

## BEFORE

## THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Vectren )  
 Energy Delivery of Ohio, Inc., for Approval )  
 of a General Exemption of Certain Natural ) Case No. 07-1285-GA-EXM  
 Gas Commodity Sales Services or Ancillary )  
 Services. )

ENTRY

The attorney examiner finds:

- (1) On December 21, 2007, Vectren Energy Delivery of Ohio, Inc., (VEDO) filed an application pursuant to Section 4929.04, Revised Code, for approval of a general exemption of certain natural gas commodity sales services or ancillary services contained in Chapters 4905, 4909, 4933, and 4935, Revised Code. In addition, VEDO requests approval of a proposed rider, pursuant to Section 4929.11, Revised Code, which would recover certain related implementation costs.
- (2) Along with its application, VEDO, *inter alia*, filed a motion for waiver of paragraphs (C), (E), (F), and (G) of Rule 4901:1-09, Ohio Administrative Code (O.A.C.), and requested that the Commission establish a procedural schedule in this case.
- (3) By entry issued January 23, 2008, the Commission concluded that VEDO's motion for a waiver of the procedural components set forth in paragraphs (C), (E), (F), and (G) of Rule 4901:1-19-09, O.A.C., should be granted, in part. The Commission stated that it is open to a reasonable procedural schedule that satisfies the necessary due process requirements but does not necessarily follow the procedure set forth in our rules. However, the Commission did not agree that January 21, 2008, was a reasonable deadline for the service of discovery requests. In addition, the Commission found that it was appropriate to permit the filing of comments and that local hearings should be held in VEDO's service territory. Therefore, the Commission directed the attorney examiner to issue an entry setting forth the procedural schedule to be followed in this case.
- (4) Accordingly, the attorney examiner finds that the following procedural schedule should be observed in this proceeding:

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- (a) January 28, 2008 - A technical conference will be held.
  - (b) February 4, 2008 - Persons may file comments pursuant to Rule 4901:1-19-09(F), O.A.C.
  - (c) February 8, 2008 - Deadline for intervention.
  - (d) February 12, 2008 - Deadline for the service of discovery requests. Parties will respond to discovery requests within seven calendar days.
  - (e) February 25, 2008 - Deadline for the filing of intervenors' and staff's direct testimony.
  - (f) February 28, 2008 - Local public hearings will be held, as set forth below.
  - (g) March 3, 2008 - The evidentiary hearing will commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215, 11<sup>th</sup> floor, hearing room C.
  - (h) The schedule for filing rebuttal testimony, if appropriate, will be considered at the conclusion of the parties' direct case.
  - (i) The schedule for the filing of briefs and reply briefs will be considered at the conclusion of the evidentiary hearing.
- (5) Response times for motions will be as follows:
- (a) Any party wishing to file a memorandum contra a pending motion must do so within four business days after service of a motion.
  - (b) Any party wishing to file a reply to a memorandum contra a pending motion must do so within three business days after service of the memorandum contra.
  - (c) The parties will serve motions by electronic means.

- (d) Rule 4901-1-07, O.A.C., which provides an additional three days' time, where service is made by mail, will not apply.
- (6) Local public hearings will be held in this case to take testimony from the public regarding this application at the following locations: Thursday, February 28, 2008, at 1:00 p.m., at the Dayton Municipal Building, 101 W. Third Street, 2<sup>nd</sup> Floor, Dayton, Ohio 45401; and Thursday, February 28, 2008, at 7:00 p.m., at Sidney Municipal Building, Council Chambers, 201 W. Poplar Street, Sidney, Ohio 45365.
- (7) VEDO shall publish the following notice of the hearings, one time, at least seven days prior to the scheduled hearings in a newspaper of general circulation in each county in which it provides service:

#### LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled hearings on the application of Vectren Energy Delivery of Ohio, Inc., (Case No. 07-1285-GA-EXM) to eliminate its existing gas cost recovery mechanism so that, ultimately, the gas commodity is provided by competitive retail natural gas suppliers. Under its proposal, although competitive suppliers would be selling the gas, VEDO would continue to deliver the gas and be responsible for safety and service-related issues. Public hearings for the purpose of taking testimony from the public are scheduled:

Thursday, February 28, 2008, at 1:00 p.m., at the Dayton Municipal Building, 101 W. Third Street, 2<sup>nd</sup> Floor, Dayton, Ohio 45401; and Thursday, February 28, 2008, at 7:00 p.m., at Sidney Municipal Building, Council Chambers, 201 W. Poplar Street, Sidney, Ohio 45365.

For additional information regarding this matter, contact the Commission at 1-800-686-7826, via TDD-TTY at 1-800-686-1570 or visit [www.puco.ohio.gov](http://www.puco.ohio.gov).

It is, therefore,

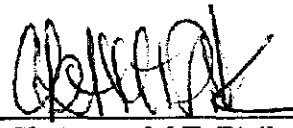
ORDERED, That the procedural schedule and deadlines set forth above be observed by the parties. It is, further,

ORDERED, That local hearings be scheduled as indicated in finding (6). It is, further,

ORDERED, That DEO publish the notice in finding (7) in a newspaper of general circulation published in each county of its service territory one time, at least seven days prior to the scheduled hearings. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

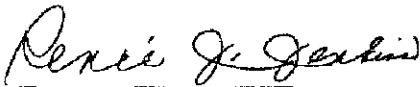


By: Christine M.T. Pirik  
Attorney Examiner

grg/vrm

Entered in the Journal

JAN 28 2008



Renee J. Jenkins  
Secretary