

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Glenwood Energy of Oxford, Inc. for)
Commission Approval of the Purchase of) Case No. 07-1025-GA-ATR
Property, Plant or Business of Oxford)
Natural Gas Company.)

In the Matter of the Application of)
Glenwood Energy of Oxford, Inc. for)
Commission Authorization to Operate as) Case No. 07-1026-GA-ATA
a Natural Gas Company and Approval of)
its Tariff.)

FINDING AND ORDER

The Commission finds:

- (1) On September 18, 2007, Glenwood Energy of Oxford, Inc., ("Glenwood") filed an application requesting that the Commission approve its purchase of certain assets of Oxford Natural Gas Company ("ONG"). The application also requests that the Commission authorize Glenwood to operate as a natural gas company and approve its tariffs.
- (2) The application states that ONG provides natural gas service to approximately 4,200 customers in and around the city of Oxford, Ohio. The application also indicates that Glenwood was formed to acquire property and transact business as a public utility and natural gas company.
- (3) The application goes on to state that, on August 8, 2007, a foreclosure sale of certain assets of ONG was conducted by public auction. Glenwood states that it was the successful bidder and has entered into an asset purchase agreement to acquire those assets. Upon acquisition of those assets, Glenwood explains that it intends to continue to provide uninterrupted natural gas service to ONG's former customers in the city of Oxford and the vicinity.
- (4) On September 19, 2007, the Commission issued an Opinion and Order in *In the Matter of the Complaint and Appeal of Oxford Natural Gas Company from Ordinance No. 2896 Passed by Council of*
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the city of Oxford on February 7, 2006, Case No. 06-350-GA-CMR, adopting a stipulation between ONG and the city of Oxford. That stipulation included agreed-upon tariffs as well as various other commitments between ONG and the city of Oxford. In its application, Glenwood has included proposed tariffs that are substantively identical to the stipulated tariffs approved by the Commission. Glenwood's application further states that it will honor all the other terms contained within that stipulation.

- (5) On September 21, 2007, the city of Oxford submitted a letter in support of Glenwood's application and urged the Commission to approve the proposed tariff as filed and to include the requirement that Glenwood honor the terms of the stipulation in Case No. 06-350-GA-CMR.
- (6) The Commission has reviewed the application and finds that ONG is a public utility and natural gas company, pursuant to Section 4905.02 and 4905.03, Revised Code, and, as such, is subject to the Commission's jurisdiction. We further find that, pursuant to Section 4905.63, Revised Code, Glenwood is subject to Chapters 4901., 4903., 4905., 4907., 4909., 4923., and 4925., Revised Code.
- (7) We find the proposed transaction to be reasonable and in the public interest. The Commission is satisfied that Glenwood has the requisite financial and managerial abilities to ensure uninterrupted and adequate gas service to the former ONG customers. The Commission also finds that Glenwood's proposed tariffs are substantively identical to those tariffs approved by the Commission in Case No. 06-350-GA-CMR and should likewise be approved. Finally, the Commission directs that Glenwood shall abide by all the terms contained in the stipulation approved in that case.
- (8) Glenwood shall notify the former customers of ONG of the approval of this transaction within 30 days of the issuance of this finding and order.
- (9) The Commission also notes that *In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained Within the Rate Schedule of Oxford Natural Gas Company*, Case No. 07-210-GA-GCR, (GCR case) is being decided concurrently with this proceeding. In the GCR case, the Commission is requiring ONG

to comply with the stipulation between the parties. Therefore, we also find that Glenwood shall be required to comply with the terms of the stipulation in the GCR case, as approved today.

It is, therefore,

ORDERED, That the transfer of the assets and customers of Oxford Natural Gas Company to Glenwood Energy of Oxford, Inc., be approved. It is, further,

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

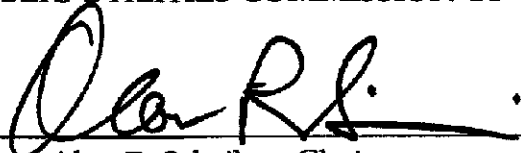
ORDERED, That Glenwood Energy of Oxford, Inc., be added to the roll of public utilities and Oxford Natural Gas Company be removed from the roll of public utilities regulated by this Commission. It is, further,

ORDERED, That Glenwood forward a notice to the former ONG customers within 30 days of the issuance of this order, explaining the transaction and the terms under which service will be provided. The proposed notice shall be submitted to the Commission's Service Monitoring and Enforcement Department for review and approval. It is, further,


ORDERED, That Glenwood comply with the terms of the stipulation in Case No. 07-210-GA-GCR. It is, further,

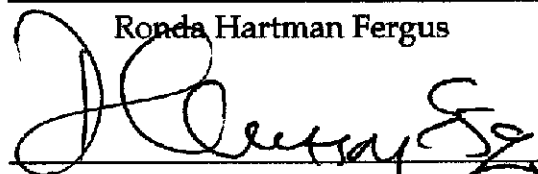
ORDERED, That a copy of this Finding and Order be served upon Glenwood, ONG, and the city of Oxford.

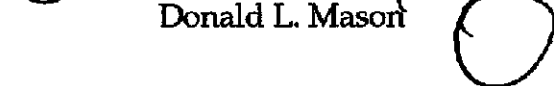
THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Paul A. Centolella


Valerie A. Lemmie



Ronda Hartman Fergus


Donald L. Mason

SP/JWK:geb

Entered in the Journal

OCT 10 2007


Renee J. Jenkins
Secretary