

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Columbia)
 Gas of Ohio, Inc., for Authority to Amend) Case No. 08-72-GA-AIR
 Filed Tariffs to Increase the Rates and)
 Charges for Gas Distribution Service.)

In the Matter of the Application of Columbia)
 Gas of Ohio, Inc., for Approval of an) Case No. 08-73-GA-ALT
 Alternative Form of Regulation and for a)
 Change in its Rates and Charges.)

In the Matter of the Application of Columbia)
 Gas of Ohio, Inc., for Approval to Change) Case No. 08-74-GA-AAM
 Accounting Methods.)

In the Matter of the Application of Columbia)
 Gas of Ohio, Inc., for Authority to Revise its) Case No. 08-75-GA-AAM
 Depreciation Accrual Rates.)

ENTRY

The attorney examiner finds:

- (1) Columbia Gas of Ohio, Inc., (Columbia) is a natural gas company as defined in Section 4905.03(A)(6), Revised Code, and a public utility as defined in Section 4905.02, Revised Code. As such, Columbia is subject to the jurisdiction of the Public Utilities Commission in accordance with Sections 4905.04 and 4905.05, Revised Code.
- (2) On March 3, 2008, Columbia filed applications for an increase in gas distribution rates and for approval of an alternative rate plan, as well as applications for approval of changes in certain accounting issues.
- (3) On September 3, 2008, the office of the Ohio Consumers' Counsel (OCC) filed a motion for an extension of time to file direct expert testimony, together with a request for an expedited ruling on the motion. OCC points out that Rule 4901-1-29(A)(1)(b), Ohio Administrative Code (O.A.C.), requires the filing of such testimony on September 22, 2008, and that Rule 4901-1-13, O.A.C., allows for motions to extend such deadlines.

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OCC requests a 7-day extension of the time to file its testimony in order to allow more time for review of the staff report and consultant's report in these proceedings. OCC notes that its personnel are also currently involved in other Commission proceedings.

- (4) With regard to the requested expedited treatment, OCC certifies that it has contacted all parties and that no party who responded to the inquiry objected to the issuance of an expedited ruling or to the requested extension. However, OCC noted that Columbia did not object to the motion if the hearing date is unchanged and that staff of the Commission does not object to the motion if the hearing date is extended by a corresponding 7 days.
- (5) On September 5, 2008, Columbia filed a response to OCC's motion, indicating that, while it does not object to an extension of the deadline for filing testimony, it strenuously objects to an extension of the hearing date. Columbia points out that, if the Commission grants the motion, the parties will still have more than two weeks after the new deadline during which to prepare for the evidentiary hearing.
- (6) The examiner finds that it is reasonable to allow the parties more time to prepare for the filing of direct expert testimony. However, in light of the statutory requirement that an application such as that filed in Case No. 08-72-GA-AIR be determined within 275 days after filing, the examiner will not extend the evidentiary hearing date. Section 4909.42, Ohio Revised Code. Therefore, the examiner will also not grant the full 7-day extension requested by OCC. Rather, direct expert testimony shall be filed no later than Thursday, September 25, 2008.

It is, therefore,

ORDERED, That OCC's motion to extend the testimony filing date be granted to the extent set forth in finding (6). It is, further,

ORDERED, That direct expert testimony be filed by all parties no later than September 25, 2008. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: Paul J. Duffy
Attorney Examiner

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Entered in the Journal

SEP 09 2008

Renee J. Jenkins

Renee J. Jenkins
Secretary