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March 6, 2009

PUCO

Public Utilities Commission of Ohio
ATTN: Renee' Jenkins
Director of Administration
Docketing Division - 13th Floor
180 East Broad Street
Columbus, Ohio 43215

Re: Case Number 08-0072-GA-AIR
Case Number 08-0073-GA-ALT
Case Number 08-0074-GA-AAM
Case Number 08-0075-GA-AAM
Case Number 89-8003-GA-TRF

Dear Ms. Jenkins:


Pursuant to the Opinion and Order issued in the above-captioned cases on December 3, 2008, and in compliance with the Public Utilities Commission of Ohio's rules governing Tariff Filing Procedures in Case No. 89-500-AU-TRF, Columbia Gas of Ohio, Inc. (Columbia) is filing proposed tariff sheets to provide for revisions to Columbia's Competitive Retail Natural Gas Service tariffs. The tariffs are the result of discussions between the Commission Staff and Columbia, as committed to by the parties in the Recommendation and Stipulation filed in the above cases on October 24, 2008.

Enclosed for filing are four complete, printed copies of the proposed tariffs for Columbia:

Table with 4 columns: Section No., Sheet No., Page No., and Description. It lists seven items related to revised tariff sheets and codes of conduct.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician [Signature] Date Processed MAR 06 2009

Very truly yours,

A handwritten signature in black ink that reads "Larry W. Martin". The signature is written in a cursive style with a prominent loop at the end of the word "Martin".

Larry W. Martin  
Director  
Regulatory Policy

Enclosures

**Proposed Tariffs  
Clean Version**

SECTION VII  
PART 8 - CUSTOMER INQUIRIES AND DISPUTE RESOLUTION

8.1 Customer Access and Complaint Handling

Each Retail Natural Gas Supplier or Governmental Aggregator shall ensure customers reasonable access to its service representatives to make inquiries and complaints, discuss charges on customer bills, terminate competitive service, and transact any other pertinent business in accordance with Rule 4901:1-28-08 of the Ohio Administrative Code for customer access and complaint handling. The Minimum Standards for Competitive Retail Natural Gas Service are available on the Commission's website at [www.puco.ohio.gov](http://www.puco.ohio.gov). Supplier's failure to comply with the Company's tariff and/or Commission rule requirements may be deemed to be in material default within the meaning of Rule 4901:1-27(12)(J) of the Ohio Administrative Code, which may be grounds for the Company to request suspension or termination pursuant to the rule.

8.2 Handling of Customer Complaints By Company

1) If customers contact the Company concerning Competitive Retail Natural Gas Service issues, the Company shall:

Review the issue with the customer to determine whether it also involves the Company;

- a) Cooperate with the resolution of any joint issues with the Retail Natural Gas Supplier or Governmental Aggregator; and
- b) Refer the Customer to the appropriate Retail Natural Gas Supplier or Governmental Aggregator, as directed by the Aggregator, in those instances where the issue lacks Company involvement and inform the Customer they may contact the Commission's Public Interest Center or the Ohio Consumers' Counsel if the issue is not resolved.

8.3 Customer Information

The Company, Retail Natural Gas Supplier and Governmental Aggregator shall provide customer-specific information in accordance with Rule 4901:1-29-09 of the Ohio Administrative Code.

Filed Pursuant to PUCO Entries dated

Issued:

Effective:

Issued By  
J. W. Partridge Jr., President

**SECTION VII**  
**PART 12 - CUSTOMER BILLING AND PAYMENTS**

12.7 Minimum Information Requirements

- 1) In exercising its options to bill customers, a retail natural gas supplier, governmental aggregator, or an agent must adhere to the Commission's Minimum Service Standards for Competitive Retail Natural Gas Service in accordance with the procedures set forth in Rule 4901:1-29-12 of the Ohio Administrative Code for customer billing and payments, which are incorporated herein by reference. The Minimum Standards for Competitive Retail Natural Gas Service are available on the Commission's website at [www.puco.ohio.gov](http://www.puco.ohio.gov). Supplier's failure to comply with the Company's tariff and/or Commission rule requirements may be deemed to be in material default within the meaning of Rule 4901:1-27 (12) (J) of the Ohio Administrative Code, which may be grounds for the Company requesting suspension or termination pursuant to the rule.

Filed Pursuant to PUCO Entries dated

Issued:

Effective:

Issued By  
J. W. Partridge Jr., President

**SECTION VII  
PART 12 - CUSTOMER BILLING AND PAYMENTS**

**12.8 Termination of Agreement**

The written agreement between the Retail Natural Gas Supplier and Customer shall be terminated if the Customer is terminated for non-payment of any regulated service or commodity portion of the gas bill. However, written agreements between a Retail Natural Gas Supplier and a Customer shall not be terminated in those situations where a Customer and Columbia have entered into a payment plan, and the Customer fully pays the current commodity gas costs. If Company provides a termination notice to the Customer, it will also notify the Customer's Retail Natural Gas Supplier.

**12.9 Dispute Resolution**

Each Retail Natural Gas Supplier and Governmental Aggregator shall establish policies and procedures for handling billing disputes and requests for payment arrangements.

Filed Pursuant to PUCO Entries dated

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J. W. Partridge Jr., President

**SECTION VII  
PART 15 - CODE OF CONDUCT**

15.1 Code of Conduct

Each Retail Natural Gas Supplier or Governmental Aggregator participating in Columbia's Customer CHOICE<sup>SM</sup> Program shall:

- 1) Conduct its competitive retail natural gas service activities consistent with the Commission's Minimum Standards for Competitive Retail Natural Gas Service, as set forth in Rules 4901:1-27 through 4901:1-34 of the Ohio Administrative Code, which are incorporated herein by reference. The Minimum Standards for Competitive Retail Natural Gas Service are available on the Commission's website at [www.puco.ohio.gov](http://www.puco.ohio.gov). Supplier's failure to comply with the Company's tariff and/or Commission rule requirements may be deemed to be in material default within the meaning of Rule 4901:1-27 (12) (J) of the Ohio Administrative Code, which may be grounds for the Company to request suspension or termination pursuant to the Rule.
- 2) Deliver gas to Company on a firm basis, on behalf of the Retail Natural Gas Supplier's participating customers in accordance with the requirements of the Aggregation Agreement.

If a Retail Natural Gas Supplier fails to deliver gas in accordance with its aggregation customers' full service requirements for natural gas, Company shall supply natural gas temporarily to the affected aggregation customers, and shall bill Retail Natural Gas Supplier the higher of either:

- a) the fair market price for that period, or
- b) the highest incremental cost of gas for that period that actually was paid by Company, including transportation and all other applicable charges.

In the event Retail Natural Gas Supplier over-delivers to its Aggregation Pool(s), the Company shall purchase the volumes over-delivered by the Retail Natural Gas Supplier at a gas cost equal to the lowest per Dth price paid by Company on the day(s) of over-delivery. In addition, the Retail Natural Gas Supplier shall reimburse Company for the Retail Natural Gas Supplier's pro rata share of all other penalty charges incurred by Company on the day(s) of over-delivery.

- 3) The Retail Natural Gas Suppliers must undergo a credit evaluation, at their expense, to assure that the Retail Natural Gas Supplier is sufficiently credit-worthy to protect against damages resulting from any failure to deliver gas in accordance with the requirements of the Columbia's Customer CHOICE<sup>SM</sup> Program, and to assure payment of any PUCO-approved charges for any such failure.

Filed in accordance with Public Utilities Commission of Ohio Order dated.

Issued:

Effective:

Issued By  
J. W. Partridge Jr., President

SECTION VII  
PART 15 - CODE OF CONDUCT

- 4) Provide Residential Customers and Commercial Customers that are not Mercantile Customers or a Cooperative member customer a "regulatory out" provision in all contracts which allows contracts to be terminated without penalty should the Columbia Customer CHOICE<sup>SM</sup> be terminated prior to the end of the contract term.
- 5) To the maximum extent possible provide Company and Residential Customers and those Commercial Customers that are not Mercantile Customers or a Cooperative at least forty-five (45) days notice of the Retail Natural Gas Supplier or Governmental Aggregator's intent to discontinue service to the customer where Retail Natural Gas Supplier or Governmental Aggregator's intent is to discontinue service prior to fulfillment of contract.
- 6) To the maximum extent possible attempt to resolve disputes between the Retail Natural Gas Supplier or Governmental Aggregator and Residential Customers and those Commercial Customers that are not Mercantile Customers.
- 7) Comply with the Contract Renewal Requirements set forth in Section VII, Part 10 of this tariff.
- 8) Provide the Commission timely and accurate information and updates of information necessary for the development of the Commission's "Apples to Apples" price comparison chart of Retail Natural Gas Supplier's commodity sales offers to Residential Customers.
- 9) Comply with the Customer Enrollment Process tariff provisions set forth in Section VII, Part 7 of this tariff.

Filed Pursuant to PUCO Entries dated

Issued:

Effective:

Issued By  
J. W. Partridge, Jr., President



**Proposed Tariffs  
Redline Version**

SECTION VII

PART 8 - CUSTOMER INQUIRIES AND DISPUTE RESOLUTION

8.1 Customer Access and Complaint Handling

~~1) Each Retail Natural Gas Supplier or Governmental Aggregator shall ensure customers reasonable access to its service representatives to make inquiries and complaints, discuss charges on customer bills, terminate competitive service, and transact any other pertinent business in accordance with Rule 4901:1-28-08 of the Ohio Administrative Code for customer access and complaint handling. The Minimum Standards for Competitive Retail Natural Gas Service are available on the Commission's website at [www.puco.ohio.gov](http://www.puco.ohio.gov). Supplier's failure to comply with the Company's tariff and/or Commission rule requirements may be deemed to be in material default within the meaning of Rule 4901:1-27(12)(J) of the Ohio Administrative Code, which may be grounds for the Company to request suspension or termination pursuant to the rule.~~

8.2 Handling of Customer Complaints By Company

~~1) If customers contact the Company concerning Competitive Retail Natural Gas Service issues, the Company shall:~~

~~Review the issue with the customer to determine whether it also involves the Company;~~

~~a) Cooperate with the resolution of any joint issues with the Retail Natural Gas Supplier or Governmental Aggregator; and~~

~~b) Refer the Customer to the appropriate Retail Natural Gas Supplier or Governmental Aggregator, as directed by the Aggregator, in those instances where the issue lacks Company involvement and inform the Customer they may contact the Commission's Public Interest Center or the Ohio Consumers' Counsel if the issue is not resolved.~~

8.3 Customer Information

~~The Company, Retail Natural Gas Supplier and Governmental Aggregator shall provide customer-specific information in accordance with Rule 4901:1-29-09 of the Ohio Administrative Code.~~

~~2) Telephone access shall be toll free and afford customers prompt answer times during normal business hours.~~

~~3) Each Retail Natural Gas Supplier or Governmental Aggregator shall provide a twenty-four hour automated telephone message instructing callers to report any service interruptions or natural gas emergencies to the Company.~~

8.2 Provision of Customer Information

~~1) Upon receipt of a customer request, a Retail Natural Gas Supplier or Governmental Aggregator and/or its Agent shall timely provide the customer's payment history for services rendered by the Retail Natural Gas Supplier or Governmental Aggregator up to twenty-four months to the customer without charge.~~

Filed Pursuant to PUCO Entries dated July 6, 1989 in Case No. 89-500 AU TRF and April 29, 2004 in Case No. 02-2903 GA ATA.

**Columbia Gas of Ohio, Inc.**

~~2) Other than for operation, maintenance, assignment and transfer of a customer's account, no Retail Natural Gas Supplier or Governmental Aggregator shall disclose a customer's account number without a customer's affirmative consent. No Retail Natural Gas Supplier or Governmental Aggregator shall disclose a social security number without first obtaining the signature of the customer on a release. The release shall be on a separate piece of paper. The release shall be clearly identified on its face as a release of personal information and all text appearing on the release shall be in at least sixteen point type. The following statement shall appear prominently on the release, just prior to the signature, in type darker and larger than the type in surrounding sentences: I realize that, under the rules and regulations of the public utilities commission of Ohio, I may refuse to allow (name of the Retail Natural Gas Supplier or Governmental Aggregator) to release the information set forth above. By my signature, I freely give (name of the Retail Natural Gas Supplier or Governmental Aggregator) permission to release the information designated above. The information that the Retail Natural Gas Supplier or Governmental Aggregator seeks to release shall be specified on the form. Forms requiring a customer to circle or to check off preprinted types of information to be released may not be used. In addition, a customer's social security number shall not be used for any other purpose other than to perform a credit check.~~

**8.3 Customer Complaints**

- ~~1) Each Retail Natural Gas Supplier or Governmental Aggregator and/or its Agent shall investigate customer complaints and provide a status report within three business days following receipt of the complaint to:~~
- ~~a) The customer, when the complaint is made directly to the Retail Natural Gas Supplier or Governmental Aggregator; or~~
  - ~~b) The customer and Commission Staff, when a complaint is referred to the Retail Natural Gas Supplier or Governmental Aggregator by the Commission Staff.~~

Filed Pursuant to PUCO Entries dated July 6, 1989 in Case No. 89-500 AU TRF and April 29, 2004 in Case No. 02-2903 GA-ATA.

Issued: May 17, 2004

Effective: May 17, 2004

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J. W. Partridge Jr., President

## SECTION VII

## PART 8 - CUSTOMER INQUIRIES AND DISPUTE RESOLUTION

- 2) ~~The Governmental Aggregator may choose to have the Retail Natural Gas Supplier perform certain functions as the Governmental Aggregator's agent. However, the Governmental Aggregator is still responsible for ensuring that the requirements are met.~~
- 3) ~~If an investigation is not completed within ten business days, the Retail Natural Gas Supplier or Governmental Aggregator and/or its Agent shall provide status reports to the customer, or if applicable, to the customer and Commission Staff. Such status reports shall be provided at three business day intervals until the investigation is complete, unless the action that must be taken will require more than three business days and the customer has been so notified.~~
- 4) ~~The Retail Natural Gas Supplier or Governmental Aggregator and/or its Agent shall inform the customer, or the customer and Commission Staff, of the results of the investigation, orally or in writing, no later than three business days after completion of the investigation. The customer or Commission Staff may request the report in writing.~~
- 5) ~~If a customer disputes the Retail Natural Gas Supplier's or Governmental Aggregator's and/or its Agent's report, the Retail Natural Gas Supplier or Governmental Aggregator shall inform the customer that the Commission Staff is available to mediate complaints. The Retail Natural Gas Supplier or Governmental Aggregator and/or its Agent shall provide the customer with the address, local and toll free telephone numbers, and TDD/TTY telephone number of the Commission's public interest center.~~
- 6) ~~Each Retail Natural Gas Supplier or Governmental Aggregator shall retain records of customer complaints, investigations, and complaint resolutions for two years after the occurrence of such complaints and shall provide such records to the Commission Staff within three business days of request.~~
- 7) ~~Each Retail Natural Gas Supplier or Governmental Aggregator shall make good faith efforts to resolve disputes and cooperate with the resolution of any joint issues with the Company.~~

## 8.4 Handling of Customer Complaints By Company

- 1) ~~If customers contact the Company concerning Competitive Retail Natural Gas Service issues, the Company shall:~~
  - ~~Review the issue with the customer to determine whether it also involves the Company;~~
  - a) ~~Cooperate with the resolution of any joint issues with the Retail Natural Gas Supplier or Governmental Aggregator; and~~
  - b) ~~Refer the Customer to the appropriate Retail Natural Gas Supplier or Governmental Aggregator, as directed by the Aggregator, in those instances where the issue lacks Company involvement and inform the Customer they may contact the Commission's Public Interest Center or the Ohio Consumers' Counsel if the issue is not resolved.~~

Filed Pursuant to PUCO Entries dated July 6, 1989 in Case No. 89-500 AU TRF and April 29, 2004 in Case No. 02-2903 GA ATA.

Issued: May 17, 2004

Effective: May 17, 2004

Issued By  
J. W. Partridge Jr., President

## SECTION VII

## PART 8 - CUSTOMER INQUIRIES AND DISPUTE RESOLUTION

## 8.5 Slamming Complaints

- 1) ~~If a customer contacts the Company, Retail Natural Gas Supplier or Governmental Aggregator alleging that the customer's supplier has been switched without the customer's authorization, the Company, Retail Natural Gas Supplier or Governmental Aggregator shall:~~
  - a) ~~Provide the customer any evidence relating to the customer's enrollment;~~
  - b) ~~Refer the customer to the Commission's public interest center;~~
  - c) ~~Provide the customer with the local/toll free telephone numbers of the Commission's consumer service department; and~~
  - d) ~~Cooperate with the Staff in any subsequent investigations of the slamming complaint.~~
- 2) ~~Except as otherwise provided in Chapter 4901:1-28 of the Ohio Administrative Code, if the Retail Natural Gas Supplier or Governmental Aggregator cannot produce valid documentation confirming that the customer authorized the switch, there shall be a rebuttable presumption that the customer was switched without authorization. Such documentation will include one of the following:~~
  - a) ~~A signed contract, in the case of direct enrollment;~~
  - b) ~~An audio recording, in the case of telephonic enrollment; or~~
  - c) ~~Electronic consent, in the case of internet enrollment.~~
- 3) ~~In the event that the customer was switched from one Retail Natural Gas Supplier or Governmental Aggregator to a different Retail Natural Gas Supplier or Governmental Aggregator without authorization, the customer's previous Retail Natural Gas Supplier or Governmental Aggregator shall re-enroll the customer without penalty under such customer's original contract price for the duration of the original term and send the Company an electronic enrollment request. If the original Retail Natural Gas Supplier or Governmental Aggregator is unable to return the customer to the original contract price, the original Retail Natural Gas Supplier or Governmental Aggregator may enroll the customer in a new contract pursuant to the provisions of rule 4901:1-29-06 of the Ohio Administrative Code, or the customer may select a new Retail Natural Gas Supplier or return to the Company's GCR sales service.~~
- 4) ~~In the event that a customer was switched from the Company sales service to a Retail Natural Gas Supplier or Governmental Aggregator without authorization, the Company will switch the customer back to the Company's GCR sales service without penalty.~~

Filed Pursuant to PUCO Entries dated July 6, 1989 in Case No. 89-500 AU-TRF and April 29, 2004 in Case No. 02-2003 GA-ATA.

**SECTION VII**  
**PART 12 - CUSTOMER BILLING AND PAYMENTS**

**12.7 Minimum Information Requirements**

- 1) In exercising its options to bill customers, a retail natural gas supplier, governmental aggregator, or an agent must adhere to the Commission's Minimum Service Standards for Competitive Retail Natural Gas Service in accordance with the procedures set forth in Rule 4901:1-29-12 of the Ohio Administrative Code for customer billing and payments, which are incorporated herein by reference. The Minimum Standards for Competitive Retail Natural Gas Service are available on the Commission's website at [www.puco.ohio.gov](http://www.puco.ohio.gov). Supplier's failure to comply with the Company's tariff and/or Commission rule requirements may be deemed to be in material default within the meaning of Rule 4901:1-27 (12) (J) of the Ohio Administrative Code, which may be grounds for the Company requesting suspension or termination pursuant to the rule.

~~Customer bills issued by or for Retail Natural Gas Suppliers and Governmental Aggregators shall be accurate and understandable, be rendered at intervals consistent with those of the Company, and contain sufficient information for customers to compute and compare the total cost of Competitive Retail Natural Gas Service(s). Such bills must be rendered in accordance with rule 4901:1-29-12 of the Ohio Administrative Code and shall also include:~~

- ~~a) The customer's name, billing address, service address, the customer's Company account number, and if applicable, the Retail Natural Gas Supplier or Governmental Aggregator account number;~~
- ~~b) The dates of service covered by the bill, an itemization of each type of Competitive Retail Natural Gas Service covered by the bill, any related billing components, the charge for each type of natural gas service, and an itemization of all other fees and charges;~~
- ~~c) The customer's historical consumption during each of the preceding twelve months or each of the preceding months that the customer has been a customer of the Retail Natural Gas Supplier or Governmental Aggregator, whichever is less, with a total consumption and an overall average monthly consumption for such period;~~
- ~~d) The applicable billing determinants, including beginning meter reading(s), ending meter reading(s), multiplier(s), and any other consumption(s) adjustments;~~
- ~~e) The unit price charged per Ccf for Competitive Retail Natural Gas Service, as calculated by dividing current period Competitive Retail Natural Gas Service charges by the current period consumption;~~
- ~~f) An identification of the Retail Natural Gas Supplier or Governmental Aggregator of each retail natural gas service appearing on the bill;~~
- ~~g) The amount billed for the current period, any unpaid amounts due from previous periods, any payments or credits applied to the customer's account during the current period, any late payment charges or gross and net charges, if applicable, and the total amount due and payable;~~
- ~~h) The due date for payment to keep the account current. Such due date shall be consistent with that provided by the Company for its charges;~~

Filed Pursuant to PUCO Entries dated July 6, 1989 in Case No. 89-500 AU TRF and April 29, 2004 in Case No. 02-2902 GA ATA.

Columbia Gas of Ohio, Inc.

- ~~i) Current balance of the account, if a residential customer is billed according to a budget plan;~~
- ~~j) Options and instructions on how customers may make their payments;~~
- ~~k) A toll free or local telephone number and address for customer billing questions or complaints must appear for any Retail Natural Gas Supplier or Governmental Aggregator whose charges appear on the bill;~~

Filed Pursuant to PUCO Entries dated July 6, 1989 in Case No. 89-500-AU-TRE and April 29, 2004 in Case No. 02-2903-GA-ATA.

Issued: May 17, 2004

Effective: May 17, 2004

Issued By  
J. W. Partridge Jr., President

SECTION VII

PART 12 - CUSTOMER BILLING AND PAYMENTS

~~l)The following statement:~~

~~If your questions are not resolved after you have called the Supplier or Governmental Aggregator listed above, customers may call the Public Utilities Commission of Ohio (PUCO) toll free at 1-800-686-7826 or 1-614-466-3292, or for TDD/TTY toll free at 1-800-686-1570 or 1-614-466-8180, from 8:00 a.m. to 5:00 p.m. weekdays, or visit the PUCO website at [www.puco.ohio.gov](http://www.puco.ohio.gov). Residential customers may call the Ohio Consumers' Counsel (OCC) toll free at 1-877-742-5622 from 8:30 a.m. to 5:30 p.m. weekdays, or visit the OCC website at [www.pickooe.org](http://www.pickooe.org).~~

~~m)The Company's twenty-four hour local toll-free telephone number for reporting service emergencies;~~

~~n)Identification of estimated bills or bills not based upon actual end-of-period meter readings for the period; and~~

~~o)An explanation of any codes and abbreviations used.~~

12.8 Termination of Agreement

The written agreement between the Retail Natural Gas Supplier and Customer shall be terminated if the Customer is terminated for non-payment of any regulated service or commodity portion of the gas bill. However, written agreements between a Retail Natural Gas Supplier and a Customer shall not be terminated in those situations where a Customer and Columbia have entered into a payment plan, and the Customer fully pays the current commodity gas costs. If Company provides a termination notice to the Customer, it will also notify the Customer's Retail Natural Gas Supplier.

12.9 Dispute Resolution

Each Retail Natural Gas Supplier and Governmental Aggregator shall establish policies and procedures for handling billing disputes and requests for payment arrangements.



**SECTION VII  
PART 15 - CODE OF CONDUCT**

15.1 Code of Conduct

Each Retail Natural Gas Supplier or Governmental Aggregator participating in Columbia's Customer CHOICE<sup>SM</sup> Program shall:

- 1) ~~Communicate to customers, in clear understandable terms, the customers' rights and responsibilities. This communication shall include, at a minimum, the following information:~~
  - a) ~~The Retail Natural Gas Supplier's or Governmental Aggregator's customer service address and toll-free telephone number.~~
  - b) ~~A statement describing the Retail Natural Gas Supplier's or Governmental Aggregator's Dispute Resolution Procedures.~~
  - c) ~~A statement that the Retail Natural Gas Supplier or Governmental Aggregator must provide, to the maximum extent possible, the customer with thirty (30) days written notice prior to discontinuing service.~~
  - d) ~~Notice that Columbia's Customer CHOICE<sup>SM</sup> Program is subject to ongoing Commission jurisdiction.~~
- 2) ~~Provide in writing to customers pricing and payment terms that are clear and understandable in compliance with rule 4901:1-29-11(8) of the Ohio Administrative Code.~~
- 3) ~~Refrain from engaging in communications or practices with customers that are fraudulent, deceptive, or misleading.~~
- 1) Conduct its competitive retail natural gas service activities consistent with the Commission's Minimum Standards for Competitive Retail Natural Gas Service, as set forth in Rules 4901:1-27 through 4901:1-34 of the Ohio Administrative Code, which are incorporated herein by reference. The Minimum Standards for Competitive Retail Natural Gas Service are available on the Commission's website at [www.puco.ohio.gov](http://www.puco.ohio.gov). Supplier's failure to comply with the Company's tariff and/or Commission rule requirements may be deemed to be in material default within the meaning of Rule 4901:1-27 (12) (J) of the Ohio Administrative Code, which may be grounds for the Company to request suspension or termination pursuant to the Rule.
- 4) Deliver gas to Company on a firm basis, on behalf of the Retail Natural Gas Supplier's participating customers in accordance with the requirements of the Aggregation Agreement.

If a Retail Natural Gas Supplier fails to deliver gas in accordance with its aggregation customers' full service requirements for natural gas, Company shall supply natural gas temporarily to the affected aggregation customers, and shall bill Retail Natural Gas Supplier the higher of either:

- a) the fair market price for that period, or
- b) the highest incremental cost of gas for that period that actually was paid by Company, including transportation and all other applicable charges.

In the event Retail Natural Gas Supplier over-delivers to its Aggregation Pool(s), the Company shall purchase the volumes over-delivered by the Retail Natural Gas Supplier at a gas cost equal to

**Columbia Gas of Ohio, Inc.**

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the lowest per Dth price paid by Company on the day(s) of over-delivery. In addition, the Retail Natural Gas Supplier shall reimburse Company for the Retail Natural Gas Supplier's pro rata share of all other penalty charges incurred by Company on the day(s) of over-delivery.

- 53) The Retail Natural Gas Suppliers must undergo a credit evaluation, at their expense, to assure that the Retail Natural Gas Supplier is sufficiently credit-worthy to protect against damages resulting from any failure to deliver gas in accordance with the requirements of the Columbia's Customer CHOICE<sup>SM</sup> Program, and to assure payment of any PUCO-approved charges for any such failure.

Filed in accordance with Public Utilities Commission of Ohio Order dated ~~December 3, 2008~~ in Case Nos. ~~08-0072-GA-AIR, 08-0073-GA-ALT, 08-0074-GA-AAM, and 08-0075-GA-AAM.~~

Issued: ~~December 3, 2008~~

Effective: ~~December 3, 2008~~

Issued By  
J. W. Partridge Jr., President

SECTION VII  
PART 15 - CODE OF CONDUCT

- ~~6~~4) Provide Residential Customers and Commercial Customers that are not Mercantile Customers or a Cooperative member customer a "regulatory out" provision in all contracts which allows contracts to be terminated without penalty should the Columbia Customer CHOICE<sup>SM</sup> be terminated prior to the end of the contract term.
- ~~7~~5) To the maximum extent possible provide Company and Residential Customers and those Commercial Customers that are not Mercantile Customers or a Cooperative at least forty-five (45) days notice of the Retail Natural Gas Supplier or Governmental Aggregator's intent to discontinue service to the customer where Retail Natural Gas Supplier or Governmental Aggregator's intent is to discontinue service prior to fulfillment of contract.
- ~~8~~6) To the maximum extent possible attempt to resolve disputes between the Retail Natural Gas Supplier or Governmental Aggregator and Residential Customers and those Commercial Customers that are not Mercantile Customers.
- ~~9~~7) Comply with the Contract Renewal Requirements set forth in Section VII, Part 10 of this tariff.
- ~~10~~8) Provide the Commission timely and accurate information and updates of information necessary for the development of the Commission's "Apples to Apples" price comparison chart of Retail Natural Gas Supplier's commodity sales offers to Residential Customers.
- ~~11~~9) Comply with the Customer Enrollment Process tariff provisions set forth in Section VII, Part 7 of this tariff.

Filed Pursuant to PUCO Entries dated July 6, 1989 in Case No. 89-500-AU-TRF and January 17, 2007 in Case No. 05-1045-GA-ATA.

Issued: ~~January 23, 2007~~

Effective: ~~January 23, 2007~~

Issued By  
J. W. Partridge, Jr., President