

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Columbia Gas of Ohio, Inc., for Approval)
of a General Exemption of Certain Natural) Case No. 08-1344-GA-EXM
Gas Commodity Sales Services or Ancillary)
Services.)

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, and, as such, is subject to the jurisdiction of the Commission pursuant to Sections 4905.04, 4905.05, and 4905.06, Revised Code.
- (2) Section 4929.04, Revised Code, permits a natural gas company to request an exemption from certain provisions of Chapters 4905, 4909, and 4935, Revised Code, governing the company's commodity sales services and ancillary services.
- (3) On January 30, 2009, Columbia 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, 4935, Revised Code. In addition, Columbia requests approval of a proposed rider pursuant to Section 4929.11, Revised Code.
- (4) Along with its application, Columbia filed a motion requesting a waiver of various rules contained in Chapter 4901:1-19, Ohio Administrative Code (O.A.C.), including, *inter alia*, paragraphs (B)(2), (C)(6), and (C)(7) of Rule 4901:1-19-04, O.A.C., which require the filing of testimony and tariff documentation as part of the application, and paragraphs (A) and (B) of Rule 4901:1-19-06, O.A.C., which require the Commission to determine the date of acceptance of an application and to issue an entry accepting the application. Columbia proposes that the Commission accept that the application complies with and satisfies the filing requirements based upon the fact that there has been participation in a stakeholder group by numerous

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parties. In addition, Columbia proposed a procedural schedule, pursuant to which Columbia would file its testimony and tariff documentation on March 13, 2009. Columbia also requests a waiver of paragraphs (C), (E), and (G) of Rule 4901:1-19-09, O.A.C., relating to procedural requirements and deadlines.

- (5) Upon consideration of Columbia's request for waivers, the attorney examiner finds that it would not be appropriate to consider whether the application is in compliance with the filing requirements and set a procedural schedule in this case absent the filing of Columbia's testimony and tariff documentation. Rather, the examiner believes that it is appropriate to withhold ruling on the waiver request until after the testimony and tariff documentation is filed. Therefore, the attorney examiner finds that the date on which the testimony and tariff documentation is filed should be considered the original filing date of this application for purposes of the computation of time in accordance with Rule 4901:1-19-06, O.A.C. Once this information is filed, Columbia's waiver request and proposed schedule will be considered, to the extent still applicable.

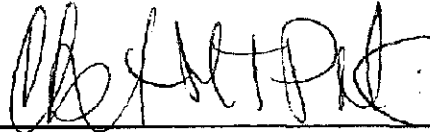
It is, therefore,

ORDERED, That Columbia's motion for waivers not be considered at this time. It is, further,

ORDERED, That, as set forth in finding (5), the date on which Columbia files its testimony and tariff documentation be considered the original filing date of this application. It is, further,

ORDERED, That a copy of this entry be served upon interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Christine M.T. Pirik
Attorney Examiner

JRG
/vrm

Entered in the Journal

FEB 25 2009



Renee J. Jenkins
Secretary