

Before
THE SUPREME COURT OF OHIO

Ohio Partners for Affordable Energy,
Office of the Ohio Consumers' Counsel

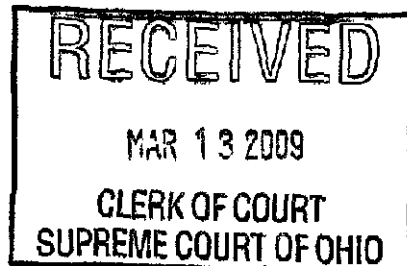
Appellant,

vs

The Public Utilities Commission of Ohio

Appellee.

Supreme Court No. 09-0314



Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for authority to increase rates for its gas
distribution service

Case No. 07-829-GA-AIR

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval of an alternative rate plan for
its Gas Distribution Service

Case No. 07-830-GA-ALT

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval to change accounting methods

Case No. 07-831-GA-AAM

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval of tariffs to recover certain cost
associated with a pipeline infrastructure
replacement program through an automatic
adjustment clause and for certain accounting
treatment.

Case No. 08-169-GA-ALT

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval of tariffs to recover certain cost
associated with automated meter reading
deployment through an automatic
clause, and certain accounting treatment.

Case No. 06-1453-GA-UNC

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<u>7/16/2008</u>	Letter expressing concern over raising rates filed by various consumers.	Corres.
<u>7/16/2008</u>	Letter opposing any increase passed along to the consumer filed by R. Nabb.	Corres.
<u>7/16/2008</u>	Notice to take deposition upon oral examination of Tim C. McNutt and request for production of documents filed by L. Sauer on behalf of the office of the Ohio Consumers' Counsel.	135
<u>7/17/2008</u>	Letter regarding rate increase filed by L. Dietz, consumer.	Corres.
<u>7/17/2008</u>	Letters regarding the proposed rate increase filed by various consumers.	Corres.
<u>7/18/2008</u>	Letter opposing raising the flat rate filed by E."Libby" Smith, concerned customer.	Corres.
<u>7/21/2008</u>	Letters regarding proposed rate increase filed by various consumers.	Corres.
<u>7/21/2008</u>	Motion to dismiss Dominion East Ohio's application for authority to increase rates for its gas distribution service or in the alternative motion to dismiss Dominion East Ohio's pipeline infrastructure replacement application, memorandum in support filed by G. Poulos on behalf of the Ohio Consumers' Counsel.	136
<u>7/23/2008</u>	Letter regarding proposed rate increase filed by consumer H. Corbett.	Corres.
<u>7/23/2008</u>	Memo from customer protesting the proposed rate increase filed by J. Anderson.	Corres.
<u>7/23/2008</u>	Notice to take deposition upon oral examination of John Doe and request for production of documents filed by G. Poulos on behalf of the Office of the Ohio Consumers' Counsel.	137

<u>7/25/2008</u>	Direct testimony and exhibits of Scott J. Rubin on behalf of the Office of the Ohio Consumers' Counsel filed by J. Serio.	138
<u>7/25/2008</u>	Notice of deposition to the Office of the Ohio Consumers' Counsel filed by A. Campbell on behalf of the East Ohio Gas Company dba Dominion East Ohio.	139
<u>7/25/2008</u>	Objections to the June 12, 2008 Staff Report of Investigation and summary of major issues by the Office of the Ohio Consumers' Counsel filed by J. Serio.	140
<u>7/25/2008</u>	Objections to the PIR Staff report of investigation of the East Ohio Gas Company dba Dominion East Ohio filed by A. Campbell on behalf of the East Ohio Gas Company dba Dominion East Ohio.	141
<u>7/25/2008</u>	Service list filed by A. Campbell on behalf of The East Ohio Gas Company dba Dominion East Ohio.	142
<u>7/25/2008</u>	Supplemental direct testimony of Tim C. McNutt filed by A. Campbell on behalf of Dominion East Ohio. (DEO Exhibit 10.1)	143
<u>7/25/2008</u>	Third supplemental direct testimony of Jeffrey a. Murphy on behalf of Dominion East Ohio filed by A. Campbell. (DEO Exhibit 1.3)	144
<u>7/28/2008</u>	Letters regarding the proposed rate increase filed by various consumers.	Corres.
<u>7/28/2008</u>	Memorandum contra the motion to dismiss by the Office of the Ohio Consumers' Counsel on behalf of the East Ohio Gas Company dba Dominion East Ohio filed by M. Whitt.	145
<u>7/28/2008</u>	Notice of withdrawal of the Ohio Energy Group filed by D. Boehm.	146
<u>7/29/2008</u>	Confidential document: Deposition of William Armstrong and exhibits filed by J. Serio on behalf of the Office of the Ohio Consumers' Counsel.	Conf.
<u>7/29/2008</u>	Deposition of William Armstrong and exhibits filed by J. Serio on behalf of the Ohio Consumers' Council. (Part 1 of 2)	147

<u>7/29/2008</u>	Deposition of William Armstrong and exhibits continued. (Part 2 of 2)	148
<u>7/29/2008</u>	Letter regarding proposed rate increase filed by consumer H. Cormak.	Corres.
<u>7/29/2008</u>	Memo from customer protesting the proposed rate increase filed by S. Collins.	Corres.
<u>7/29/2008</u>	Motion for a protective order regarding the exhibits to the deposition of William Armstrong, memorandum in support filed by J. Serio on behalf of the Ohio Consumers' Council.	149
<u>7/29/2008</u>	Notice of filing deposition of Cliff Andrews filed by J. Serio on behalf of the Ohio Consumers' Counsel.	150
<u>7/29/2008</u>	Notice of filing of deposition of William Armstrong (Confidential Version of Exhibits) filed by J. Serio on behalf of the Ohio Consumers' Counsel.	151
<u>7/29/2008</u>	Notice of filing of deposition of William Armstrong (Public Version of Exhibits) filed by J. Serio on behalf of the Ohio Consumers' Counsel.	152
<u>7/29/2008</u>	Notice of filing of depositions of Jeffrey A. Murphy filed by J. Serio on behalf of the Ohio Consumers' Counsel.	153
<u>7/29/2008</u>	Proof of publication, Summit, Ashland, Ashtabula, Wood, Stark, Cuyahoga, Allen, Lorain, Washington, Belmont, Medina, Tuscarawas, Portage, Lucas, Trumbull, Lake, Monroe (W), Wayne, Auglaize, Mahoning, Muskingum and Wood County, WV.	POP
<u>7/29/2008</u>	Transcript of deposition of Cliff Andrews taken on Wednesday, July 23, 2008.	Trans.
<u>7/29/2008</u>	Transcript of deposition of Daniel M. Ives taken on Tuesday, July 22, 2008.	Trans.
<u>7/29/2008</u>	Transcript of deposition of Jeffrey A. Murphy taken on Monday, July 14, 2008.	Trans.
<u>7/29/2008</u>	Transcript of deposition of Jeffrey A. Murphy taken on Thursday, June 12, 2008.	Trans.

<u>7/30/2008</u>	Correspondence regarding the proposed Dominion rate increase from consumer A. Rozzo.	Corres.
<u>7/30/2008</u>	Letter regarding the proposed rate increase filed by consumer, W. Moore.	Corres.
<u>7/30/2008</u>	Letter regarding the proposed rate increase filed by J. Loree on behalf of the Board of Trustees of Boardman Township.	Corres.
<u>7/30/2008</u>	Letters regarding the proposed rate increase filed by various consumers.	Corres.
<u>7/31/2008</u>	Correspondence opposing rate increase requested by Dominion East Ohio Gas Company on behalf of various consumers.	Corres.
<u>7/31/2008</u>	Entry ordering local public hearings be held as set forth in finding (5); that notice of the local public hearings be published as set forth in finding (6). (CP)	154
<u>7/31/2008</u>	Entry ordering the July 10, 2008 request by OCC, the City of Cleveland, Ohio Partners for Affordable Energy, The Neighborhood Environmental Coalition, The Empowerment Center of Greater Cleveland, Cleveland Housing Network, and the Consumers for Fair Utility Rates was not filed appropriately and cannot be considered by the Commission; that the issues raised in OCC's motion to dismiss have already been addressed, and final decisions have been issued, therefore, it is unnecessary for the Commission to elaborate further on these issues.	155
<u>7/31/2008</u>	Memo regarding proposed rate increase from consumer D. Kohnen.	Corres.
<u>7/31/2008</u>	Petition stating that all of the undersigned hereby oppose the rate increase Dominion East Ohio is requesting filed by various consumers.	156
<u>7/31/2008</u>	Petition stating that all undersigned hereby oppose the rate increase Dominion East Ohio Gas Company is requesting filed by various consumers.	157
<u>7/31/2008</u>	Petition stating that all undersigned oppose the rate increase Dominion East Ohio Gas Company is requesting filed by various consumers.	158

<u>7/31/2008</u>	Petition stating that all undersigned oppose the rate increase Dominion East Ohio Gas Company is requesting filed on behalf of various consumers.	159
<u>7/31/2008</u>	Prefiled testimony of Barbara J. Bossart filed by A. Hammerstein on behalf of Staff.	160
<u>7/31/2008</u>	Prefiled testimony of Dianne L. Doss filed by A. Hammerstein on behalf of Staff.	161
<u>7/31/2008</u>	Prefiled testimony of Stephen E. Puican filed by A. Hammerstein on behalf of Staff.	162
<u>7/31/2008</u>	Prefiled testimony of Tonja D. Stewart filed by A. Hammerstein on behalf of Staff.	163
<u>8/1/2008</u>	Correspondence opposing rate increase requested by Dominion East Ohio Gas Company on behalf of consumer A. F. Lema.	Corres.
<u>8/1/2008</u>	Correspondence regarding the proposed rate increased filed by various consumers.	Corres.
<u>8/1/2008</u>	Letter of protest regarding the proposed Dominion rate increase filed by D. Stephenson.	Corres.
<u>8/1/2008</u>	Letters from various consumers regarding the proposed Dominion rate increase.	Corres.
<u>8/1/2008</u>	Memo regarding the proposed Dominion rate increase filed by C. Gibbons, consumer.	Corres.
<u>8/1/2008</u>	Prefiled testimony of Peter K. Baker on behalf of PUCO.	164
<u>8/1/2008</u>	Prefiled testimony of Stephen R. Chaney on behalf of PUCO.	165
<u>8/1/2008</u>	Reply to the memorandum contra motion to dismiss filed by G. Poulos on behalf of the Ohio Consumers' Council.	166

<u>8/1/2008</u>	Supplemental testimony of Stephen E. Puican on behalf PUCO.	167
<u>8/4/2008</u>	Correspondence letter opposing Dominion East Ohio rate increase filed by various consumers.	Corres.
<u>8/4/2008</u>	Correspondence letter opposing the rate increase filed by consumer R. Boch.	Corres.
<u>8/4/2008</u>	Correspondence letter regarding rate increase of Dominion East Ohio, filed by N. Blake.	Corres.
<u>8/5/2008</u>	Comments opposing the proposed rate increase filed by various consumers.	Corres.
<u>8/5/2008</u>	Corrected supplemental testimony of Stephen E. Puican filed by PUCO Staff.	168
<u>8/5/2008</u>	Prefiled testimony of Edward M. Steele filed on behalf of the PUCO by A. Hammerstein.	169
<u>8/5/2008</u>	Prefiled testimony of Francis C. Rack filed by PUCO Staff.	170
<u>8/6/2008</u>	Correspondence letter opposing Dominion East Ohio rate increase filed by J. Muscatell.	Corres.
<u>8/6/2008</u>	Correspondence opposing rate increase filed by various consumers.	Corres.
<u>8/6/2008</u>	Petition signed by various consumers opposing Dominion East Ohio Gas Company rate increase.	171
<u>8/7/2008</u>	Correspondence letter opposing Dominion East Ohio rate increase filed by Congressman D. Kucinich.	Corres.
<u>8/7/2008</u>	Correspondence letter opposing Dominion East Ohio rate increase filed by consumer.	Corres.
<u>8/7/2008</u>	Correspondence letter opposing Dominion East Ohio rate increase filed by G. Snyder.	Corres.

<u>8/7/2008</u>	Correspondence letter opposing Dominion East Ohio rate increase filed by M. Gooch.	Corres.
<u>8/7/2008</u>	Correspondence letter opposing the Dominion East Ohio rate increase filed by E. Beal.	Corres.
<u>8/7/2008</u>	Correspondence letter opposing the Dominion East Ohio rate increase filed by J. Warman.	Corres.
<u>8/7/2008</u>	Correspondence opposing the Dominion East Ohio rate increase filed by various consumers.	Corres.
<u>8/8/2008</u>	Correspondence letters opposing the proposed rate increase of Dominion East Gas Company filed by various consumers.	Corres.
<u>8/8/2008</u>	Correspondence opposing Dominion East Ohio rate increase filed by C. Lenke.	Corres.
<u>8/8/2008</u>	Letter requesting information filed by T. Holloway, on behalf of Meander Water.	172
<u>8/11/2008</u>	Letter regarding the proposed rate increase filed by concerned consumer A. Horvath.	Corres.
<u>8/11/2008</u>	Letter regarding the proposed rate increase filed on behalf of the citizens of the City of Warren by Mayor Michael J. O'Brien.	Corres.
<u>8/11/2008</u>	Memo regarding the proposed rate increase of Dominion East, filed by consumer Ms. P. Schettler.	Corres.
<u>8/12/2008</u>	Correspondence concerning rate increase requested by Dominion East Ohio filed by consumer, C. Burger.	Corres.
<u>8/12/2008</u>	Correspondence letter opposing the Dominion East Ohio gas rate increase filed by D. Petarra.	Corres.
<u>8/12/2008</u>	Correspondence opposing Dominion East Ohio Gas rate increase filed by D. Parr.	Corres.

<u>8/12/2008</u>	Correspondence opposing Dominion East Ohio Gas rate increase filed by G. Arkwright.	Corres.
<u>8/12/2008</u>	Correspondence regarding Dominion East Ohio rate increase filed by various consumers.	Corres.
<u>8/13/2008</u>	Correspondence opposing Dominion East Ohio rate increase filed by various consumers.	Corres.
<u>8/13/2008</u>	Transcript and exhibits for hearing held July 31, 2008 at the Oliver R. Ocasek Government Center, West Auditorium, before Attorney Examiner S. Farkas, Akron, Ohio.	Trans.
<u>8/13/2008</u>	Transcript and exhibits for hearing held July 31, 2008, at the Canton City Hall, Canton City Council Chambers, before AE S. Farkas, Canton, Ohio.	Trans.
<u>8/14/2008</u>	Correspondence letter opposing the proposed rate increase filed by P. Strecker, consumer.	Corres.
<u>8/14/2008</u>	Correspondence opposing Dominion East Ohio rate increase filed by J. Saine.	Corres.
<u>8/15/2008</u>	Exhibits for hearing held August 1, 2008, before Attorney Examiners C. Pirik and S. Farkas, Franklin County.	Exh.
<u>8/15/2008</u>	Transcript of hearing held August 1, 2008 before attorney examiners C. Pirik and S. Farkas, electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.
<u>8/18/2008</u>	Correspondence opposing gas rate increase filed by C. Youngman.	Corres.
<u>8/18/2008</u>	Correspondence opposing gas rate increase filed by customers.	Corres.
<u>8/18/2008</u>	Correspondence opposing gas rate increase filed by R. Costanzo.	Corres.
<u>8/18/2008</u>	Correspondence opposing gas rate increase of Dominion East, filed by various consumers.	Corres.

<u>8/18/2008</u>	Correspondences opposing gas rate increase filed by A. Wells and C. Rosko.	Corres.
<u>8/19/2008</u>	Correspondence opposing gas rate increase filed by J. Nakoneczny.	Corres.
<u>8/19/2008</u>	Correspondence opposing gas rate increase filed by T. Crogan.	Corres.
<u>8/19/2008</u>	Letter opposing rate increase filed by N. Rose, consumer.	Corres.
<u>8/20/2008</u>	Correspondence opposing rate increase filed by consumer.	Corres.
<u>8/20/2008</u>	Correspondence opposing rate increase filed by T. Keller.	Corres.
<u>8/20/2008</u>	Correspondence opposing rate increase filed by various consumers.	Corres.
<u>8/20/2008</u>	Exhibits of transcript electronically filed for hearing held on Tuesday, August 5, 2008 before Scott Farkas, attorney examiner.	Exh.
<u>8/20/2008</u>	Informal resolution about the rate increase filed by the City Council of City of Canton.	173
<u>8/20/2008</u>	Transcript - Dominion East Ohio - Hearing transcript from 8/5/08, Marietta, Ohio, electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.
<u>8/20/2008</u>	Transcript with exhibits for hearing held at Frank J. Lausche State Office Building, 2nd Floor Auditorium, 615 West Superior Avenue, Cleveland, Ohio, on Monday, August 4, 2008 before Christine M. T. Pirik, attorney examiner.	Trans.
<u>8/20/2008</u>	Transcript with exhibits for hearing held on Monday, the 4th day of August 2008 at City of Geneva Council, City Hall Municipal Building, Council Chambers, 1st Floor, 44 North Forest Street, Geneva, Ohio, before Christine M.T. Pirik, Attorney Examiner.	Trans.
<u>8/21/2008</u>	Correspondence concerning Dominion East Ohio's request for increase filed by O Shapowal, concerned consumer.	Corres.

<u>8/21/2008</u>	Correspondence concerning Dominion East Ohio's request for increase in rates filed by concerned consumer, V. Mate.	Corres.
<u>8/21/2008</u>	Correspondence concerning Dominion East Ohio's request to increase rates filed by T. Scheffer.	Corres.
<u>8/21/2008</u>	Correspondence opposing rate increase filed by D. Hohnsbehn.	Corres.
<u>8/21/2008</u>	Correspondence opposing rate increase filed by P. Woodside.	Corres.
<u>8/21/2008</u>	Correspondence opposing rate increase filed by various consumers.	Corres.
<u>8/21/2008</u>	Correspondence opposing the rate increase filed by J. Holdgreve.	Corres.
<u>8/21/2008</u>	Schedule E-4.3 and updated schedule C-2 filed by A. Campbell on behalf of The East Ohio Gas Company dba Dominion East Ohio.	174
<u>8/22/2008</u>	Correspondence opposing rate increase filed by D. Taylor	Corres.
<u>8/22/2008</u>	Correspondence opposing rate increase filed by G. Webster.	Corres.
<u>8/22/2008</u>	Correspondence opposing rate increase filed by various customers.	Corres.
<u>8/22/2008</u>	Exhibits for transcript submitted electronically for hearing filed on Wednesday, August 6, 2008, before Scott Farkas, Attorney Examiner.	Exh.
<u>8/22/2008</u>	Prefiled testimony of Ibrahim Soliman filed by PUCO.	175
<u>8/22/2008</u>	Prefiled testimony of Marcia Rutherford on behalf of PUCO.	176
<u>8/22/2008</u>	Stipulation and recommendation of The East Ohio Gas Company dba Dominion East Ohio filed by M. Whitt.	177
<u>8/22/2008</u>	Transcript Vol II - East Ohio Gas dba Dominion East Ohio from 8/6/08 hearing, electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.

<u>8/22/2008</u>	Transcript Vol III - East Ohio Gas Company dba Dominion East Ohio from 8/8/08 hearing electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.
<u>8/25/2008</u>	Correspondence opposing rate increase filed by J. Bowman.	Corres.
<u>8/25/2008</u>	Correspondence opposing rate increase filed by T. Crogan.	Corres.
<u>8/25/2008</u>	Correspondence opposing the increase of the monthly service charge filed by various consumers.	Corres.
<u>8/25/2008</u>	Correspondence opposing the rate increase filed by various consumers.	Corres.
<u>8/25/2008</u>	Fourth supplemental direct testimony of Jeffrey A. Murphy on behalf of Dominion East Ohio.	178
<u>8/25/2008</u>	Second supplemental direct testimony of Stephen Puican filed by PUCO.	179
<u>8/26/2008</u>	Correspondence opposing rate increase filed by J. Isaac.	Corres.
<u>8/26/2008</u>	Correspondence opposing rate increase filed by K. Steiger.	Corres.
<u>8/26/2008</u>	Correspondence opposing rate increase filed by R. Wilson.	Corres.
<u>8/26/2008</u>	Correspondence opposing rate increase filed by S. & S. Balas.	Corres.
<u>8/26/2008</u>	Proof of Publication. (Summit, Ashland, Lucas, Cuyahoga, Lorain, Washington, Stark, Monroe, Tuscarawas, Auglaize, Wayne, Portage, Ashtabula, Allen, Belmont, Medina, Mahoning, Lake, Muskingum, Trumbull, Wood Counties)	POP
<u>8/26/2008</u>	Proof of Publication. (Summit, Ashland, Lucas, Cuyahoga, Lorain, Washington, Stark, Monroe, Tuscarawas, Auglaize, Wayne, Portage, Ashtabula, Allen, Belmont, Medina, Mahoning, Lake, Muskingum, Trumbull, Wood Counties)	POP
<u>8/26/2008</u>	Rebuttal testimony and exhibits of Roger D. Colton filed by J. Serio on behalf of OCC.	180

<u>8/27/2008</u>	Confidential document target for excerpt from the proceedings of Friday, August 8, 2008 and OCC Exhibit 18-A filed by East Ohio Gas Company dba Dominion East Ohio. (174 pages)	Conf.
<u>8/27/2008</u>	Correspondence opposing rate increase filed by D. Kacerek, consumer.	Corres.
<u>8/27/2008</u>	Correspondence opposing rate increase filed by R. Kunkel.	Corres.
<u>8/27/2008</u>	Surrebuttal testimony of Jeffrey A. Murphy filed by M. Whitt on behalf of Dominion East Ohio.	181
<u>8/28/2008</u>	Confidential document target for financial report filed by Blue Ridge on behalf of East Ohio Gas Company dba Dominion East Ohio.	Conf.
<u>8/28/2008</u>	Correspondence opposing rate increase filed by T. Thomas.	Corres.
<u>8/28/2008</u>	Correspondence opposing the increase of the monthly service charges file by R. O'Connor and A. Slota on behalf of the Detroit Shoreway Community Development Organization.	Corres.
<u>8/28/2008</u>	Entry ordering that the parties comply with the requirements of this entry, as previously ordered on August 27, 2008. (SF)	182
<u>8/28/2008</u>	Exhibit for transcript submitted electronically for hearing held on Wednesday, August 27, 2008 before Attorney Examiners, Christine Pirik and Scott Farkas.	Exh.
<u>8/28/2008</u>	Exhibits for transcript submitted electronically for hearing held on Monday, August 25, 2008 before Attorney Examiners, Christine Pirik and Scott Farkas.	Exh.
<u>8/28/2008</u>	Exhibits for transcript submitted electronically for hearing held on Tuesday, August 26, 2008 before Attorney Examiners, Christine Pirik and Scott Farkas.	Exh.
<u>8/28/2008</u>	Transcript Exhibits for East Ohio Gas dba Dominion East Ohio Composite Index Volumes I thru VI 8/27/08 electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Exh.

<u>8/28/2008</u>	Transcript for East Ohio Gas dba Dominion East Ohio, Volume IV, for hearing held 8/25/08 electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.
<u>8/28/2008</u>	Transcript for proceeding held August 26, 2008 at 10:00 a.m. at the Offices of the Public Utilities Commission of Ohio concerning East Ohio Gas dba Dominion East Ohio Volume V 8/26/08 electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.
<u>8/28/2008</u>	Transcript for proceedings held August 27, 2008 at the Office of the Public Utilities Commission of Ohio concerning East Ohio Gas dba Dominion East Ohio Volume VI 8/27/08 electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.
<u>8/28/2008</u>	Transcript with exhibits for hearing held in Youngstown, Ohio, before Paul A. Centolella, Commissioner, and Paul J. Duffy, Attorney Examiner, on Tuesday, August 19, 2008.	Trans.
<u>8/28/2008</u>	Transcript with exhibits of hearing held at the Garfield Heights Civic Center, on Monday, August 18, 2008 before Scott Farkas, Hearing Examiner.	Trans.
<u>8/29/2008</u>	Correspondence opposing rate increase filed by J. Sues.	Corres.
<u>8/29/2008</u>	Correspondence opposing rate increase filed several consumers.	Corres.
<u>9/2/2008</u>	Correspondence letter regarding the proposed rate increase of Dominion East Ohio, filed by A. Wynn.	Corres.
<u>9/2/2008</u>	Letter clarifying that the City of Cleveland's objections filed on June 20, 2008 were intended to be included in the sentence on page 3 of the August 22, 2008 Stipulation, filed by S. Beeler.	183
<u>9/2/2008</u>	Notification of filing a clarification letter in this docket on behalf of the City of Cleveland by S. Beeler.	184
<u>9/3/2008</u>	Correspondence letter opposing Dominion East Ohio's proposed rate increase filed by J. Ballbach.	Corres.

<u>9/3/2008</u>	Transcript and exhibits for hearing held July 28, 2008 at Youngstown City Hall, Youngstown, Ohio before AE C. M.T. Pirik, (Mahoning County)	Trans.
<u>9/4/2008</u>	Correspondence letter opposing Dominion East Ohio's proposed increase filed by J. Jones.	Corres.
<u>9/4/2008</u>	Correspondence letter regarding Dominion East Ohio's Proposed rate increase filed by J. Rubenstein.	Corres
<u>9/4/2008</u>	Correspondence letter regarding Dominion East Ohio's proposed rate increase filed by W. Bowers.	Corres.
<u>9/4/2008</u>	Transcript and exhibits for hearing held August 21, 2008 before Rhonda Hartman Fergus, Commissioner, Cheryl Roberto, Commissioner and Paul J. Duffy, Attorney Examiner, Summit County.	Trans.
<u>9/8/2008</u>	Correspondence concerning Dominion East Ohio's request for rate increase filed on behalf of concerned consumer, P. Sharkey.	Corres.
<u>9/8/2008</u>	Correspondence letter opposing Dominion East Ohio's proposed rate increase filed by Ashtabula Township Trustees, J. Pete, S. Bucci, S. McClure, and R. Dille.	Corres.
<u>9/8/2008</u>	Correspondence letter regarding Dominion East Ohio's proposed rate increase filed by R. Benner.	Corres.
<u>9/8/2008</u>	Tariff pages filed pursuant to paragraph 4 of the Stipulation and Recommendation filed on August 22, 2008, filed on behalf of Dominion East Ohio Gas by M. Whitt.	185
<u>9/9/2008</u>	Correspondence letter expressing opposition to Dominion East Ohio's proposed rate increase filed by the Hiram Township Trustees.	Corres.
<u>9/10/2008</u>	Initial brief filed on behalf of the Neighborhood Environmental Coalition, the Empowerment Center of Greater Cleveland, Cleveland Housing Network, and the Consumers for Fair Utility Rates by J. Meissner. (FAX)	186

<u>9/10/2008</u>	Initial Brief of the Ohio Oil and Gas Association electronically filed by Mr. W Jonathan Airey on behalf of Ohio Oil and Gas Association.	187
<u>9/10/2008</u>	Initial Post Hearing Brief filed on behalf of the City of Cleveland by S. Beeler.	188
<u>9/10/2008</u>	Initial post hearing brief filed on behalf of the Office of the Ohio Consumers' Counsel by J. Serio.	189
<u>9/10/2008</u>	Initial post-hearing brief of the City of Cleveland filed by S. Beeler (FAX)	190
<u>9/10/2008</u>	Merit brief of the Staff of the Public Utilities Commission of Ohio filed by S. Reilly.	191
<u>9/10/2008</u>	Post hearing brief filed on behalf of the East Ohio Gas Company dba Dominion East Ohio by A. Campbell.	192
<u>9/10/2008</u>	Post hearing brief of Ohio Partners for Affordable Energy filed by D. Rinebolt. (FAX)	193
<u>9/11/2008</u>	Correspondence letter expressing concern over Dominion East Ohio's proposed rate increase filed by T. Price.	Corres.
<u>9/11/2008</u>	Initial brief filed on behalf of The Neighborhood Environmental Coalition, The Empowerment Center of Greater Cleveland, Cleveland Housing Network and The Consumers for Fair Utility Rates by J. Meissner.	194
<u>9/12/2008</u>	Post hearing brief filed on behalf of Ohio Partners for Affordable Energy by D. Rinebolt.	195
<u>9/15/2008</u>	Correspondence in opposition of Dominion East Ohio's request to increase rates filed on behalf of consumer, M. Coppler.	Corres.
<u>9/16/2008</u>	Post-hearing brief filed on behalf of the City of Cleveland by S. Beeler. (FAX)	196
<u>9/16/2008</u>	Post-hearing brief filed on behalf of the City of Cleveland by S. Beeler. (original)	197

<u>9/16/2008</u>	Post-hearing brief of Ohio Partners for Affordable Energy filed by D. Rinebolt.	198
<u>9/16/2008</u>	Post-hearing reply brief of the East Ohio Gas Company dba Dominion East Ohio filed by A.J. Campbell.	199
<u>9/16/2008</u>	Reply Brief by the Office of the Ohio Consumers' Counsel filed by J.P. Serio.	200
<u>9/16/2008</u>	Reply Brief of the Ohio Oil and Gas Association electronically filed by Mr. W Jonathan Airey on behalf of Ohio Oil and Gas Association.	201
<u>9/16/2008</u>	Reply Brief of the Staff of the Public Utilities Commission of Ohio filed by S. Reilly.	202
<u>9/19/2008</u>	Entry ordered that the format for the September 24, 2008, oral arguments be as set forth in finding (4). (CMTP)	203
<u>9/23/2008</u>	Letter expressing concern over the rate increase filed by G. and F. McCord.	Corres.
<u>9/23/2008</u>	Letter expressing concern over the rate increase filed by Marietta, Ohio Resident.	Corres.
<u>9/23/2008</u>	Letter expressing concern over the rate increase filed by Mr. & Mrs. R. Rolenz.	Corres.
<u>9/23/2008</u>	Letter notifying the Commission that the Ohio Marketers Group will not be participating in the oral arguments on September 24, 2008, filed by M. Petricoff.	204
<u>9/24/2008</u>	Letter expressing concern over the proposed rate increase by Dominion East Ohio filed by E. Trickey.	Corres.
<u>9/24/2008</u>	Letter opposing the rate increase filed by D. Mack on behalf of The City of Garfield Heights.	Corres.
<u>10/1/2008</u>	Letter in opposition the Dominion East Ohio proposed rate increase filed by consumer D. Bartozak.	Corres.

<u>10/1/2008</u>	Letter in opposition to the proposed Dominion East rate increase filed by K. Allen Sr.	Corres.
<u>10/3/2008</u>	Letter opposing the rate increase of Dominion East, filed by K. Flack.	Corres.
<u>10/7/2008</u>	Correspondence opposing rate increase filed by consumer, M. Etzler.	Corres.
<u>10/8/2008</u>	Correspondence opposing increase requested by Dominion East Ohio by concerned consumer, M. Jackson.	Corres.
<u>10/8/2008</u>	Exhibits for transcript of hearing held on September 24, 2008 before Chairman A. Schriber and Commissioners R. Hartman Fergus, V. Lemmie, P. Centolella and C. Roberto, electronically filed on 10/8/2008.	Exh.
<u>10/8/2008</u>	Revised forms of proposed tariffs for The East Gas Company dba Dominion East Ohio by M. Whitt.	205
<u>10/8/2008</u>	Transcript of hearing held September 24, 2008 before Chairman A. Schriber, and Commissioners R. Hartman Fergus, V. Lemmie, P. Centolella and Cheryl Roberto, electronically filed by Mrs. Jennifer D. Duffer on behalf of Armstrong & Okey, Inc.	Trans.
<u>10/9/2008</u>	Correspondence in opposition of Dominion East Ohio's request for increase filed on behalf of concerned consumer, B. Brooks.	Corres.
<u>10/10/2008</u>	Notice of substitution of joint Exhibit 1-A to the stipulation and recommendation, filed by A. Hammerstein, PUCO Staff, M. Whitt on behalf of the EOG dba Dominion East Ohio and W. Airey on behalf of the Ohio Oil & Gas Association.	206
<u>10/10/2008</u>	Proposed notices informing customers of The East Ohio Gas Company dba Dominion East Ohio of changes in gas base rates filed by M. Whitt.	207
<u>10/14/2008</u>	Additional information to the stipulation that was not attached Schedule A-1, late filed Exhibit 1-C filed by A. Hammerstein.	208
<u>10/14/2008</u>	Letter opposing the rate increase of Dominion East Ohio filed by B. Reiss.	Corres.

<u>10/15/2008</u>	Entry ordering that the company's tariffs, when filed, will be effective on a bills rendered basis. (CP)	209
<u>10/15/2008</u>	Opinion ordering that the application for authority to increase its rates and charges for service be granted to the extent provided in this opinion and order.	210
<u>10/15/2008</u>	Proof of Publication. (Cuyahoga, Mahoning, Summit, Stark)	POP
<u>10/16/2008</u>	Final tariff pages, PUCO Tariff No. 1, filed by A. Campbell on behalf of The East Gas Company dba Dominion East Ohio ("DEO").	211
<u>10/20/2008</u>	Correspondence to the proposed rate increase of East Ohio filed by D. Hogue.	Corres.
<u>10/20/2008</u>	Letter regarding the proposed rate increase of Dominion East Ohio.	Corres.
<u>10/21/2008</u>	Letter regarding the proposed rate increase of East Ohio Gas filed by T. Irwin.	Corres.
<u>10/21/2008</u>	Motion for approval of revised bill format and memorandum in support (expedited ruling requested) filed by A. Campbell on behalf of The East Ohio Gas Company dba Dominion East Ohio.	212
<u>10/22/2008</u>	Entry ordering that the proposed tariffs be approved, to the extent set forth in the entry.	213
<u>10/24/2008</u>	Revised Attachment A to the bill format filed by A. Campbell on behalf of The East Ohio Gas Company dba Dominion East Ohio.	214
<u>10/29/2008</u>	Correspondence expressing opposition to allowing Dominion East Ohio's requested rate increase filed by Rev. D. Connor.	Corres.
<u>10/29/2008</u>	Correspondence opposing Dominion's rate increase filed by Catanese.	Corres.
<u>10/31/2008</u>	Notice of withdrawal of counsel, Daniel Neilsen for Industrial Users-Ohio filed by J. Clark.	215

<u>11/5/2008</u>	Entry ordering that the amended bill format filed on October 24, 2008, is approved.	216
<u>11/5/2008</u>	Notice of the withdrawal of Mark A. Whitt filed by D. Kutik on behalf of The East Ohio Gas Company dba Dominion East Ohio.	217
<u>11/14/2008</u>	Application for rehearing and memorandum in support filed on behalf of the East Ohio Gas Company dba Dominion East Ohio by A. Campbell.	218
<u>11/14/2008</u>	Joint application for rehearing by The Office of the Ohio Consumers' Counsel by L. Sauer , The City of Cleveland by S. Beeler, Ohio Partners for Affordable Energy by C. Mooney, The Neighborhood Environmental Coalition, The Empowerment Center of Greater Cleveland, Cleveland Housing Network, and The Consumers for Fair Utility Rates by J. Meissner.	219
<u>11/20/2008</u>	Correspondence letter expressing concern over Dominion East Ohio's rate increase filed by A. Catanese.	Corres.
<u>11/20/2008</u>	Correspondence letter opposing Dominion East Ohio's rate increase filed by R. James.	Corres.
<u>11/24/2008</u>	Memorandum contra application for rehearing by the Office of the Ohio Consumers' Counsel, the City of Cleveland, Ohio Partners for Affordable Energy, the Neighborhood Environmental Coalition, the Empowerment Center of Greater Cleveland, Cleveland Housing Network, and the Consumers for Fair Utility Rates filed by D. Kurik. on behalf of the East Ohio Gas Company dba Dominion East Ohio.	220
<u>12/3/2008</u>	Correspondence letter: stating the concern over the rate increase sought by Dominion East Ohio filed by B. Battista.	Corres.
<u>12/10/2008</u>	Entry ordering DEO's and Consumer Groups' applications for rehearing be granted for further consideration of the matters specified in the applications for rehearing.	221
<u>12/19/2008</u>	Entry on rehearing that the application for rehearing filed by DEO be granted to the extent set forth in this entry: that the Consumer Groups' application for rehearing be denied.	222
<u>12/19/2008</u>	Motion to accept pre-filing notice of automated meter reading cost recovery application as timely filed, filed by G. Garber on behalf of the East Ohio Gas Company dba Dominion East Ohio.	223

<u>12/19/2008</u>	Pre-filing notice of automated meter reading cost recovery application filed by G. Garber on behalf of the East Ohio Gas Company dba Dominion East Ohio.	224
<u>12/22/2008</u>	Revised tariff pages, Sheet Nos.1 - 4 filed by A. Campbell on behalf of East Ohio Gas Company dba Dominion East Ohio.	225
<u>1/13/2009</u>	Report and recommendation of the East Ohio Gas Company dba Dominion East Ohio filed by A. Campbell.	226
<u>1/20/2009</u>	Entry ordering that the Commission's docketing division shall transfer the documents identified in finding 3 to Case No. 09-38-GA-UNC. (JWK)	227
<u>1/29/2009</u>	Joint motion to reopen the record, joint motion for waiver of certain requirements of Ohio ADM. Code 4901-1-34(B), and joint motion for a procedural schedule and memorandum in support filed on behalf of The Office of the Ohio Consumers' Counsel by L. Sauer, on behalf of the City of Cleveland by S. Beeler, on behalf of Neighborhood Environmental Coalition and Consumers for Fair Utility Rates by J. Meissner, on behalf of Ohio Partners for Affordable Energy by C. Mooney.	228
<u>2/2/2009</u>	Letter expressing outrage over high gas bills filed by E. Maimone.	Corres.
<u>2/11/2009</u>	Notice of appeal of Ohio Partners for Affordable Energy filed by C. Mooney. (Supreme Ct. #09-0314)	229
<u>2/13/2009</u>	Memorandum contra the joint advocates' joint motion to reopen the record, for waiver of certain requirements of Ohio Adm. Code 4901-1-34(B), and for a procedural schedule of the East Ohio Gas Company dba Dominion East Ohio filed by A. Campbell.	230

- 2/17/2009 Joint motion to strike Dominion East Ohio's memorandum contra joint motion to reopen the record and for waiver of certain requirements of Ohio Adm. Code 4901-1-34(B) and for a procedural schedule and joint reply to Dominion East Ohio's memorandum contra joint motion to reopen the record and for waiver of certain requirements of Ohio Adm. Code 4901-1-34(B) and for a procedural schedule filed by L. Sauer on behalf of the office of the Ohio Consumers' Counsel; S. Beeler on behalf of Cleveland City Hall; J. Meissner on behalf of The Neighborhood Environmental Coalition, The Empowerment Center of Greater Cleveland, Cleveland Housing Network, and the Consumers for Fair Utility Rates; C. Mooney on behalf of Ohio Partners for Affordable Energy. 233
- 2/17/2009 Notice of appeal of the Office of the Ohio Consumers' Counsel filed by J. Serio. 232

Before
THE SUPREME COURT OF OHIO

Ohio Partners for Affordable Energy,
Office of the Ohio Consumers' Counsel

Appellant,

vs

The Public Utilities Commission of Ohio

Appellee.

Supreme Court No. 09-0314

Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for authority to increase rates for its gas
distribution service

Case No. 07-829-GA-AIR

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval of an alternative rate plan for
its Gas Distribution Service

Case No. 07-830-GA-ALT

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval to change accounting methods

Case No. 07-831-GA-AAM

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval of tariffs to recover certain cost
associated with a pipeline infrastructure
replacement program through an automatic
adjustment clause and for certain accounting
treatment.

Case No. 08-169-GA-ALT

In the matter of the application of The East
Ohio Gas Company dba Dominion East Ohio
for approval of tariffs to recover certain cost
associated with automated meter reading
deployment through an automatic
clause, and certain accounting treatment.

Case No. 06-1453-GA-UNC

CERTIFICATION

I, Renee' J. Jenkins, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-232, the **Opinion and Order dated 1/04/2006** and the **Entry on Rehearing dated 12/10/2008 and Second Entry on Rehearing dated 12/19/2008** inclusive; and the Certification of the record in Case No. 07-829-GA-AIR, 07-830-GA-ALT, 07-831-GA-AAM, 08-169-GA-ALT and 06-1453-GA-UNC.

IN WITNESS THEREOF, I have thereunto set my hand
and affixed the official seal of The Public Utilities Commission
of Ohio this 13th day of March, 2009.

Betty McCauley

Renee' J. Jenkins, Secretary
Betty McCauley, Acting Secretary
Marinuth C. Wright, Acting Secretary