect in Customer's Property.** If, at any time, in the opinion of East Ohio the property owner's service line, other gas lines, fittings, connections, gas appliances or equipment on a consumer's premises are defective or in such condition as to constitute a hazard, East Ohio, upon notice to it of such defect or condition, may discontinue the supply of gas to such appliances or equipment or to such service line or such other gas lines until such defect or condition has been rectified by the property owner or consumer in a manner satisfactory to East Ohio.

SECTION IV - MISCELLANEOUS

30. **Tariff Disclosure.** A full and complete copy of East Ohio's current tariff covering rates and charges for service and terms and conditions of service will be provided to a consumer upon request within five business days. East Ohio shall comply with the tariff disclosure requirements established by The Public Utilities Commission of Ohio and set forth in Section 4901:1-1-03 of the Ohio Administrative Code, as amended from time to time.
31. **PUCO Orders.** These Rules and Regulations are subject to and include as part thereof all orders, rules and regulations applicable to East Ohio from time to time issued or established by The Public Utilities Commission of Ohio under its emergency powers.
32. **Right to Modify.** East Ohio 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 East Ohio may deem necessary or convenient in the conduct of its business.

Section P

Service Standards Applicable to Gas Companies

Code of Rules and Regulations of the Public Utilities Commission of Ohio

Service standards applicable to natural gas companies shall be governed by the Code of Rules and Regulations of the PUCO set forth in the Ohio Administrative Code, Chapter 4901:1-13 as it is from time to time amended. These Rules are attached hereto and incorporated herein as Section P of the East Ohio Gas Company Tariff.

Issued:

Effective: Service rendered on or after

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Bruce C. Klink, Vice President

Chapter 4901:1-13
Service Standards Applicable to Gas Companies

- 4901:1-13-01 Definitions
- 4901:1-13-02 Purpose and scope
- 4901:1-13-03 Retention of records and access to records and business activities
- 4901:1-13-04 Metering
- 4901:1-13-05 Minimum customer service levels
- 4901:1-13-06 Provision of customer rights and obligations
- 4901:1-13-07 Employee identification
- 4901:1-13-08 Standards specific to the provision of small commercial gas service
- 4901:1-13-09 Fraudulent practice, tampering, and theft of gas service
- 4901:1-13-10 Complaints and complaint-handling procedures
- 4901:1-13-11 Gas or natural gas company customer billing and payments
- 4901:1-13-12 Consumer safeguards and information
- 4901:1-13-13 Uniform system of accounts for gas companies

4901:1-13-01 Definitions.

As used in this chapter:

- (A) "Business day" means, for purposes of initiation or installation of service, a day when a gas or natural gas company performs regularly scheduled installation and, for all other purposes, a day when the provider observes regularly scheduled customer service office hours.
- (B) "Ccf" means one hundred cubic feet.
- (C) "C.F.R." means the code of federal regulations.
- (D) "Commission" means the public utilities commission of Ohio.
- (E) "Company" means a gas or natural gas company as defined in section 4905.03 of the Revised Code.
- (F) "Consumer" means any person who receives service from a gas or natural gas company.

- (G) "CRNGS" means competitive retail natural gas service as defined in section 4929.01 of the Revised Code.
- (H) "Customer" means any person who has an agreement, by contract and/or tariff, with a gas or natural gas company to receive service or any person who requests or makes application for service from a gas or natural gas company.
- (I) "Customer premises" means the residence(s), building(s), or office(s) of a customer.
- (J) "Fraudulent practice" means an intentional misrepresentation or concealment of a material fact that the gas or natural gas company relies on to its detriment. Fraudulent practice does not include tampering or unauthorized reconnection of gas service.
- (K) "Gas company" has the meaning set forth in section 4905.03 of the Revised Code and which meets the definition of a public utility under section 4905.02 of the Revised Code.
- (L) "Governmental aggregation" means the gathering of the competitive retail natural gas service for the retail natural gas loads by a municipal corporation, a board of township trustees, or a board of county commissioners acting under section 4929.26 or 4929.27 of the Revised Code or under section four of Article XVIII of the Ohio Constitution.
- (M) "Manometer" means an instrument for measuring the pressure of gas or natural gas.
- (N) "Mcf" means one thousand cubic feet.
- (O) "Natural gas company" has the meaning set forth in section 4905.03 of the Revised Code and which meets the definition of a public utility under section 4905.02 of the Revised Code.
- (P) "Nonresidential gas service" means a gas or natural gas service provided to any location where the use is primarily of a business, professional, institutional, or occupational nature.
- (Q) "Person" includes an individual, corporation, company, co-partnership, association, or joint venture.
- (R) "PIPP" means percentage of income payment plan.
- (S) "PSIG" means pounds per square inch gauge, a measurement when testing gas pressure.
- (T) "Residential gas service" means a gas or natural gas service provided to any location where the use is primarily of a domestic nature.
- (U) "Slamming" means the transfer of or requesting the transfer of a customer's competitive natural gas service to another provider without obtaining the customer's consent.

- (V) "Small commercial customer" means a commercial customer which is not a mercantile customer under division (L) of section 4929.01 of the Revised Code.
 - (W) "Small gas company" means a gas company serving seventy-five thousand or fewer customers.
 - (X) "Small natural gas company" means a natural gas company serving seventy-five thousand or fewer customers.
 - (Y) "TDD/TTY" means telecommunication device for the deaf/text telephone yoke as defined in 47 C.F.R. 64.601 as of May 1, 2006.
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Effective: 12/7/06

R.C. 119.032 Review date: 9/30/09

Promulgated under: 111.15

Statutory authority: 4905.04, 4905.06, 4905.22, 4905.28

Rule amplifies: 4905.04, 4905.06, 4905.22, 4905.28

4901:1-13-02 Purpose and scope.

- (A) The rules in this chapter:
 - (1) Apply to investor-owned gas or natural gas companies, as defined in this chapter.
 - (2) Are intended to promote reliable service to consumers and the public, and to provide minimum standards for uniform and reasonable practices.
 - (3) Unless otherwise specified, apply to both residential and nonresidential gas or natural gas service.
- (B) The commission may, in addition to the rules in this chapter, require gas or natural gas companies to furnish other or additional service, equipment, and facilities upon any of the following:
 - (1) The commission's own motion.
 - (2) Formal or informal commission resolution of a complaint.
 - (3) The application of any gas or natural gas company.
- (C) The commission may waive any requirement of Chapter 4901:1-13 of the Administrative Code for good cause shown or upon its own motion.
- (D) The rules in this chapter shall not relieve the gas or natural gas companies from both:

- (1) Providing adequate service and facilities as prescribed by the commission.
 - (2) Complying with the laws of this state.
- (E) Except as set forth in this rule, the rules of this chapter supersede any inconsistent provisions, terms, and conditions of the gas or natural gas company's tariffs. A gas or natural gas company may adopt or maintain tariffs providing superior standards of service, reliability, or greater protection for customers or consumers. Further, a gas or natural gas company may adopt or maintain tariff provisions which involve other areas not addressed by the rules of this chapter.
- (F) When a gas or natural gas company in a complaint proceeding under section 4905.26 of the Revised Code demonstrates compliance with the relevant service or performance standard of this chapter, a rebuttable presumption is created that the gas or natural gas company is providing adequate service regarding that standard. Such presumption applies solely to the specific standard addressed by the commission for the time period at issue in the complaint proceeding. No such presumption is created merely by compliance with any reporting requirement of this chapter.
- (G) Each gas or natural gas company is also subject to the requirements in:
- (1) The pipeline safety code and requirements set forth in Chapter 4901:1-16 of the Administrative Code.
 - (2) Establishing credit for residential natural gas services contained in Chapter 4901:1-17 of the Administrative Code.
 - (3) Disconnecting residential gas or natural gas service contained in Chapter 4901:1-18 of the Administrative Code.
 - (4) The provision of CRNGS, as applicable to gas or natural gas companies, in Chapters 4901:1-27, 4901:1-28, 4901:1-29, 4901:1-32, and 4901:1-34 of the Administrative Code.
- (H) Nothing in this chapter is intended to supersede, alter or amend the administrative requirements listed in paragraph (G) of this rule.

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Promulgated under: 111.15

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Rule amplifies: 4905.04, 4905.06, 4905.22, 4905.28

4901:1-13-03 Retention of records and access to records and business activities.

- (A) Each gas and natural gas company shall maintain and have available for auditing and inspection any and all utility property and all associated equipment for examination and copy.
- (B) The regulations governing the retention and preservation of gas or natural gas company records are set forth in appendix A to rule 4901:1-9-06 of the Administrative Code.
- (C) Unless otherwise specified in this chapter, each gas or natural gas company shall maintain records for three years that are sufficient to demonstrate compliance with the rules of this chapter.
- (D) Access to records and business activities includes such records and activities as would allow the commission staff to effectively monitor Ohio-specific customer calls made to the gas or natural gas company. Access includes the ability of commission staff to adequately monitor gas or natural gas company customer call center interactions with Ohio customers either at a location in Ohio or in a manner agreed to by the commission staff. Gas and natural gas companies, other than small gas and small natural gas companies, shall provide access to monitor customer/consumer calls without the customer service representative's knowledge of the monitoring.

Replaces: 4901:1-13-02

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Prior effective dates: 1/1/88, 2/1/91, 2/11/94

4901:1-13-04 Metering.

- (A) Service provided by a gas or natural gas company shall be metered, except where it is impractical to meter the gas usage, such as in street lighting and temporary or special installations. The usage in such exceptions may be calculated or billed in accordance with an approved tariff on file with the commission.
- (B) A customer's usage shall be metered by commercially acceptable measuring devices. Meter accuracy shall also comply with the standards found in section 4933.09 of the Revised Code. No metering device shall be placed in service or knowingly allowed to remain in service if it violates these standards.
- (C) Gas or natural gas company employees or authorized agents of the gas or natural gas company shall have the right of access to the metering equipment for the purpose of

reading, replacing, repairing, or testing the meter, or determining that the installation of the metering equipment is in compliance with the company's requirements.

(D) Meter test at customer's request. Metering accuracy shall be the responsibility of the gas or natural gas company.

- (1) Upon request by a customer, the company shall test its meter to verify its compliance with section 4933.09 of the Revised Code, within thirty business days after the date of the request.
- (2) The customer or the customer's representative may be present when the meter test is performed at the customer's request.
- (3) A written explanation of the test results shall be provided to the customer within ten business days of the completed test.
- (4) Each company shall notify the customer of applicable charges prior to the test.
- (5) If the accuracy of the meter is found to be outside the tolerances specified in this rule, the gas or natural gas company shall do all of the following:
 - (a) Not charge a fee or recover any testing expenses from the customer.
 - (b) Provide a properly functioning meter without charge to the customer.
 - (c) Within thirty days, pay or credit any overpayment to the customer, in accordance with one of the following billing adjustments:
 - (i) When the company or customer has reasonably established the approximate period of meter inaccuracy, the overcharge shall be computed on the basis of a customer's metered usage prior and/or subsequent to such period consistent with the rates in effect during that period.
 - (ii) When the company and customer cannot reasonably establish the approximate period of meter inaccuracy, the overcharge period shall be determined to be the most recent twelve months, or the period since the date of the most recent meter test performed, whichever is less. The rates applicable shall be those in effect during the period of inaccuracy in order to determine the appropriate credit or refund.

Paragraph (D)(5) of this rule shall not apply in the event there has been either tampering with or unauthorized reconnection of the meter, metering equipment, or the gas or natural gas company's property during the involved period of time and which causes meter or metering inaccuracies or no measurement of service.

(E) Each gas or natural gas company shall identify each customer meter, which it owns, operates, or maintains, by serial or assigned meter numbers and/or letters, placed in a conspicuous position on the meter.

(F) Each gas or natural gas company shall:

(1) Maintain all of the following meter test records:

- (a) Date of customer's request for each test.
- (b) Date and reason for each test.
- (c) Test results.
- (d) Meter reading(s) before and after each test.
- (e) Accuracy "as found" and "as left."

(2) Keep all of the following records while the meter is in service:

- (a) Identification and location of the meter.
- (b) Date of installation.
- (c) Serial or assigned meter number.

(G) Meter reading.

(1) Each gas or natural gas company shall obtain actual readings of its customer meters at least once every twelve months. At a minimum, each company shall make reasonable attempts to obtain actual readings of its customer meters every other month, except where the customer and the company have agreed to other arrangements. Meter readings taken by electronic means (i.e., automated meter reading equipment) shall be considered actual readings. While remote meter index equipment readings may be used by a company, they do not qualify as actual meter readings. When billing customers based on estimated usage, the gas or natural gas company shall calculate the amount due using the applicable rate(s) in effect during each period of estimated usage.

- (a) Each gas or natural gas company shall submit a plan to the director of the commission's service monitoring and enforcement department to read all customer meters at least once every twelve months. Plans should include the steps, notices, and measures the company intends to take in order to read each customer's meter at least once every twelve months. Each gas or natural gas company shall update or resubmit its plan for review every three years.

- (b) If the director of the service monitoring and enforcement department or the director's designee rejects the plan or does not approve the company's plan within one hundred twenty days of submittal, the gas or natural gas company may file a request with the commission for a hearing seeking approval of its plan. The gas or natural gas company shall file a written report and provide documentation supporting its plan.
 - (c) Adherence to the procedures of a gas or natural gas company's plan, accepted under the terms of this rule, shall place that gas or natural gas company in compliance with the requirement to read each meter at least once every twelve months. Adherence to the plan will also create a rebuttable presumption in any complaint proceeding brought under section 4905.26 of the Revised Code, alleging that failure to read the meter at least once in the twelve-month period was a matter beyond the control of the gas or natural gas company.
- (2) If a gas or natural gas company fails to read a residential or small commercial customer's meter for any reason for any twelve-month period and the company has underestimated the customer's usage, the company may only bill the customer for the difference between the estimated usage and the actual usage under the terms of section 4933.28 of the Revised Code based upon the appropriate rates in effect at the time the gas or natural gas was used. If the company fails to read a residential or small commercial customer's meter for any twelve-month period and the company has overestimated the customer's usage, the company shall credit such customer for the overestimated usage at the appropriate rate(s) in effect at the time the gas or natural gas was used.
 - (3) When a gas or natural gas company has undercharged any small commercial customer as the result of a meter or metering inaccuracy or other continuing problem under the gas or natural gas company's control, unless the customer and the company agree otherwise, the maximum portion of the undercharge that may be billed to the customer in any billing month, based upon the appropriate rates, shall be determined by dividing the amount of the undercharge by the number of months of undercharged service. The undercharge shall be in compliance with division (B) of section 4933.28 of the Revised Code. Each gas or natural gas company shall state the total amount to be collected in the first bill under this rule. This paragraph shall not affect the gas or natural gas company's recovery of regular monthly charges. This paragraph shall not apply in the event there has been either the tampering with or the unauthorized reconnection of the meter, metering equipment, or the gas or natural gas company's property during the involved period of time and which causes meter or metering inaccuracies or no measurement of service.
 - (4) Upon the customer's request, and in addition to the requirements of paragraph (G)(1) of this rule, the gas or natural gas company shall provide two actual meter readings, without charge, per calendar year. The customer may only request an actual meter read, without charge, if the customer's usage has been estimated for more than two of the immediately preceding billing cycles consecutively or if the customer has

reasonable grounds to believe that the meter is malfunctioning. Nothing in the preceding sentence is intended to limit a customer's ability to obtain a meter read prior to transferring service to a new retail natural gas supplier or governmental aggregator as provided by paragraph (J) of rule 4901:1-29-06 of the Administrative Code.

- (5) Each gas or natural gas company is required to do an actual meter reading at the initiation and/or the termination of service if the meter has not been read within the immediately preceding seventy days and access to the meter is provided.
- (6) If a gas or natural gas company has read the meter within the immediately preceding seventy days, it shall inform the customer, when the customer contacts the company to initiate or terminate service, of the right to have an actual meter read at no charge to the customer. The gas or natural gas company could use the summary information provided at service initiation per rule 4901:1-13-06 of the Administrative Code to satisfy this paragraph's notification requirement when the customer contacts the company to initiate service.
- (7) When a meter read is scheduled through a menu-driven, automated interactive answering system that allows the customer to interact mechanically rather than through a live person, the gas or natural gas company shall provide confirmation (i.e., order confirmation number, written letter) to the customer by the following business day, verifying the nature of the interaction and any appointment made.
- (8) Where there is a landlord/tenant relationship and neither the gas or natural gas company nor the customer has access to the meter, the gas or natural gas company shall render notice by mail to both the landlord, when the address is available, and the tenant summarizing its inability to obtain access to the meter for any of the provisions of this rule.

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Rule amplifies: 4933.09, 4933.10, 4933.28

4901:1-13-05 Minimum customer service levels.

- (A) Service initiation and upgrades. Each gas or natural gas company shall complete the installation of new service at the following monthly average (based on a calendar year):
 - (1) Ninety per cent of residential and small commercial new service requests requiring no installation of gas pipelines shall comply with either one of the following requirements:

- (a) Requests will be completed within five business days after the gas or natural gas company has been notified that the customer's service location is ready for service and all necessary tariff and regulatory requirements have been met.
 - (b) Requests will be completed by the requested installation date, when a customer requests an installation date more than five business days after the customer's service location is ready for service and all necessary tariff and regulatory requirements have been met.
- (2) Ninety per cent of residential and small commercial new service installations requiring installation of the service line, including the setting of the meter, shall comply with either one of the following requirements:
 - (a) Requests will be completed within twenty business days after the gas or natural gas company has been notified the customer's service location is ready for service and all necessary tariff and regulatory requirements have been met.
 - (b) Requests will be completed by the requested installation date, when a customer requests an installation date more than twenty business days after the customer's service location is ready for service and all necessary tariff and regulatory requirements have been met.

Paragraph (A)(2) of this rule shall not apply to main line extension installations. For residential and small commercial customers placing requests for new service that require installation of main line extensions, the gas or natural gas company shall contact the customer within thirty days with an estimate of the cost of the main line extension and the amount, if any, of a deposit. In addition, the gas or natural gas company shall provide an estimated date to complete the main line extension.

- (3) Prior to initial operation or reestablishing residential or nonresidential gas service (including after an outage), the gas piping downstream of the meter shall be tested with a service drop installed for a gas appliance to determine that no leaks exist. Testing may be accomplished by pressure testing or dial testing as set forth in paragraphs (A)(3)(a) to (A)(3)(d) of this rule.
 - (a) When pressure testing, the test pressure shall be measured with a manometer or with a pressure measuring device designed and calibrated to read, record, or indicate a pressure loss due to leakage during the pressure test period.
 - (b) For new house lines at new installations, a pressure test shall be conducted at no less than one and one-half times the proposed maximum working pressure, but not less than three PSIG. Consideration shall be given to accommodate the manufacturer's inlet pressure specifications for connected appliances. Appliances may need to be isolated during the pressure test to prevent damage. All appliance drops shall be tested at a minimum of operating pressure. The test

duration shall be no less than one-half hour for each five hundred cubic feet of pipe volume or fraction thereof. When testing a system having a volume less than ten feet or a system in a single-family dwelling, the test duration shall be a minimum of ten minutes. The duration of the test shall not be required to exceed twenty-four hours.

- (c) For existing house lines when reestablishing gas service, a pressure test shall be conducted at operating pressure for a duration of no less than three minutes. When gas service has been off for less than thirty days (such as, during an outage), a dial test at operating pressure may be used in place of a pressure test. The duration of the dial test shall be no less than: five minutes for meters which have minimum registering dials showing one-fourth or one-half cubic foot; seven minutes for meters which have a minimum registering dial showing one cubic foot; ten minutes for meters which have a minimum registering dial showing two cubic feet; twenty minutes for meters which have a minimum registering dial showing five cubic feet; and thirty minutes for meters which have a minimum registering dial showing ten cubic feet.
 - (d) Prior to the reestablishment of service when gas has been disconnected or discontinued in a service line, the service line shall be tested in accordance with 49 C.F.R. 192 as of May 1, 2006. Bare steel services operating at a pressure less than one PSIG shall be tested at a minimum of three PSIG for a duration of no less than ten minutes. Bare steel service lines that have been previously abandoned shall not be returned to service. For purposes of this rule, "abandoned" shall mean pipe that was not intended to be used again for supplying of gas or natural gas, including a deserted pipe that is closed off to future use.
- (4) If a residential or small commercial customer complies with all pertinent tariff requirements and the gas or natural gas company cannot complete the requested service installation or service upgrade as set forth in paragraph (A)(1) or (A)(2) of this rule, the gas or natural gas company shall promptly notify the customer of the delay, the reasons for the delay, the steps being taken to complete the work, and the probable completion date. If a rescheduled completion date cannot be met, the customer shall be promptly notified. If the rescheduled completion date is delayed more than five business days, written notification shall be given to the customer including the reason(s) for the delay, the steps being taken to complete the work and the new rescheduled completion date. This notification process shall be repeated as necessary. Each subsequent missed completion date shall count as a missed service installation or upgrade for purposes of calculating performance under paragraph (A)(1) or (A)(2) of this rule.
 - (5) If the gas or natural gas company fails to complete the requested service installation or upgrade as set forth in paragraph (A)(1) or (A)(2) of this rule, as a result of a military action, war, insurrection, riot or strike or a failure by the residential or small commercial customer or the customer's agent to provide access to the premises when

necessary, such failure shall be reported but not be included in the monthly percentage calculation for this rule. Each gas or natural gas company must justify and document in its records each instance where it applied any of the exceptions listed in this paragraph.

- (B) Telephone response. On an average monthly basis (based on a calendar year), each gas or natural gas company's average answer time for customer service calls made to its customer service telephone number shall not exceed ninety seconds. A gas or natural gas company shall set its queue to minimize the number of disconnected calls and busy signals. The requirements in this paragraph do not apply to small gas and natural gas companies.
- (1) As used in this paragraph, "answer" means the service representative or automated system is ready to render assistance and/or accept the information necessary to process the call. Acceptance of an automated call back feature by a caller, allowing a caller to pick a later time to be called by a live company representative, shall satisfy the definition of answer.
 - (2) Answer time shall be measured from the first ring at the gas or natural gas company or, for companies using a menu-driven, automated, interactive answering system, at the point the caller begins to wait in queue.
 - (3) When a gas or natural gas company utilizes a menu-driven, automated, interactive answering system (referred to as the system), the initial recorded message presented by the system to the caller shall only identify the company and the general options available to the caller. The system should include the option of being transferred to a live attendant by selecting a zero on the phone in the first or second tier of caller options. At any time during the call, the caller shall be transferred to a live attendant if the caller fails to interact with the system for a period of fifteen seconds following any prompt or if the customer pushes zero. Calls handled exclusively by an automated system shall be included in the answer time measurement.
 - (4) Callers shall not be delayed from reaching the queue by any promotional or merchandising material not selected by the caller.
- (C) Scheduled appointments with customers. The gas or natural gas company shall provide all customers with an expected company arrival time window of four hours or less for all appointments requiring the customer to be present. On an average monthly basis (based on a calendar year), each gas or natural gas company shall complete ninety-five per cent of the scheduled appointments with its customers. When the gas or natural gas company will not be able to meet a scheduled appointment with a customer, the company shall reasonably attempt to notify the customer in advance of the failure to meet the appointment and arrange a new appointment date and time.
- (D) Reporting requirements.

- (1) When a gas or natural gas company does not meet the average monthly minimum service level set forth in paragraph (A), (B), or (C) of this rule, based on a calendar year, the gas or natural gas company shall notify the director of the commission's service monitoring and enforcement department or the director's designee in writing within sixty days after such failure. The notification shall include any factors that contributed to such failure, as well as any remedial action taken or planned to be taken or rationale for not taking any remedial action. Any failure to report the lack of compliance with the minimum service levels set forth in paragraph (A), (B), or (C) of this rule constitutes a violation of this rule.
- (2) The commission's staff shall review and evaluate the failure reports required by this rule and make any recommendations considered necessary to the commission or the gas or natural gas company.

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Rule amplifies: 4905.04, 4905.06, 4905.22, 4905.28

4901:1-13-06 Provision of customer rights and obligations.

Each gas or natural gas company shall provide new customers, upon application for service, and existing customers upon request, written summary information detailing who to contact concerning different rights and responsibilities under this chapter. This summary information shall be in clear and understandable language and delivered to customers. Each gas or natural gas company shall submit the initial version of the summary information and notice of each subsequent amendment thereafter to the director of the commission's service monitoring and enforcement department or the director's designee in writing for review prior to the first mailing of that version of the summary information to its customers. For purposes of this rule, "new customer" means a customer who opens a new account and has not received such summary information within the preceding year.

At a minimum, the summary information shall let customers know of the existence and how to get further information orally and in writing, relating to the following topics.

- (A) Complaint procedures available at the gas or natural gas company and the commission.
- (B) Customer rights and responsibilities including installation of service, payment of bills, disconnection and reconnection of service, meter testing, security deposits, rights to usage history, deferred payment plans, low-income assistance, information relating to the area's "one-call" or "call-before-you-dig" protection services, and service line responsibilities.
- (C) Requirements of company personnel on customer premises.

- (D) Availability of rate information and alternatives upon request.
- (E) A statement that customers may review a copy of the minimum gas service standards on the commission's website or obtain a copy from the commission upon request.
- (F) Privacy rights.
- (G) Actual meter readings.
- (H) Gas choice programs available to its customers, including information on slamming.
- (I) The summary information shall include the following statement:

"If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may call the Public Utilities Commission of Ohio (PUCO), toll-free at 1-800-686-7826 or for TDD/TTY toll-free at 1-800-686-1570, from 8:00 a.m. to 5:30 p.m. weekdays, or visit www.puco.ohio.gov.

The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll-free at 1-877-742-5622, from 8:00 a.m. to 5:00 p.m. weekdays, or visit www.pickocc.org."

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4901:1-13-07 Employee identification.

Any gas or natural gas company employee or agent seeking access to the customer's or landlord's premises shall, upon request, identify himself/herself, provide company photo identification, and state the reason for the visit.

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4901:1-13-08 Standards specific to the provision of small commercial gas service.

This rule addresses standards involving creditworthiness, deposits, bases for denial or disconnection, notice requirements and reconnection for small commercial customers. Standards applicable to the provision of residential gas service are set forth in Chapters 4901:1-17 and 4901:1-18 of the Administrative Code.

(A) Creditworthiness for establishing small commercial gas service.

- (1) Each gas or natural gas company shall establish equitable and nondiscriminatory written procedures to determine creditworthiness of customers for small commercial gas service. These procedures shall be submitted in current form to the commission staff upon request.
- (2) Upon request, each gas or natural gas company shall provide small commercial gas service customers with their credit history with that company, a copy of this rule, the commission's website, and the local, toll-free and TDD/TTY numbers of the commission's consumer hotline.

(B) Deposits for establishing and reestablishing small commercial gas service.

- (1) Review of deposit upon small commercial customer request.
 - (a) Each gas or natural gas company which requires a cash deposit shall communicate all of the following to the small commercial customer:
 - (i) The reason(s) for its decision.
 - (ii) Options available to establish credit.
 - (iii) The small commercial customer may contest the company's decision and show creditworthiness.
 - (iv) The small commercial customer may raise concerns with the public utilities commission of Ohio, which has staff available to provide assistance with complaints.
 - (v) The commission's website and the local, toll-free and TDD/TTY numbers of the commission's call center.
 - (b) Upon request of the small commercial customer, the information in paragraph (B)(1)(a) of this rule shall be provided in writing.
- (2) Upon acceptance of a deposit under this rule, each gas or natural gas company shall furnish a receipt to the small commercial customer which shows all of the following: the name of the small commercial customer; the address of the premises currently served or to be served; the billing address for service; the amount of the deposit; a

statement as to the interest rate to be paid; the length of time the deposit must be held to qualify for interest; and the conditions for refunding the deposit.

- (3) In retaining and returning deposits for small commercial gas service, the gas or natural gas company shall do all of the following:
 - (a) Review, on a biennial basis, each small commercial account for which a deposit has been held for twenty-four months and promptly refund the deposit or credit the small commercial customer's account, plus any interest accrued, if during the preceding twenty-four months all of the following conditions are satisfied:
 - (i) The small commercial customer's service was not disconnected for nonpayment, a fraudulent practice, tampering, or unauthorized reconnection.
 - (ii) The small commercial customer had no more than three past due bills.
 - (iii) The small commercial customer is not then delinquent in payment of bills.
 - (b) Pay interest of not less than three per cent per annum on a deposit, provided the company has held the deposit for at least six consecutive months.
 - (c) When service is terminated or disconnected, promptly apply the deposit and interest accrued to the final bill for service and refund any amount in excess of the final bill to the small commercial customer. A transfer of service from one premise to another premise within the gas or natural gas company territory or service area shall not be deemed a disconnection under this paragraph.
- (C) Reasons to deny or disconnect small commercial service. Each gas or natural gas company may refuse or disconnect service to small commercial customers for only the following reasons:
 - (1) When the small commercial customer violates or fails to comply with a contract approved by the commission pursuant to section 4905.31 of the Revised Code, or the gas or natural gas company tariff(s).
 - (2) When gas or natural gas company service to a small commercial customer or consumer violates any law of this state or any political subdivision thereof, or any federal law or regulation.
 - (3) When a small commercial customer or consumer tampers with gas or natural gas company property or engages in a fraudulent practice to obtain service, as set forth in rule 4901:1-13-09 of the Administrative Code.

- (4) For using gas or equipment which adversely affects gas or natural gas company service to other customers or consumers, e.g., interruptions of service.
 - (5) When a safety hazard or emergency may threaten the health and safety of any of the following: the premises, occupants of the premises, the surrounding area, the public, the gas or natural gas company's personnel, or the operation or integrity of the gas or natural gas company's facilities.
 - (6) When the small commercial customer, landlord of the small commercial customer, or tenant leasing the landlord or small commercial customer's premises repeatedly refuses access to gas or natural gas company facilities or equipment on the property.
 - (7) For nonpayment of small commercial gas or natural gas company bills and any tariffed charges, including deposits and amounts not in bona fide dispute. Where the small commercial customer has registered an informal complaint with the commission's staff or filed a formal complaint with the commission which reasonably asserts a bona fide dispute, the gas or natural gas company shall not disconnect service if the small commercial customer pays either the undisputed portion of the bill or the amount paid for the same billing period in the previous year.
 - (8) When the small commercial customer vacates the premises.
 - (9) For repairs, provided that the gas or natural gas company has reasonably attempted to notify the small commercial customer and, if the small commercial customer is not located at the service location, the consumer prior to scheduled maintenance interruptions in excess of six hours.
 - (10) Upon the small commercial customer's request.
 - (11) When a former small commercial customer, whose account with that gas or natural gas company is still in arrears for service previously furnished at the premises has again requested service for that premise.
 - (12) When a small commercial customer does not meet the gas or natural gas company's creditworthiness standards.
 - (13) For other good cause shown.
- (D) Notice requirements when disconnecting small commercial service.
- (1) Except as otherwise provided by contract approved by the commission pursuant to section 4905.31 of the Revised Code, each gas or natural gas company shall give the small commercial customer written notice, not less than five business days after the postmark date, before service is disconnected, when any of the following conditions exist:

- (a) Violation of or noncompliance with the contract or gas or natural gas company's tariff(s) which applies to small commercial customer service.
 - (b) The small commercial customer refuses access to gas or natural gas company facilities or equipment on the property.
 - (c) For nonpayment of bills and any tariffed charges, including security deposits and amounts not in a bona fide dispute. Where the customer has registered a complaint with the commission call center or filed a formal complaint with the commission which reasonably alleges a bona fide dispute, the gas or natural gas company shall not disconnect service if the customer pays either the undisputed portion of the bill or the amount paid for the same billing period in the previous year.
- (2) Prior notice from the gas or natural gas company is not required when either of the following conditions exist:
- (a) When a safety hazard or emergency may threaten the health or safety of any of the following: the premises, occupants of the premises, the surrounding area, the public, the gas or natural gas company's personnel, or the operation or integrity of the gas or natural gas company's facilities.
 - (b) When a customer or consumer tampers with gas or natural gas company property.
- (3) The disconnection notice itself or the documents accompanying the disconnection notice shall clearly display all of the following:
- (a) The delinquent or invoiced billing account number.
 - (b) The dollar amounts for any past due amounts, any reconnection charge, and any deposit owed.
 - (c) The earliest date when disconnection may occur.
 - (d) The address and toll-free telephone number of the gas or natural gas company office for customers to contact about their account.
 - (e) A statement that the commission staff is available to render assistance with unresolved complaints, and the commission's current address, the local, toll-free and TDD/TTY numbers of the commission's call center, and the commission's website address.
 - (f) If applicable, a statement that the small commercial customer's failure to pay the amount required at the gas or natural gas company's office or to one of its

authorized agents or by other acceptable available means by the date specified in the notice may result in a deposit and in a charge for reconnection.

- (g) If applicable, a statement that the nonpayment of charge(s) for ancillary service unrelated to regulated distribution service shall not result in the disconnection of regulated gas distribution service.

(E) Reconnection of small commercial service.

- (1) Unless a small commercial customer requests or agrees otherwise, a gas or natural gas company shall reconnect service by the close of the following regular working day after any of the following occurs:
 - (a) The gas or natural gas company receives the full amount in arrears, for which service was disconnected, and the gas or natural gas company receives any deposit authorized under these rules and any tariffed charges.
 - (b) The gas or natural gas company agrees with the customer on a deferred payment plan and already received a payment (if required under the plan), and the gas or natural gas company receives any deposit authorized under these rules and any tariffed charges.
 - (c) The customer establishes that the conditions that warranted disconnection of service have been eliminated.
- (2) Before small commercial gas service is reconnected, a gas or natural gas company may not require a small commercial customer to pay any of the following to have service reconnected:
 - (a) Any amount owed but not yet past due.
 - (b) When the small commercial customer has multiple small commercial accounts, any amount owed or overdue on those other small commercial accounts.

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Rule amplifies: 4905.04, 4905.06, 4905.22, 4905.28

4901:1-13-09 Fraudulent practice, tampering, and theft of gas service.

- (A) Each gas or natural gas company shall establish and maintain an antitheft and antitampering plan.

(B) Disconnection of service for tampering or unauthorized reconnection.

- (1) A gas or natural gas company may disconnect service for safety reasons without prior notice to a customer when either of the following occurs:**
 - (a) The gas service meter, metering equipment, or associated property was damaged, interfered with, displaced, bypassed, or otherwise tampered with by a customer, consumer, or other person.**
 - (b) A person not authorized by the gas or natural gas company has reconnected service.**
- (2) Each gas or natural gas company that has disconnected service under this paragraph shall tag or seal the customer's meter and hand-deliver written notice to the customer or consumer at the service location. If neither the customer nor an adult consumer is present, the gas or natural gas company shall attach a prominent written notice to a conspicuous place on the premises. When a gas or natural gas company reasonably believes that tagging or sealing the meter, hand delivering notice, or posting notice may jeopardize employee safety, it shall promptly mail the notice, return receipt requested, to the customer and consumer if the customer is not located at the service location. The notice shall include the following information:**
 - (a) Service was disconnected because either the meter, metering equipment and/or gas or natural gas company property was tampered with, or a person not authorized by the gas or natural gas company reconnected the customer's service.**
 - (b) The gas or natural gas company's telephone number and notice that the customer may contest the disconnection by requesting an opportunity to discuss the matter with a company representative.**
 - (c) If the customer does not contest the disconnection, no gas or natural gas company is required to restore service until the customer has provided satisfactory assurances that such tampering or unauthorized reconnection has ceased and has paid or made satisfactory arrangements to pay the company an amount which the company calculates for unmetered service, any defaulted amount, any damage to company equipment or meter, any security deposit (consistent with rules 4901:1-13-08 and 4901:1-17-05 of the Administrative Code), and any tariffed reconnection and investigation charges.**
 - (d) A statement that:**

"If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may call the Public Utilities Commission of Ohio (PUCO), toll-free at 1-800-686-7826 or for

TDD/TTY toll-free at 1-800-686-1570, from 8:00 a.m. to 5:30 p.m. weekdays, or visit www.puco.ohio.gov.

The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll-free at 1-877-742-5622 from 8:00 a.m. to 5:00 p.m. weekdays, or visit www.pickocc.org."

- (3) If the customer contests the disconnection, the company shall timely mail or deliver its decision to the customer.
- (C) Disconnection of service for fraudulent practice.
- (1) A gas or natural gas company may disconnect service, after providing notice to the customer pursuant to this paragraph, when a customer uses any fraudulent practice to obtain or maintain service. Before it may disconnect service for a fraudulent practice, each gas or natural gas company shall deliver or send a written notice to the customer or consumer at the service location.
 - (2) The notice shall include the following information:
 - (a) The alleged fraudulent practice.
 - (b) The gas or natural gas company telephone number and notice that the customer may contest the company's findings by requesting an opportunity to discuss the matter with a company representative.
 - (c) The gas or natural gas company may disconnect service if either:
 - (i) The customer does not contact the gas or natural gas company to contest the findings of fraudulent practice within three business days after receiving this notice.
 - (ii) The customer does not provide a satisfactory explanation to the company.
 - (d) If service is disconnected, the gas or natural gas company is not required to reconnect service until the customer pays or makes satisfactory arrangements to pay the company the bill for service which was fraudulently obtained or maintained, any security deposit (consistent with rules 4901:1-13-08 and 4901:1-17-05 of the Administrative Code), and any tariffed reconnection and investigation charges.
 - (e) A statement that:

"If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may call the Public Utilities Commission of Ohio (PUCO), toll-free at 1-800-686-7826 or for

TDD/TTY toll-free at 1-800-686-1570, from 8:00 a.m. to 5:30 p.m. weekdays, or visit www.puco.ohio.gov.

The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll-free at 1-877-742-5622 from 8:00 a.m. to 5:00 p.m. weekdays, or visit www.pickocc.org."

- (3) A gas or natural gas company may terminate service for a fraudulent practice when the customer fails to contest the disconnection with the company within three business days after delivery of the written notice required by this paragraph. Should the customer fail to satisfy the claims of fraud, the company may terminate service two business days after the customer receives the gas or natural gas company's written adverse decision regarding the matter. Notice of actual disconnection shall be left for the customer or consumer at the service location in a conspicuous location. When a company reasonably believes that posting the notice of actual disconnection may jeopardize employee safety, it shall promptly mail the notice, return receipt requested, to the customer and consumer (if the customer is not located at the service location).
- (D) Each gas or natural gas company shall maintain records which include the basis for its decision.

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4901:1-13-10 Complaints and complaint-handling procedures.

- (A) As used in this rule, customer/consumer complaint means a customer/consumer contact when such contact necessitates follow-up by or with the gas or natural gas company to resolve a point of contention.¹⁰
- (B) Each gas or natural gas company shall make good faith efforts to settle unresolved disputes, which may include meeting with the customer/consumer at a reasonable time and place.
- (C) Except as ordered by the commission or directed by the commission staff in disconnection or emergency cases, each gas or natural gas company shall investigate customer/consumer complaints and, unless otherwise agreed to, provide a status report within three business days of the date of receipt of the complaint to the customer/consumer, when investigating a complaint made directly to the gas or natural gas company, and to the customer/consumer and commission staff, when investigating a complaint referred to the gas or natural gas company by the commission or commission staff.

- (D) If an investigation is not completed within ten business days, each gas or natural gas company shall provide status reports to update the customer/consumer, or update the customer/consumer and commission staff when investigating a complaint referred to the gas or natural gas company by the commission or commission staff, either orally or in writing, at five-business-day intervals, unless otherwise agreed to, until the investigation is complete.
- (E) Each gas or natural gas company shall inform the customer/consumer, and commission staff when involved, of the results of the investigation, orally or in writing, no later than five business days after completion of the investigation. The customer/consumer or commission staff may request the final report to be in writing.
- (F) If the customer/consumer disputes the gas or natural gas company's report(s), each gas or natural gas company shall inform the customer/consumer that the commission staff is available to mediate complaints. The company shall provide the customer/consumer with the commission's current address, website, local and toll-free telephone numbers, and TDD/TTY toll-free telephone number of the commission's call center.

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Rule amplifies: 4905.261

4901:1-13-11 Gas or natural gas company customer billing and payments.

- (A) This rule applies to gas or natural gas company bills that do not include any CRNGS supplier charges. Requirements for natural gas consolidated billing appear in rule 4901:1-29-12 of the Administrative Code.
- (B) Bills issued by or for the gas or natural gas company shall be accurate and rendered at regular intervals and shall contain clear and understandable form and language. Each bill shall display all of the following information:
 - (1) The customer's name, billing address, service address, and account number.
 - (2) The gas or natural gas company's name and its payment address.
 - (3) The gas or natural gas company's twenty-four hour, local or toll-free telephone number for reporting service emergencies.
 - (4) A statement that customers with bill questions or complaints should call or write the gas or natural gas company first. The bill shall list the gas or natural gas company's

local or toll-free telephone number(s) and the address where a question or complaint may be sent.

- (5) The following text:

"If your complaint is not resolved after you have called (name of utility), or for general utility information, residential and business customers may call the Public Utilities Commission of Ohio (PUCO), toll-free at 1-800-686-7826 or for TDD/TTY toll-free at 1-800-686-1570, from 8:00 a.m. to 5:30 p.m. weekdays, or visit www.puco.ohio.gov.

The Ohio Consumers' Counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted toll-free at 1-877-742-5622, from 8:00 a.m. to 5:00 p.m. weekdays, or visit www.pickocc.org."

- (6) A rate schedule, if applicable.
- (7) The dates of the service period covered by the bill.
- (8) The billing determinants, if applicable:
- (a) Beginning meter reading(s).
 - (b) Ending meter reading(s).
 - (c) Multiplier(s).
 - (d) Consumption(s).
- (9) The gas cost recovery rate expressed in dollars and cents per mcf or ccf.
- (10) The total charge attributable to the gas cost recovery rate expressed in dollars and cents.
- (11) The identification of estimated bills.
- (12) The due date for payment.
- (13) The total charges for the current billing period.
- (14) Any late payment charge or gross and net charges, if applicable.
- (15) Any unpaid amounts due from previous bills, customer credits, and total amounts due and payable.

- (16) The current balance of the account, if the residential customer is billed according to a budget plan.
 - (17) The current gas and electric charges separately, if the customer is billed for gas and electric service on the same bill.
 - (18) If applicable, each charge for nontariffed, nonregulated service(s).
 - (19) Any nonrecurring charge(s).
 - (20) Any payment(s) or credit(s) applied to the account during the current billing period.
 - (21) If applicable, all the PIPP billing information:
 - (a) Current PIPP payment.
 - (b) PIPP payments defaulted (i.e., past due).
 - (c) Total PIPP amount due.
 - (d) Total account arrearage.
 - (22) An explanation of codes and abbreviations used.
 - (23) If a customer's selected CRNGS supplier or governmental aggregator bills separately for its supplier charges, the supplier's name and a statement that such supplier is responsible for billing the gas supplier charges and such supplier will separately bill the customer for that component of natural gas service.
 - (24) The customer's historical consumption during each of the preceding twelve months, with a total and average consumption for such twelve-month period, if the company has a choice program.
 - (25) A prominently displayed "apples-to-apples" notice, if the company has a choice program.
 - (26) A statement, either appearing directly on the bill, in a bill insert, or as a separate mailing, of any payment arrangement agreed upon by the customer and the company.
 - (27) Other information required by Ohio law or commission rule or order.
- (C) All bills shall not be due earlier than fourteen days from the date of the postmark on the bill. If the bill is sent electronically, the bill shall not be due earlier than fourteen days from the date of the electronic postmark on the bill. If the bill is mailed by means that does not place a postmark on the bill (i.e. such as permit mailing), the bill shall not be due earlier

than fourteen days from the date on the actual bill. All bills mailed without postmarks shall be mailed no later than the day listed on the bill.

- (D) A gas or natural gas company proposing any new bill format shall file its proposed bill format with the commission for approval. 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.
- (E) Payment methodologies and parameters
 - (1) Each gas or natural gas company shall make payment options available in a number of ways. Those ways may include, but are not limited to: cash, check or money order payments in person to the company or a payment agent; check or money order through the mail; check over the telephone; credit card; or electronic money transfers. Each gas or natural gas company shall, upon request, provide customers with an updated list of its available payment options and descriptions thereof. The list shall also include the name and street address/location of the nearest payment center and/or local authorized agent, and all applicable fees for utilizing the various methods available for payment of customer bills. The gas or natural gas company may not deny a customer the use of one or more of the payment options solely because the customer's account is in arrears.
 - (2) Each gas or natural gas company shall not charge more than two-times the cost of a first-class postage stamp for processing their payments by cash, check or money order at authorized agent locations. Customers may not be charged for processing their payments by check or money order through the mail. Customers may be charged for processing their payments by check over the telephone, by credit card, or electronic money transfers and such charges will be evaluated by the commission.
 - (3) When a customer pays the bill at the gas or natural gas company's business office or to an authorized agent of the company, the payment, including any partial payment, shall be immediately credited to the customer's account where feasible, and, in any event, be credited to the customer's account as of the date received at the business office or by the agent. When a customer pays the bill by check or money order through the mail; by check over the telephone; by credit card; or electronically, the customer's account shall be credited immediately where feasible and, in any event, within two business days of receipt at the gas or natural gas company's business office.
 - (4) No gas or natural gas company shall disconnect service to a customer who pays the total amount due (or an amount agreed upon between the gas or natural gas company and the customer to prevent disconnection) on the account by the close of business on the disconnection date listed on the disconnection notice. Payment received by an authorized agent of the gas or natural gas company shall constitute receipt of payment by the company.

- (5) Each gas or natural gas company shall establish a written policy for its personnel at its business offices and for its authorized agents to handle billing disputes, requests for payment arrangements, and for the reporting of payments made by customers due to their receipt of a disconnection notice, in order to prevent disconnection of service. If such matters cannot be handled by an agent authorized to accept payments, the agent shall provide customers with the gas or natural gas company's local or toll-free number.
- (F) Any gas or natural gas company that issues billing statements electronically shall comply with each of the following requirements:
- (1) A customer receiving a billing statement electronically shall not be required to pay that bill electronically or pay electronically any future bill statements. All payment methods shall continue to be available to the customer.
 - (2) No enrollment or usage fees shall be assessed to a customer who chooses to receive bills and/or customer information electronically.
 - (3) The electronic billing statement shall include all requirements listed in paragraph (B) of this rule.
 - (4) The gas or natural gas company shall maintain a secure and encrypted internet location that is to be accessed only by the customer of record after completing a secure registration process.
 - (5) Any fees to accept electronic payments shall be clearly disclosed in payment window(s).
 - (6) Any payment made electronically shall be treated as a payment made at the company business office and shall be posted to the account in accordance with paragraph (E)(3) of this rule. The time needed to post the payment to the account shall be clearly stated.
- (G) Handling partial payments
- (1) Each gas or natural gas company shall credit any customer's partial payments in the following order:
 - (a) First, credit past due distribution and sales service charges.
 - (b) Second, credit current distribution and sales service charges.
 - (c) Third, credit past due and current nonregulated charges
 - (2) Budget billing payments and payments in full of the undisputed amount related to a bona fide dispute do not constitute partial payments. Payments made on accounts for

which there is a bona fide dispute shall be credited to the undisputed portion of the account.

- (H) Any billing adjustments shall be made according to paragraph (G) of rule 4901:1-13-04 of the Administrative Code.

Replaces: 4901:1-18-09

Effective: 12/7/06

R.C. 119.032 Review date: 9/30/07

Promulgated under: 111.15

Statutory authority: 4905.04, 4905.06, 4905.22, 4905.28

Rule amplifies: 4905.30, 4933.17, 4933.122

Prior effective dates: 7/27/80, 6/13/81, 7/1/99, 9/1/04, 4/6/06

4901:1-13-12 Consumer safeguards and information.

- (A) Each gas or natural gas company shall maintain a listing including the twenty-four hour emergency number in each local telephone service provider's directory operating in the gas or natural gas company's service territory.
- (B) The commission staff may review and/or request modification of informational, promotional, and educational materials.
- (C) Unfair and deceptive acts or practices.

No gas or natural gas company shall commit an unfair or deceptive act or practice in connection with the promotion or provision of service, including an omission of material information. An unfair or deceptive act/practice includes, but is not limited to, the following:

- (1) A gas or natural gas company states to a customer that distribution service will or may be disconnected unless the customer pays any amount due for ancillary service unrelated to regulated distribution service.
 - (2) A gas or natural gas company charges a customer for a service in which the customer did not make an initial affirmative order. An affirmative order means that a customer must positively elect to subscribe to a service before it is added to the account. Failure to refuse an offered or proposed service is not an affirmative order for the service.
- (D) Customer-specific information.
- (1) Except as otherwise provided in rule 4901:1-29-09 of the Administrative Code, a gas or natural gas company shall only disclose a customer's account number without the customer's written consent for gas or natural gas company credit evaluation, collections and/or credit reporting or pursuant to court order or subpoena.

- (2) Except as otherwise provided in rule 4901:1-29-09 of the Administrative Code, a gas or natural gas company shall only disclose a customer's social security number without the customer's written consent for gas or natural gas company credit evaluation, collections and/or credit reporting or as ordered by the commission, other governmental agency or pursuant to court order or subpoena.
 - (3) When required by this rule, the gas or natural gas company must obtain the customer's signature on the consent form prior to releasing the customer's social security number. The consent form shall be on a separate piece of paper and shall be clearly identified on its face as a release of personal information and all text appearing on the consent form shall be in at least sixteen point type. The following statement shall appear prominently on the consent form, just prior to the signature, in type darker and larger than the type in surrounding sentences: "I realize that under the rules and regulations of the public utilities commission of Ohio, I may refuse to allow (name of the gas or natural gas company) to release the information set forth above. By my signature, I freely give (name of the gas or natural gas company) permission to release the information designated above." The information that the gas or natural gas company seeks to release shall be specified on the form. Forms requiring a customer to circle or to check off preprinted types of information to be released may not be used.
- (E) Upon customer request, a gas or natural gas company shall timely provide twelve months of a customer's usage history and twenty-four months of a customer's payment history to the customer.

Effective: 12/7/06

R.C. 119.032 Review date: 9/30/09

Promulgated under: 111.15

Statutory authority: 4905.04, 4905.06, 4905.22, 4905.28

Rule amplifies: 4905.04, 4905.06, 4905.22, 4905.28

4901:1-13-13 Uniform system of accounts for gas companies.

- (A) Natural gas companies subject to the jurisdiction of the public utilities commission of Ohio shall keep their books of accounts and records in accordance with the uniform system of accounts from time to time prescribed by the federal energy regulatory commission except to the extent that the provisions of said uniform system of accounts are inconsistent in any way with any outstanding orders of the public utilities commission of Ohio.
- (B) The public utilities commission of Ohio reserves to itself the right to require the creation and maintenance of such additional accounts as may hereafter be prescribed to cover the accounting procedures of natural gas companies operating within the state of Ohio.

Replaces: 4901:1-13-01

Effective: 12/7/06

R.C. 119.032 Review date: 9/30/09

Promulgated under: 111.15

Statutory authority: 4905.04, 4905.06, 4905.22, 4905.28

Rule amplifies: 4905.13

Prior effective dates: 2/1/91

EXHIBIT C-2

The Commission, in Case No. 05-602-GA-ORD, promulgated minimum gas service standards ("MGSS") contained in Chapter 4901:1-13, Ohio Administrative Code. Under Rule 4901:1-13-02(E), the rules contained in the MGSS "supersede any inconsistent provisions, terms, and conditions of the gas or natural gas company's tariffs." The tariff changes contained in this Application are intended to harmonize the Company's tariffs with the MGSS requirements.