

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Orwell Natural Gas Company to File)
Schedules Fixing Rates to be Charged)
in Unincorporated Areas Not Served) Case No. 07-163-GA-ATA
Pursuant to Ordinance Rates and)
Implement a Purchased Gas)
Adjustment Clause.)

FINDING AND ORDER

The Commission finds:

- (1) The Applicant, Orwell Natural Gas Company (Orwell), is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On February 16, 2007, Orwell filed an application to establish rates and tariffs in its unincorporated areas. Orwell filed an amended application on June 8, 2007. Orwell has for many years furnished gas service to the Village of Orwell and West Farmington pursuant to rates established by local ordinances, with the purchase gas adjustment calculation being filed with the villages. Orwell has also served the unincorporated areas surrounding the Villages of Orwell and West Farmington along with the incorporated areas under service agreements approved by the Commission in Case No. 01-2940-GA-AEC. Prior to this application Orwell has never provided natural gas distribution, sales and transportation service pursuant to jurisdictional tariff rates approved by the Public Utilities Commission of Ohio (Commission). By filing this application Orwell proposes to provide tariffed Small General Service, Large General Service, General Transportation Service and Large General Transportation Service and to implement a gas cost recovery mechanism (GCR). Orwell also has proposed a late payment charge, returned check charge, meter test charge, tie-in charge, field collection charge, reconnection charge, new service tap charge and a meter charge.

Orwell, in its amended application filed on June 8, 2007, has also added comprehensive conditions of the service section to comply with the Minimum Gas Service Standards, including but not limited to language regarding metering and billing procedures,

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disconnection of service, procedures for credit and deposits and extension of mains. All of the above provisions are consistent with tariff provisions approved by the Commission for other gas companies.

- (3) As a part of this application to amend its tariffs, Orwell proposes to implement a purchase gas adjustment clause containing an initial Gas Cost Recovery (GCR) rate of \$8.9847 per Mcf.
- (4) As Orwell's rates will now be set by tariff, Orwell will not be entering into individual contract with each of its customers. Therefore, our pre-granted approval of service agreements, and the concomitant obligation to file notice of such agreements with the Commission, will terminate as of the effective date of the new tariffs.
- (5) The Commission has reviewed the application and finds that the proposed changes, modifications and additions are consistent with the tariff provisions of other Commission-regulated natural gas utilities and with Commission rules. Orwell is also authorized to begin filing quarterly GCR rates. Subsequent quarterly GCR rates will be filed no later than 14 days prior to their effective date and, for the remainder of 2007, shall be filed in this docket. GCR rates filed in 2008 will be filed in Case No. 08-204-GA-GCR. Orwell's GCR rates will be subject to Commission jurisdiction and audits as required by Section 4905.302, Revised Code, and Rule 4901:1-14-07, Ohio Administrative Code.
- (6) This application has been filed pursuant to Section 4909.18, Revised Code. The Commission finds that the application seeks to establish rates and charges by tariff for services previously provided by individual contracts. We conclude that the proposed tariff provisions filed in this docket constitute a "first filing" by Orwell and, therefore, do not constitute, as a matter of law, an application for an increase in rates. *Cookson Pottery v. Pub. Util. Comm.* (1954), 161 Ohio St. 498; *City of Cleveland v. Pub. Util. Comm.* (1981), 67 Ohio St.2d 446. The Commission has reviewed the application and finds that the proposed tariff does not appear to be unjust or unreasonable. Therefore, the Commission finds that it is unnecessary to hold a hearing in this matter and that the application should be approved.

It is, therefore,

ORDERED, That Orwell's application is approved. It is, further,

ORDERED, That Orwell is authorized to file in final form four complete printed copies of its revised tariffs consistent with the findings of this Finding and Order, and to cancel and withdraw its superseded tariffs. Orwell shall file one copy in this case docket and one copy in its TRF docket (or may make such filing electronically, as directed in Case No. 06-900-AU-WVR). The remaining two copies shall be designated for distribution to the Commission Staff. It is, further,

ORDERED, That the effective date of the proposed tariffs shall be a date not earlier than both the date of this Finding and Order and the date upon which four complete, printed copies of final tariffs are filed with the Commission. The new tariffs shall be effective for bills rendered on or after such effective date. It is further,

ORDERED, That an initial Gas Cost Recovery Rate of \$ 8.9847 per Mcf is approved. It is, further,

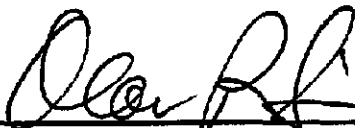
ORDERED, That Orwell is authorized to file quarterly GCR rates consistent with Finding (5) above. It is, further,

ORDERED, That subsequent GCR filings for Orwell in calendar year 2007 shall be filed in this docket and GCR rates for calendar year 2008 will be filed in Case No. 08-204-GA-GCR. It is, further,

ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule or regulation of Orwell Natural Gas Company. It is, further,

ORDERED, That a copy of this Order be served on Orwell Natural Gas Company.

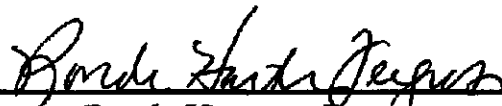
THE PUBLIC UTILITIES COMMISSION OF OHIO




Alan R. Schriber, Chairman



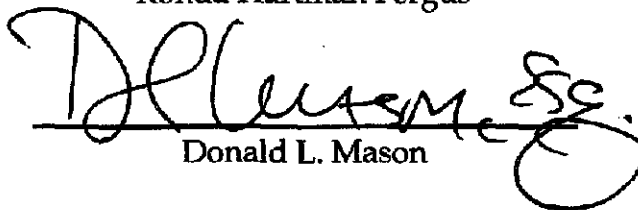
Paul A. Centolella



Ronda Hartman Fergus



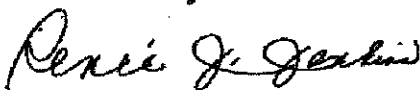
Valerie A. Lemmie



Donald L. Mason

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Renee J. Jenkins
Secretary