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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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Case No. 03-888-AU-ORD

In the Matter of the Commission's Review of :  
its Rules at Chapters 4901:1-17 and 4901:1-18, :  
Ohio Administrative Code, Regarding the :  
Establishment of Credit for Residential Utility :  
Services and the Disconnection of Natural Gas :  
or Electric Service to Residential Customers, :  
Respectively. :

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MOTION FOR WAIVER  
OF  
KNG ENERGY, INC.

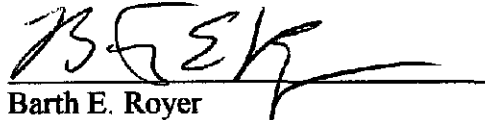
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By its entry in this docket of March 2, 2005, the Commission directed natural gas and/or electric distribution utilities that had not yet responded to the Commission's August 11, 2004 entry in that docket to submit a copy of its current bill format for staff review to confirm compliance with the requirements of recently-enacted Rule 4901:1-18-09, Ohio Administrative Code (OAC). At the time, KNG Energy, Inc. ("KNG") was in the process of revising its bill format and securing new billing software. Thus, rather than submitting a copy of its then-current bill format, KNG submitted its proposed bill format to the staff for review. As a result of subsequent discussions with staff, KNG made certain modifications to its proposed bill format to comply with the requirements of the new rule and has, this date, filed an application for approval of a new bill format in Case No. 07-42-GA-UNC pursuant to Rule 4901:1-18-09(C), OAC. However, because KNG has no percentage of income payment plan ("PIPP") customers, it hereby moves for a waiver of the Rule 4901:1-18-09(B)(21), OAC, requirement that, "(i)f applicable," residential bills shall display certain PIPP billing information. A memorandum in support of this motion for waiver is attached.

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WHEREFORE, KNG requests that its motion for waiver be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. E. Royer", is written over a horizontal line.

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Attorney for KNG Energy, Inc.

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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MEMORANDUM IN SUPPORT  
OF  
MOTION FOR WAIVER  
OF  
KNG ENERGY, INC.

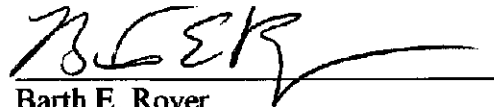
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Rule 4901:1-18-09(B)(21), Ohio Administrative Code ("OAC"), provides that "(i)f applicable," residential bills shall display certain percentage of income payment program ("PIPP") billing information. KNG Energy, Inc. ("KNG") is small natural gas distribution company that serves approximately 900 residential customers located in an around the Village of Kalida, Ohio and in certain areas in Hancock, Seneca, and Wood Counties, Ohio. On those rare occasions when nonpayment by a residential customer has become an issue, KNG has established payment plans for delinquent customers in accordance with Rule 4901:1-18-05(B)(3), OAC. However, KNG does not now have, nor has it ever had, any PIPP customers. Thus, the Rule 4901:1-18-09(B)(21), OAC, requirement does not apply. However, in the event that, at some point in the future, it becomes necessary for KNG to insist that a delinquent income-eligible jurisdictional customer participate in the PIPP program as a condition of maintaining service, KNG will, of course, develop a bill format that includes the information required by Rule 4901:1-18-09(B)(21), OAC, and will submit the format to the Commission for

approval. Accordingly, KNG requests that the Commission find that it is not currently subject to the requirements of Rule 4901:1-18-09(B)(21), OAC, or, alternatively, that the Commission waive those requirements at this time. Such a finding would be consistent with the Commission's entry of June 8, 2005 in Case No. 03-888-AU-ORD, wherein the Commission granted similar requests by other small natural gas distribution companies that do not currently have PIPP customers.

For those reasons set forth above, KNG respectfully requests that its motion for waiver be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. E. Royer', with a long horizontal flourish extending to the right.

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