

FILE



The Public Utilities Commission of Ohio

Monitoring marketplaces and enforcing rules to assure safe, adequate, and reliable utility services.

Ted Strickland, Governor
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August 29, 2008

M. Howard Petricoff
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
Columbus, OH 43216

PUCO

2008 AUG 29 PM 3:50

RECEIVED-DOCKETING DIV

RE: *In the Matter of the Application of Pike Natural Gas Company For Approval of an Alternative Rate Plan Proposing a Revenue Decoupling Mechanism, Case No. 08-941-GA-ALT and In the Matter of the Application of Eastern Natural Gas Company For Approval of an Alternative Rate Plan Proposing a Revenue Decoupling Mechanism, Case No. 08-940-GA-ALT*

Dear Mr. Petricoff:

On August 1, 2008, Pike and Eastern Natural Gas Companies (companies) filed applications with the Public Utilities Commission of Ohio requesting approval of proposed alternative rate plans, initiating the above-referenced cases. The companies filed the applications pursuant to Section 4929.05 of the Ohio Revised Code. Filings made pursuant to Section 4929.05, Revised Code, are governed by Chapter 4901:1-19 of the Ohio Administrative Code (O.A.C.).

Initially, we note that Section 4929.05, Revised Code, provides that an alternative rate plan must be filed as part of an application filed pursuant to Section 4909.18, Revised Code. Further, in order to meet the requirements set forth in Chapter 4901:1-19, O.A.C., applications for alternative rate plans must be preceded by a written notice of intent, served as set forth in paragraph (A) of Rule 4901:1-19-05, O.A.C. Such applications must also follow the requirements and provide the specific information in paragraphs (B) and (C) of Rule 4901:1-19-05, O.A.C. The Pike and Eastern applications were not filed as part of an application filed pursuant to Section 4909.18, Revised Code, and failed to comply or request any waivers from compliance with Rule 4901:1-19-05, O.A.C.

Rule 4901:1-19-06, O.A.C., requires the staff to determine whether an alternative rate plan application is in technical or substantial compliance with filing requirements. Staff finds that the companies' applications are not in substantial compliance with the Ohio Administrative Code.

Sincerely,

A handwritten signature in cursive script that reads "Jodi Bair".

Jodi Bair
Assistant Director, Utilities Department
Public Utilities Commission of Ohio

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