

20

RECEIVED-DOCKETING DIV  
2008 JAN -7 PM 5:00  
PUCO

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of )  
Ohio American Water Company ) Case No. 07-1112-WS-AIR  
To Increase its Rates in Its Entire Service )  
Area for Water Service and Sewer Service )

---

**MOTION TO AMEND OHIO AMERICAN WATER COMPANY'S PROPOSED  
PUBLIC NOTICE  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

---

The Office of the Ohio Consumers' Counsel ("OCC"), on behalf of the residential utility consumers of the Ohio American Water Company ("OAW" or the "Company"), moves the Public Utilities Commission of Ohio ("PUCO" or "Commission") to approve OCC's attached form for a public notice that will better inform OAW's customers about the proposed rate increase and service quality issues in this case. As the Commission knows from recent experience just last year with OAW's preceding rate case, there is widespread concern by consumers regarding the regulatory issues related to their water supply.

OCC proposes a public notice that will benefit customers by being more understandable, while also providing customers with contact information for both the PUCO and OCC. The proposed public notice is based in large part upon the format and information OAW itself maintains regarding its current rates, on its official web site, [www.amwater.com](http://www.amwater.com). The reasons for granting OCC's Motion are further set forth in the attached Memorandum in Support.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician           2           Date Processed 1-7-08

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER  
CONSUMERS' COUNSEL

A handwritten signature in dark ink, appearing to read "Gregory J. Poulos", is written over a horizontal line.

Maureen R. Grady, Counsel of Record

Melissa R. Yost

Gregory J. Poulos

Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

614-466-8574 (Telephone)

[grady@occ.state.oh.us](mailto:grady@occ.state.oh.us)

[yost@occ.state.oh.us](mailto:yost@occ.state.oh.us)

[poulos@occ.state.oh.us](mailto:poulos@occ.state.oh.us)

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	)	
Ohio American Water Company	)	
To Increase its Rates in Its Entire Service	)	Case No. 07-1112-WS-AIR
Area for Water Service and Sewer Service	)	

---

**MEMORANDUM IN SUPPORT**

---

**I. INTRODUCTION**

On November 13, 2007, OAW filed an application (“Application”) to increase rates applicable to all of its approximately 51,000 customers in Ohio. OAW’s service territory consists of seven districts: Ashtabula, Franklin, Lawrence, Marion, Portage, Pike and Tiffin.<sup>1</sup> In the Application, OAW categorizes the districts into three divisions, the first being “Water A” that includes five districts where OAW provides water: the Ashtabula, Lawrence, Marion, Pike and Tiffin districts.<sup>2</sup> “Water C” includes the Franklin and Portage districts.<sup>3</sup> Finally, the Application addresses the “Wastewater” division that only includes wastewater operations in Franklin and Portage Counties.<sup>4</sup>

As a part of the approximate three hundred page Application, OAW proposed, for PUCO approval, a six-page public notice to publish in the appropriate newspapers in each of the seven districts. The public notice proposed to be used in each district is not district specific—instead it details the proposed rate increases for all three divisions. The public

---

<sup>1</sup> In re Application of Ohio American Water Company, Case No. 07-1112-WS-AIR, Application at 1 (November 13, 2007).

<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> Id.

notice proposed by the Company is broken down into five sections that attempt to address the effect the proposed rate increase will have on *all* of OAW's customers regardless of the location. The public notice has the following sections: (1) a short introduction;<sup>5</sup> (2) a section outlining proposed general water service rates "in all districts except, Franklin and Portage";<sup>6</sup> (3) a section outlining proposed general water service rates for "districts in Franklin and Portage Counties";<sup>7</sup> (4) a section outlining general sewer service "for districts in Franklin and Portage County";<sup>8</sup> and (5) a statement quoting the statute about customers' rights to file an objection to the increase. The number of sections and the technical nature of the material add to the complexity of a proposal that attempts to alert through one generic notice, three separate divisions of customers.

In mid-November, OCC advised OAW that OCC had concerns with the proposed public notice and that OCC would be working on developing a more understandable notice, from a customer perspective. OCC also advised the PUCO Staff of OCC's concerns and advised the Staff that OCC would attempt to create a proposed notice in conjunction with OAW. On December 18, 2007, OCC submitted to OAW a proposed notice (which it copied to the PUCO Staff), and sought OAW's comments on the notice. OAW responded without substantive commentary on December 27 that the notice must

---

<sup>5</sup> In re Application of Ohio American Water Company, Case No. 07-1112-WS-AIR, Application at 196 (page 1 of 6). (November 13, 2007).

<sup>6</sup> Id. (emphasis removed).

<sup>7</sup> Id. at 198 (page 3 of 6) (emphasis removed).

<sup>8</sup> Id. at 200 (page 5 of 6) (emphasis removed).

be Staff-approved and that OCC should run it by the PUCO Staff.<sup>9</sup> The circumstances thus necessitated the filing of this motion.

## II. ARGUMENT

The public notice proposed by OAW must meet the requirements of R.C. 4909.18(E) and R.C. 4909.19. R.C. 4909.18(E) sets forth requirements relating to the substance of the application; R.C. 4909.19 establishes the method of publication. Under R.C. 4909.18(E),

If the commission determines that said application is for an increase in any rate, joint rate, toll, classification, charge, or rental there shall also, unless otherwise ordered by the commission, be filed with the application in duplicate the following exhibits:

\*\*\*

(E) A proposed notice for newspaper publication fully disclosing the substance of the application. The notice shall prominently state that any person, firm corporation, or association may file, pursuant to section 4909.19 of the Revised Code, an objection to such increase which may allege that such application contains proposals that are unjust and discriminatory or unreasonable. The *notice shall* further include the average percentage increase in rate that a representative industrial, commercial, and residential customer *will bear* should the increase be granted in full. (Emphasis added.)

R.C. 4909.19 requires that the “substance and prayer” of the application must be approved by the PUCO and published once a week for three consecutive weeks in “newspapers published and in general circulation throughout the territory in which such utility operates.”

Ohio Adm. Code 4901-1-12 allows for the filing of motions such as this motion.

Ohio Adm. Code 4901-1-6 allows for “any party” to move for the amendment of a filing,

---

<sup>9</sup> OCC advised Staff of OAW’s response on December 31, 2007.

for “good cause shown.” There is good cause to amend OAW’s proposed notice, for the reasons OCC will explain.

As discussed below, OAW’s comprehensive proposed notice is unnecessarily complex and does not identify additional resources that the consumer can use to better understand the proposed increase. OCC has attached a proposed public notice that addresses the concerns of residential customers only.<sup>10</sup> The attached public notice incorporates three proposals to assist consumers. First, the public notices for “Water A” and “Water C” divisions should be separate to reduce the length of the notice and help focus the customers on the applicable information. Second, the information should be published in a format that can be understood by all residential customers. Finally, OCC proposes a statement in the public notice that includes the PUCO’s and OCC’s contact information for those consumers who still have questions. OCC requests that its attached notice format be used in lieu of the notice proposed by OAW.

**A. OAW’s Public Notice Must Be Sufficient and Understandable To Allow OAW Customers the Opportunity to Exercise their Right to Object to OAW’s Application.**

The format of OAW’s notice is very complex and difficult to understand, which is contrary to the spirit, if not the letter, of the notice statute. Notices that give customers understandable information will enable them to assess the impact of OAW’s proposals on their services and bills are necessary in order to facilitate the statutory rights of customers under the Revised Code. These customers’ rights include the right to object to the

---

<sup>10</sup> The attached public notice addresses only “Water A” customers because, as discussed below and as OCC stated in an earlier Motion, OAW is currently barred from filing to increase “Water C” rates by the terms of a settlement. In addition, OCC’s proposed public notice only addresses the residential portion of the “Water A” customers.

application (R.C. 4909.18) and to the staff's report (R.C. 4909.19). If customers cannot understand the impact of the OAW proposal, they cannot effectively exercise these rights.

Notice must be sufficient to give customers the opportunity to present evidence at the hearings before the Commission opposing the rates or any other aspect of the Application.<sup>11</sup> If notice is improper it denies customers the opportunity to properly determine if they should inquire further as to the proposal or intervene.<sup>12</sup>

The inability of customers to understand utility proposals that will impact the type of services they receive and the rates charged for those services is a paramount concern with regard to ineffective notice. Moreover, the Commission, as well, has shared this concern as demonstrated primarily by the numerous rules it has promulgated that establish customers' rights to obtain clear and understandable information from their utilities.<sup>13</sup> In addition, on many different occasions, and in various proceedings, the Commission has reinforced the importance of customer understandability through its rulings on customer notification requirements.<sup>14</sup>

Providing information in customer notices that is both sufficient and understandable is a critical component to allowing public participation in the administrative process. To assist the customers in understanding notices regarding proposed alternative regulation plans, the Commission has used a "completeness and

---

<sup>11</sup> Committee against MRT v. Public Utilities Com. (1977), 52 Ohio St. 2d 231, 234.

<sup>12</sup> Ohio Assoc. of Realtors v. Public Utilities Com. (1979) 60 Ohio St. 2d 172, 176.

<sup>13</sup> See e.g. O.A.C. 4901:1-10-12 Provisions of customer rights and obligations "[A written summary of the customers' rights] shall be in clear and understandable language and delivered to customers."; O.A.C. 4901:1-21-18 (C) Consolidated billing requirements "Consolidated bills shall be accurate, rendered at regular intervals, and shall contain clear and understandable form and language."

<sup>14</sup> See e.g. In re Application of the Ohio Bell Telephone Company, Case No. 93-487-TP-ALT, Order at 80-81. (November 23, 1994); In re Complaint of the Office of the Consumers' Counsel, Case No. 92-1525-TP-CSS, 1994 Ohio PUC LEXIS 956, 178, Order (March 30, 1994).

understandability” test as part of its review of the proposed customer notices.<sup>15</sup>

Additionally, throughout the Ohio Administrative Code, the Commission has incorporated this concept for customer notice requirements by mandating that customer information be based on “clear and understandable form and language”<sup>16</sup> The Commission should use a “completeness and understandability” test like the one used in notices for proposed alternative regulation plans when reviewing OAW’s proposed public notice.

In addition, the Commission’s expectations for sufficient and understandable notice to customers will sometimes mean going above and beyond the minimum legal requirements:

While the notice published pursuant to Section 4909.191(A), Revised Code, and Rule 4901:1-11-11(C), O.A.C., **is sufficient to satisfy legal requirements of notice, the Commission is concerned** that as many customers of each company as possible receive actual notice of this hearing.<sup>17</sup> (Emphasis added.)

A directive from the Commission that the public notice provided to customers be clear and understandable should be paramount in this case because the public has already demonstrated its interest in OAW’s Application.

---

<sup>15</sup> Id.

<sup>16</sup> See for example, Ohio Admin. Code Section 4901:1-10-22 (electric utility distribution bills); 4901:1-10-33(C) (consolidated billings to customers from CRES providers). See also 4901-21-12(B) requiring “clear and understandable language” in CRES provider customer contracts; 4901:1-29-11(B) requiring “clear and understandable language” in gas suppliers and governmental aggregator customer contracts. See also 4901:1-21-14 requiring CRES bills be “understandable” and contain “sufficient” information.

<sup>17</sup> In re Regulation of the Electric Fuel Component Contained Within the Rate Schedules of Ohio Power Company et. al., Case No. 91-101-EL-EFC, Order at 3-4 (May 16, 1991). (In accordance with R.C. 4905.31, a public hearing shall be held to allow the Commission to review the fuel procurement practices and policies of their various electric companies.)



Furthermore, the Commission has ordered companies to amend their customer notices in the past to provide information that customers can understand and easily access. For example, in a case involving Cincinnati Gas & Electric Company ("CG&E"), the Commission stated that "To enhance customer understanding, the company is directed to explain in its customer notice that this is not a new charge."<sup>18</sup> In the CG&E case, the Commission allowed CG&E to collect an excise tax rider on bills rendered to its customers, but required CG&E to provide appropriate notice if it did.

In addition, the Commission has amended public notices to ensure customer's ability to access information is sufficiently met. In a case involving Ohio Edison, the Cleveland Electric Illuminating Company and the Toledo Edison Company ("FirstEnergy"), the Commission addressed a concern about customer's access to information by amending FirstEnergy's proposed public notice with specific language:

The Commission directs the Companies to insert the below listed paragraph in each of their respective newspaper notices. The Commission is of the opinion that the inclusion of this additional paragraph in the notice of publication will enhance an interested party's ability to access the Applicants' application and its content.<sup>19</sup>

The additional paragraph addressed in the FirstEnergy case required the companies to include specific information about accessing the files from the PUCO website or by calling the PUCO for more information.<sup>20</sup> As discussed further in section three, below, OCC is similarly requesting specific contact information for PUCO and OCC be included

---

<sup>18</sup> In re Application of Cincinnati Gas & Electric Company, Case No. 95-656-GA-AIR, Order at 25 (December 12, 1996).

<sup>19</sup> In re Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and the Toledo Edison Company, Case No. 07-551-EL-AIR, Order at 3 (August 1, 2007).

<sup>20</sup> Id.

in OAW's public notice to enhance the ability of customers to understand the Application.

Creating a public notice that is understandable is even more imperative in this case where the residential customers historically have demonstrated a keen interest in the price and quality of their water. As the commission is well aware, OAW's 2006 rate case provoked a very strong outcry from its residential customers. The public hearings in OAW's 2006 rate case were marked by high attendance and intense opinions.<sup>21</sup>

The Commission recognized the concerns of customers in the March 7, 2007 Order approving the stipulation between OAW, OCC, and the Staff, and took the additional step of creating a separate docket to assist customers who were monitoring the progress of the Company toward meeting the terms of the stipulation.<sup>22</sup>

A review of the numerous consumer letters filed in this docket is evidence of the fact that OAW's customers continue to have concerns over the price and quality of service provided by OAW. In fact, a review of the docket in this case indicates at least twelve letters from consumers complaining about the rate case, including three township resolutions. Many of the complaints specifically address the quality of the water provided to customers in "Water C," an issue OAW contends is resolved.

**B. OAW's Proposed Public Notice Lacks Clarity and Is Overly Broad.**

Under OAW's current public notice, notices to "Water A" and "Water C" customers are combined resulting in a six-page public notice. To facilitate customer

---

<sup>21</sup> In re Application of Ohio American Water Company, Case No. 06-433-WS-AIR, Order at 13-14 (March 7, 2007).

<sup>22</sup> In re Application of Ohio American Water Company, Case No. 06-433-WS-AIR, Order at 15 (March 7, 2007.)

understanding, OCC recommends that the Company instead simplify its notice by tailoring separate, shorter and more concise notices for the “Water A” customers and the “Water C” customers. By splitting up “Water A” and “Water C” the result is a much shorter notice—only three pages long--half the size of OAW’s current proposed notice. Moreover, the larger “Water C” division public notice would only be published in two of the nine counties in OAW’s service territory.<sup>23</sup> Thus, shortening the public notice into a more concise form that alerts customers to the proposal that is entirely germane to them, should also result in less publication expense.<sup>24</sup>

At the very least, by separating the information into “Water A” and “Water C” notices, the customers will have less difficulty interpreting the rates that apply to them. For example, the first paragraph of OAW’s proposed notice creates confusion regarding to whom the rates apply. The first paragraph of OAW’s proposed public notice attempts to clarify the applicable counties and districts in OAW’s service area:

[OAW’s] entire service area [ ] includes its **seven districts located in the Ohio counties of: Ashtabula, Franklin, Lawrence, Marion (which administers the Preble County and Pike County service areas), Morrow, Portage, Richland, and Seneca, Ohio.**<sup>25</sup>  
(emphasis added)

It appears from the bold language above that the list is only naming the counties of the seven districts. However, the parenthetical after Marion, “which administers the Preble

---

<sup>23</sup> The “Water C” public notice is longer than the “Water A” public notice because the “Water C” public notice still includes separate information about sewer services.

<sup>24</sup> In addition, the public notice should be separated by divisions because OCC’s Motion to Dismiss the Application with regard to the “Water C” area, that was filed on December 11, 2007, should be granted to eliminate the “Water C” area from this case. There is no need for a public notice in the “Water C” area because a rate increase is now precluded based on the stipulation in OAW’s last rate case.

<sup>25</sup> In re Application Ohio American Water Company, Case No. 07-1112-WS-AIR, Application at 196 (Page 1 of 6) (November 13, 2007).

County and Pike County service areas” suggests that each name in the list is actually a separate district. If indeed each name in the list is a “district,” then there are eight districts and not seven as stated by the Company.

The county verses the district distinction gets even more confusing when looking at the labeling of the specific rates for “Water A” and “Water C” customers – which are never mentioned specifically as “Water A” or “Water C.”

The introduction to the proposed rates for “Water A”:

The rates proposed by Ohio-American Water Company, given below, are for general water service in all districts, **except Franklin and Portage . . .**<sup>26</sup> (emphasis not added.)

The introduction to the proposed rates for “Water C”

The rates proposed by Ohio-American Water Company, given below, are for general water service for districts in Franklin and Portage Counties . . . (Bold emphasis not added, underline emphasis added.)<sup>27</sup>

Per the description above, “Franklin” and “Portage” are the names of districts and there are also a number of districts within the boundaries of Franklin and Portage Counties. There is clearly a disconnect regarding the distinction between districts and counties. This disconnect would be eliminated if the notices for “Water A” and “Water C” are separated.

Finally, expecting residents to interpret rows of complex information that includes measurements of water usage is not reasonable. For example, on the first page of OAW’s proposed notice there is a row that includes all of the following: 100 cubic feet per

---

<sup>26</sup> Id.

<sup>27</sup> Id., Application at 198 (Page 3 of 6).

month, rate per 100 cubic feet, 1,000 gallons per month and rate per 1,000 gallons.<sup>28</sup> The public notice needs to be in a form for typical usage that the public can understand, and the notice should provide the public with the contact information for OCC and the PUCO.

The OCC proposes a public notice format similar to the one created by the Company and displayed on its website.<sup>29</sup> The format used by OAW to describe its 2006 rate increase on the Company's website is a better, easier to read approach to explaining the last rate increase. OCC's proposed public notice for "Water A" incorporates the format used by OAW on its website. OCC's proposal is attached to this Motion.

**C. OAW's Public Notice Should Provide Consumers with the Contact Information for Both the PUCO and OCC in Order to Help Consumers Who Need Assistance Obtain that Assistance from the Government Agencies that Serve Them.**

The purpose of a public notice is to alert the customers that a company is proposing an increase in rates (with related issues) that will affect them. This is important because customers have the statutory right, under R.C. 4909.18, to object to the application and the right, under R.C. 4909.19, to object to the report of the PUCO Staff. However, that message is lost if the customers cannot understand the content of the message. Accordingly, it is essential that the public notice be formatted in way that assists the consumer to understand the proposed rate increases or at the very least provides them with the means to get an explanation.

It is expected that some customers will have additional questions about the proposed increase no matter what changes are made to the public notice. For those

---

<sup>28</sup> Id., Application at 196 (Page 1 of 6).

<sup>29</sup> [www.amwater.com/awprl/ohaw/customer\\_service/your\\_bill/bill\\_inserts/index.htm](http://www.amwater.com/awprl/ohaw/customer_service/your_bill/bill_inserts/index.htm)

questions, both the PUCO and OCC can assist customers and ensure that they get the answers they need. The PUCO states on its website the 5 Ways the PUCO Works for You: #4 “Provides you with information about your rights and responsibilities as a utility customer ....”<sup>30</sup>

The commitment of OCC as stated on its website is: “**Committed to Education** - Consumers depend on OCC as a reliable source of the objective information they need to make sound, informed decisions about their utility service.”<sup>31</sup> It is a critical part of the process that the customers know they have help available to them. In disclosing the PUCO’s and OCC’s contact information, the consumers of OAW will be able to understand the role the two agencies play in protecting consumers’ rights or in simply answering their questions.<sup>32</sup>

Adding customer contact information for OCC (and the PUCO) is consistent with provisions of the Ohio Administrative Code that require OCC and PUCO contact information to be conveyed to customers in directories and subscriber listings,<sup>33</sup> telephone subscribers’ bills,<sup>34</sup> disconnection notices for telephone service,<sup>35</sup> electric distribution

---

<sup>30</sup> [www.puco.ohio.gov/PUCO/Consumer/information.cfm?id=5706](http://www.puco.ohio.gov/PUCO/Consumer/information.cfm?id=5706)

<sup>31</sup> [www.pickocc.org/message.shtml](http://www.pickocc.org/message.shtml)

<sup>32</sup> In re Amendment of Certain Rules to Revise Language Requirements on Utility Bills and Other Documents, Case No. 07-1042-AU-ORD, Order at 1-3 (November 11, 2007) (The Commission addressed the issue of amending its rules to modify the OCC contact information to recognize that OCC could again handle residential consumer complaints through its call center.)

<sup>33</sup> See Ohio Adm. Code Section. 4901:1-5-06(B)(h)(i)

<sup>34</sup> See Ohio Adm. Code Section 4901:1-5-15(A)(13).

<sup>35</sup> See Ohio Adm. Code Section 4901:1-5-17(L)(8).

utility customer rights summaries,<sup>36</sup> electric utility distribution customer bills,<sup>37</sup> consolidated billings to customers from the electric distribution utility and competitive retail electric service (CRES) providers,<sup>38</sup> water and sewage customer bills,<sup>39</sup> CRES provider contracts,<sup>40</sup> CRES bills,<sup>41</sup> CRES consolidated bills,<sup>42</sup> governmental aggregator customer contracts,<sup>43</sup> and government aggregator customer bills. Additionally, putting contact language for the OCC and PUCO in the public notice makes sense and will not unnecessarily add to the length or complexity of the public notice.

### III. CONCLUSION

For the reasons stated above, the Commission should amend OAW's proposed notice by accepting OCC's proposed public notice for OAW's Application. OCC's proposals are consistent with the PUCO's expectations, across a myriad of cases and rules, for informing Ohioans about the public utility services and rates that affect them. OAW's customers deserve a public notice that is understandable and effective for informing them about the substance of OAW's Application, and such a notice is what OCC has proposed. The PUCO should grant OCC's Motion.

---

<sup>36</sup> See Ohio Adm. Code Section 4901:1-10-12(A)(4).

<sup>37</sup> See Ohio Adm. Code Section 4901:1-10-22 (B)(5).

<sup>38</sup> See Ohio Adm. Code Section 4901:1-10-33 (C)(15).

<sup>39</sup> See Ohio Adm. Code Section 4901:1-15-23(N).

<sup>40</sup> See Ohio Adm. Code Section 4901:1-21-12(B)(9).

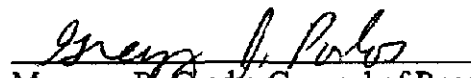
<sup>41</sup> See Ohio Adm. Code Section 4901:1-21-14(C)(13).

<sup>42</sup> See Ohio Adm. Code Section 4901:1-21-18(C)(15).

<sup>43</sup> See Ohio Adm. Code Section 4901:1-29-11(B)(10).

Respectfully submitted,

JANINE L. MIGDEN-OSTRANDER  
CONSUMERS' COUNSEL



Maureen R. Grady, Counsel of Record

Melissa R. Yost

Gregory J. Poulos

Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

10 West Broad Street, Suite 1800

Columbus, Ohio 43215-3485

614-466-8574 (Telephone)

[grady@occ.state.oh.us](mailto:grady@occ.state.oh.us)

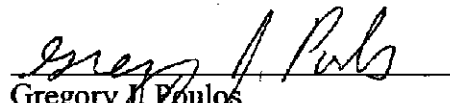
[yost@occ.state.oh.us](mailto:yost@occ.state.oh.us)

[poulos@occ.state.oh.us](mailto:poulos@occ.state.oh.us)



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Office of the Ohio Consumers' Counsel's forgoing *Motion to Amend Ohio American Water Company's Proposed Public Notice* was provided to the persons listed below via first class U.S. Mail, postage prepaid, this 7th day of January, 2008.

  
Gregory J. Poulos  
Assistant Consumers' Counsel

**SERVICE LIST**

Thomas Lindgren  
Attorney General's Office  
Public Utilities Section  
180 East Broad Street, 9<sup>th</sup> Floor  
Columbus, OH 43215

Sally Bloomfield  
Thomas J. O'Brien  
Bricker & Eckler LLP  
100 South Third Street  
Columbus, OH 43215-4291

Henry Eckhart  
Attorney at Law  
50 West Broad Street, Suite 2117  
Columbus, OH 43215-3301

## PUBLIC NOTICE

Notice is hereby given that Ohio American Water Company has filed an Application with the Public Utilities Commission of Ohio ("PUCO"), in Case No. 07-1112-WS-AIR, seeking increases in, and adjustments to, its rates and charges for water service customers in the service areas that include the following Ohio counties: Ashtabula, Lawrence, Marion (which administers the Preble County and Pike County service areas), Morrow, Richland, and Seneca. In its Application, the Water Company requested the PUCO to approve its proposed rates and charges and to grant it such other relief to which it may be entitled.

The Staff of the Public Utilities Commission of Ohio will file a report with the results of its investigation of the Application. Recommendations by the PUCO Staff or by other parties that differ from the Application may be adopted by the PUCO.

ANY PERSON, FIRM, CORPORATION OR ASSOCIATION MAY FILE, PURSUANT TO SECTION 4909.19 OF THE REVISED CODE, AN OBJECTION TO SUCH INCREASE WHICH MAY ALLEGE THAT THE APPLICATION CONTAINS PROPOSALS THAT ARE UNJUST AND DISCRIMINATORY OR UNREASONABLE. OBJECTIONS REGARDING THE APPLICATION AND THE REPORT OF THE PUCO STAFF MAY INCLUDE BUT ARE NOT LIMITED TO CONCERNS ABOUT RATES AND SERVICE QUALITY.

Copies of Ohio American Water Company's Application, Exhibits, Standard Filing Requirements, and Schedules filed in this PUCO

Case No. 07-1112-WS-AIR, may be inspected by any interested person at the offices of the Public Utilities Commission of Ohio, Docketing Section, 180 East Broad Street, Columbus, Ohio 43215-3793, or at the Ohio American Water Company's offices, located at 365 East Center Street, Marion, Ohio 43301-0506. The Application and all filings in the case can also be viewed at the PUCO's web site, [www.puc.ohio.gov](http://www.puc.ohio.gov), by entering the case number into the "DIS" page.

Residential and business customers may contact the Public Utilities Commission of Ohio for assistance with questions or concerns about Ohio American Water Company's rate proposals or water quality at 1-800-686-1570 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at [www.puco.ohio.gov](http://www.puco.ohio.gov). Customers may write letters to the PUCO for filing in the above case, by writing to the above address for the PUCO and referencing Case No. 07-1112-WS-AIR.

Residential customers may also contact the Office of the Ohio Consumers' Counsel for assistance with questions or concerns about Ohio American Water Company's rate proposals or water quality at 1-877-742-5622 (toll free) from 8:00 a.m. to 5:00 p.m. weekdays, or at [www.pickocc.org](http://www.pickocc.org).

The Water Company's proposed rates are based on a charge for water usage plus a separate monthly service charge. The proposed water usage charge for 100 cubic foot of water used is applicable to all customers EXCEPT those customers with unmetered service in the Mansfield District. The Water Company proposes to change its rates as shown on the following pages.

Cubic Feet Per Month		Present Rate per 100 cubic feet	Proposed Rate per 100 cubic feet	Percent Increase
For the first	2,000	\$4.4793	\$5.0422	12.6%
For the next	198,000	\$3.2779	\$3.6898	12.6%
For all over	200,000	\$1.4081	\$1.4081	12.6%

The current and proposed service charges are as follows:

Meter Size	Present Monthly Charge	Proposed Monthly Charge	Percent Increase
5/8"	\$9.41	\$10.59	12.6%
3/4"	\$12.00	\$13.51	12.6%
1"	\$17.18	\$19.34	12.6%
1 1/2"	\$30.12	\$33.90	12.6%
2"	\$45.64	\$51.38	12.6%
3"	\$81.88	\$92.17	12.6%
4"	\$133.64	\$150.43	12.6%
6"	\$263.05	\$296.11	12.6%

The Marion softening surcharge will be changed from \$0.3326 to \$0.36090 per ccf, an increase of \$0.0283. The account activation charge of \$23.10 will not change. The dishonored payment charge of \$20.75 will not change. The reconnection fee of \$41.65 will not change.

The current and proposed fire service charges are as follows:

Meter Size	Present Monthly Charge	Proposed Monthly Charge	Percent Increase
<2 1/2"	\$6.80	\$7.65	12.6%
2 1/2"	\$10.66	\$12.00	12.6%
3"	\$15.30	\$17.22	12.6%
4"	\$27.18	\$30.60	12.6%
6"	\$61.20	\$68.89	12.6%
8"	\$108.83	\$122.51	12.6%
10"	\$170.03	\$191.40	12.6%
12"	\$244.83	\$275.60	12.6%

**The Mansfield District's unmetered rates will be changed from \$79.66 bi-monthly, an increase of \$8.89 bi-monthly.**

District & Class Marion District – Marion & Morrow Counties (includes softening charge)	Typical Bill				
	Usage (ccf)	Current Bill	Proposed Bill	\$ Increase	Percentage Increase
Residential Monthly	16	\$32.28	43.01	4.73	12.35%
Residential Bi-Monthly	12	\$76.56	86.02	9.46	12.35%
Commercial Bi-Monthly					
Industrial Monthly					
Public Authority Monthly	155	\$577.76	593.07	15.31	12.35%

District & Class Ashtabula, Preble, Riffin and Lawrence County, Marion District – Lake White (includes softening charge)	Typical Bill				
	Usage (ccf)	Current Bill	Proposed Bill	\$ Increase	Percentage Increase
Residential Monthly	6	\$36.29	\$40.84	\$4.56	12.56%
Residential Bi-Monthly	12	\$72.57	\$81.68	\$9.11	12.56%
Commercial Bi-Monthly					
Industrial Monthly					
Public Authority Monthly	155	\$533.33	\$593.07	\$8.18	12.56%