

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's Review of	)	
Chapter 4901-7, Ohio Administrative Code,	)	Case No. 08-558-AU-ORD
Standard Filing Requirements for Rate	)	
Increases Filed Pursuant to Chapter 4909,	)	
Revised Code.	)	

---

**INITIAL COMMENTS OF  
CLEVELAND THERMAL STEAM DISTRIBUTION, LLC**

---

Pursuant to the May 7, 2008 and June 12, 2008 Entries, Cleveland Thermal Steam Distribution, LLC ("Cleveland Thermal") respectfully submits these Initial Comments in response to the Staff's proposed amendments to the Standard Filing Requirements.

The sole focus of Cleveland Thermal's comments is on the classification of steam utilities as "Large Utilities" for purposes of the Standard Filing Requirements. The Staff has proposed eliminating the category of "Medium Utilities". Cleveland Thermal has no objection to such elimination. Under the proposal, all electric utilities and steam utilities would be classified as Large Utilities; natural gas companies with between 2,000 and 9,999 customers, telephone utilities with between 2,000 and 49,999 access lines, and water works and sewage disposal system utilities with 2,500 to 14,999 customers would be classified as Small Utilities. See pages (12) and (275) of the Appendix to the May 7, 2008 Entry. Cleveland Thermal submits that steam utilities should be classified as Small Utilities, not as Large Utilities.

The following chart displays the approximate number of customers for various public utilities based upon the most recent rate case information and how such companies would be categorized under the Staff's proposed rules:

<b>Name</b>	<b>Case No.</b>	<b>Approximate Number of Customers</b>	<b>Proposed Category</b>
DP&L	05-276	511,000	Large
Toledo Edison	07-551	314,000	Large
Pike Natural Gas	05-824	7,400	Small
Northeast Ohio Natural Gas	03-2170	6,000	Small
Waterville Gas & Oil	07-194	5,420	Small
Masury Water	00-713	1,633	Small
Cleveland Thermal	97-522	144	Large

Cleveland Thermal currently has less than 100 customer accounts. It is much closer in size to the natural gas and water companies displayed above than it is to the electric utilities shown in the chart.

Forty years ago, all of the steam utility systems in Ohio were affiliated with electric utilities such as CEI, Ohio Edison, and DP&L. But that affiliation no longer exists. There is no reason to group steam utilities with electric utilities.

The 46 employees employed by Cleveland Thermal is more akin to the number of employees employed by small gas or water works utilities. Cleveland Thermal's rate base and revenue numbers are closer to those of smaller utilities such as Northeast Ohio Natural Gas than to electric Utilities. Other steam utilities in Ohio have similar statistics.

WHEREFORE, the Commission should modify the proposed Standard Filing Requirements by categorizing steam utilities as Small Utilities instead of Large Utilities.

Respectfully submitted,

/s/

---

Stephen M. Howard  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street  
P.O. Box 1008  
Columbus, Ohio 43216-1008  
Tel: (614) 464-5401  
Fax: (614) 719-4772  
E-mail: smhoward@vssp.com

Attorneys for Cleveland Thermal Steam  
Distribution, LLC

### CERTIFICATE OF SERVICE

I certify that pursuant to the May 7, 2008 Entry in this matter, that within two days of July 15, 2008, a copy of the foregoing Initial Comments of Cleveland Thermal Steam Distribution, LLC will be served on all persons filing Initial Comments and that in order to effect service, the undersigned will check the docket card in this case and serve such Initial Comments either via e-mail or hard copy via first class, U.S. mail to the address provided by each person who files Comments. I further certify that a copy of the foregoing Initial Comments were served upon the following persons by e-mail or first class, U.S. mail this 15<sup>th</sup> day of July, 2008:

Mark A. Whitt  
Andrew J. Campbell  
Jones Day  
P. O. Box 165017  
Columbus, OH 43216-5017  
mawhitt@jonesday.com  
ajcampbell@jonesday.com

Lisa G. McAlister  
McNees, Wallace & Nurick LLC  
21 E. State St., 17<sup>th</sup> Floor  
Columbus, OH 43215-4228  
lmcalister@mwncmh.com

Paul A. Colbert  
Elizabeth H. Watts  
Duke Energy Ohio  
139 East Fourth Street  
Cincinnati, OH 45202  
paul.colbert@cinergy.com

Stephen B. Seiple  
Columbia Gas of Ohio, Inc.  
200 Civic Center Drive  
P.O. Box 117  
Columbus, OH 43216-0117  
sseiple@nisource.com

Tom Brown  
Ohio Gas Association  
200 Civic Center Drive, Suite 110  
Columbus, OH 43215  
ohiogas@aol.com

Kathy J. Kolich  
FirstEnergy Service Company  
76 S. Main Street  
Akron, OH 44308  
kjkolich@firstenergycorp.com

Marvin I. Resnik  
AEP Service Corp.  
1 Riverside Plaza  
Columbus, OH 43215-2355  
miresnik@aep.com

\_\_\_\_\_  
/s/  
Stephen M. Howard

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**7/15/2008 3:42:56 PM**

**in**

**Case No(s). 08-0558-AU-ORD**

Summary: Comments Initial Comments of Cleveland Thermal Steam Distribution, LLC  
electronically filed by Stephen M Howard on behalf of Cleveland Thermal Steam Distribution,  
LLC