

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The East)
Ohio Gas Company d/b/a Dominion East) Case No. 07-829-GA-AIR
Ohio for Authority to Increase Rates for its)
Gas Distribution Service.)

In the Matter of the Application of The East)
Ohio Gas Company d/b/a Dominion East) Case No. 07-830-GA-ALT
Ohio for Approval of an Alternative Rate)
Plan for its Gas Distribution Service.)

In the Matter of the Application of The East)
Ohio Gas Company d/b/a Dominion East) Case No. 07-831-GA-AAM
Ohio for Approval to Change Accounting)
Methods.)

In the Matter of the Application of The East)
Ohio Gas Company d/b/a Dominion East)
Ohio for Approval of Tariffs to Recover)
Certain Costs Associated with a Pipeline) Case No. 08-169-GA-UNC
Infrastructure Replacement Program)
Through an Automatic Adjustment Clause)
and for Certain Accounting Treatment.)

In the Matter of the Application of The East)
Ohio Gas Company d/b/a Dominion East)
Ohio for Approval of Tariffs to Recover) Case No. 06-1453-GA-UNC
Certain Costs Associated with Automated)
Meter Reading and for Certain Accounting)
Treatment.)

ENTRY ON REHEARING

The Commission finds:

- (1) On August 30, 2007, The East Ohio Gas Company d/b/a Dominion East Ohio (DEO) filed applications for an increase in gas distribution rates, for approval of an alternative rate plan, and for approval to change accounting methods, in Case Nos.

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07-829-GA-AIR, 07-830-GA-ALT, and 07-831-GA-AAM, respectively (rate case proceedings).

- (2) On February 22, 2008, DEO filed an application, in Case No. 08-169-GA-UNC (08-169), requesting approval of tariffs to recover, through an automatic adjustment mechanism, costs associated with a pipeline infrastructure replacement (PIR) program; its proposal to assume responsibility for and ownership of the curb-to-meter service lines; and the accounting authority to defer the costs associated with the PIR program for subsequent recovery.
- (3) By entry issued April 9, 2008, the Commission, *inter alia*, denied a motion by the Office of the Ohio Consumers' Counsel (OCC) to dismiss 08-169 and granted DEO's motion to consolidate 08-169 with the rate case proceedings.
- (4) Section 4903.10, Revised Code, states that any party to a Commission proceeding may apply for rehearing with respect to any matters determined by the Commission, within 30 days of the entry of the order upon the Commission's journal.
- (5) On April 18, 2008, OCC filed an application for rehearing of the Commission's April 9, 2008, entry. In its rehearing application, OCC alleges that the Commission erred by:
 - (a) not providing for required case preparation and finding that all parties will have every opportunity to engage in discovery and participate when the Commission failed to adopt a schedule that ensures such a result;
 - (b) failing to require the statutory notice to the public, which denies the public the opportunity to participate;
 - (c) finding that the pipeline replacement plan constitutes an automatic adjustment mechanism under Section 4929.11, Revised Code;
 - (d) finding that applications for automatic adjustment mechanisms under Section 4929.11, Revised Code, need not be considered an

alternative regulation plan under Section 4929.05, Revised Code;


- (e) unlawfully adopting a procedure that will facilitate an increase in rates to customers, without adhering to the statutory requirements of Section 4909.18, Revised Code, and other authority; and
 - (f) failing to comply with the requirements of Section 4903.09, Revised Code, and to provide findings of fact and written opinions that were supported by record evidence.
- (6) On April 29, 2008, DEO filed its memorandum contra OCC's application for rehearing.
 - (7) The Commission finds that OCC's application for rehearing should be granted. We believe that sufficient reason has been set forth by OCC to warrant further consideration of the matters specified in the application for rehearing.

It is, therefore,

ORDERED, That OCC's application for rehearing be granted for further consideration of the matters specified in the application for rehearing. It is, further,

ORDERED, That a copy of this entry on rehearing be served upon each interested person of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Paul A. Centolella

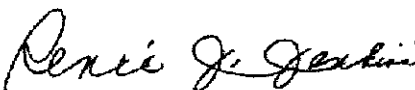

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Renee J. Jenkins
Secretary