

FILE

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV

2009 MAR 17 AM 11:01

In the Matter of the Application of)
Columbia Gas of Ohio, Inc. for)
Authority to Abandon Service to)
Three Premises, Pursuant)
To Ohio Revised Code Sections)
4905.20 and 4905.21.)

Case No. 09-240-GA-ABN

PUCO

APPLICATION OF
COLUMBIA GAS OF OHIO, INC.
FOR AUTHORITY TO ABANDON SERVICE
TO THREE PREMISES

Now comes the Applicant, Columbia Gas of Ohio, Inc. (hereinafter "Columbia" or "Applicant"), and files its application, pursuant to Sections 4905.20 and 4905.21 of the Revised Code, for authority to abandon retail natural gas service to three premises. In support of its application, Columbia states that:

1. Columbia is a natural gas company and public utility within the meaning of Sections 4905.02 and 4905.03 (A)(6) of the Revised Code, and is therefore subject to the jurisdiction of the Commission.
2. For a period of more than 50 years, Columbia has provided retail natural gas service to the three premises through direct taps on Columbia Gas Transmission, LLC's (hereinafter "Columbia Transmission") Line L-2773. Such service has been provided as partial consideration for rights-of-way, which permitted the pipeline to cross said premises.

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3. Line L-2773 was constructed in 1958 as a 0.98 mile, 3 inch bare unprotected steel pipeline located in Holmes and Knox Counties, Ohio. Its original purpose was to gather local production for delivery into Columbia Transmission's mainline and redelivery to markets.
4. Through the years production along Line L-2773 has been depleted and operation of the pipeline has changed such that the only purpose of the pipeline is to serve three mainline tap consumers of Columbia. Columbia Transmission has informed Columbia that the bare unprotected pipeline is experiencing leaks caused by corrosion and that replacement of the pipeline to continue service to three consumers is not economically feasible.
5. Columbia Transmission has concluded that it will abandon the entire pipeline and has further informed Columbia of the pending abandonment of that section of Line L-2773 for the reasons stated above. Columbia was selling gas to the three existing Columbia customers, which gas was delivered for the account of Columbia at a point of connection with the customer's service lines through Line L-2773, which is owned and operated by Columbia Transmission.
6. Each of the three existing Columbia customers have entered into Release of Pay Gas Rights and Natural Gas Tap Rights Agreements ("Agreements") with Columbia Transmission, which Agreements are attached hereto as Exhibit A and made a part hereof. Pursuant to the Agreements, Columbia Transmission has provided each customer with monetary assistance to convert to an alternative fuel. Additionally, the customers are so remote from Columbia's pipelines that it is not economically feasible to maintain natural gas service to

their premises by extending Columbia's distribution system to the premises in question. Columbia therefore seeks authority to abandon that service. A map showing the location of Line L-2773, as well as the locations of the three premises, is attached hereto as Exhibit B and made a part hereof. The names of the affected property owners and the addresses of the subject premises are: The Ohio District Conference of Brethren Churches, 5774 Twp. Rd 212, Lakeville, Ohio; J. Richard and Joanna Y. Drushal, 5948 Twp. Rd 212, Lakeville, Ohio; and Gerald D. and Jennifer M. Kline, 5861 Twp. Rd 212, Lakeville, Ohio.

7. In view of the fact that (1) it is not economically feasible to continue providing natural gas service to the three subject premises by extending Columbia's distribution facilities, (2) the affected customers have already been converted to the use of an alternate fuel, and (3) the property owners have expressly consented to the proposed abandonment of service from Columbia Transmission, Columbia submits that said abandonment is reasonable, having due regard for the welfare of the public and the cost of operating the service and related facilities.

WHEREFORE, Columbia respectfully asks that the Commission authorize the abandonment of retail natural gas service to the premises listed on Exhibit B.

Respectfully submitted,

David W. Rubadue

David W. Rubadue

Stephen B. Seiple, Assistant General Counsel

David W. Rubadue, Senior Counsel (Trial Attorney)

200 Civic Center Drive

P.O. Box 117

Columbus, Ohio 43216-0117

(614) 460-4639

e-mail: drubadue@nisource.com

Attorneys for Applicant

COLUMBIA GAS OF OHIO, INC.

RELEASE OF PAY GAS RIGHTS AND NATURAL GAS TAP RIGHTS

KNOW ALL MEN BY THESE PRESENTS, for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand and other good and valuable consideration not recited herein paid to, or for the benefit of, the undersigned by Columbia Gas Transmission Corporation (referred to hereinafter as "Columbia"), the receipt and sufficiency of which is hereby acknowledged by the undersigned, the undersigned, as owners of the surface estate of the leasehold premises described therein (and/or the portion thereof upon which one, or more, of Columbia's storage wells or pipelines is located, as applicable) and as the only persons entitled to the benefit of the pay gas rights granted there under and to natural gas tap rights, if any, do hereby, for themselves and for their respective heirs, successors and assigns, forever release Columbia, its successors and assigns, from any and all obligation to supply pay natural gas to the undersigned, and their respective heirs, successors and assigns, under the terms of that certain Right-Of-Way agreement dated August 21, 1959 between Charles Hyatt and Harriett Hyatt, husband & wife; and Ethel Crider and Samuel Crider, wife & husband and The Ohio Fuel Gas Company of record in the Office of Holmes County, Ohio Records, in Book/ Vol. 141 at Page 340 (which Right-Of-Way agreement is designated Columbia's Right-Of-Way No. R053595-000 and that certain Right-Of-Way agreement dated December 2, 1963 between C. F. Hanson and Anna G. Hanson, husband & wife; and Lewis E. Shafer and Dorothy J. Shafer, husband & wife and The Ohio Fuel Gas Company of record in the Office of Holmes County, Ohio Records, in Book/ Vol 161 at Page 542 (which Right-Of-Way agreement is designated Columbia's Right-Of-Way No. R053596-000, and release Columbia, its successors and assigns, from any and all obligation to supply pay gas or a natural gas tap imposed by any other agreement, statute, regulation or court or administrative order, and quitclaim unto Columbia all right, title and interest of the undersigned in and to pay natural gas or natural gas tap rights, if any, under the aforesaid lease, agreements, statutes, regulations and/or orders. It is understood and agreed that the release and quitclaim herein granted releases rights to pay gas and natural gas taps from both present and future wells and pipelines owned and/or operated by Columbia, its successors and assigns. This release of pay gas rights and natural gas tap rights is executed voluntarily by the undersigned with the intent to permanently surrender all free gas rights and natural gas tap rights and privileges accruing under the aforesaid lease, agreements, statutes, regulations and/or orders.

Columbia joins in the execution of this release of free gas rights and natural gas tap rights for purposes of evidencing its acceptance thereof.

IN WITNESS WHEREOF, the undersigned have affixed their signatures hereto effective as of the 5th day of September 2007

SIGNATURE OF RELEASOR:

X/ Gerald D. Kline
Gerald D. Kline
Jennifer M. Kline
Jennifer M. Kline

COLUMBIA GAS TRANSMISSION CORPORATION
BY: Sheree L. Parks Downey
ITS: Manager, Field Services

STATE OF Ohio

COUNTY OF Holmes

On SEPTEMBER 5, 2007, before me, a Notary Public in and for said county and state, personally appeared Gerald D. Kline & Jennifer M. Kline, husband & wife, personally known to me or proved to me to be the person(s) whose name(s) are subscribed on the attached document as witness(es) thereto, and who, being duly sworn by me, says that he/she saw Gerald D. Kline & Jennifer M. Kline sign the attached document and that said affiant(s) subscribed his/her name(s) to the attached document.

Robert L. Clark Notary Public
State of Ohio - Cuyahoga County
My Commission Expires June 11, 2012

My Commission Expires _____

Signature

Date

Notary

STATE OF WEST VIRGINIA, COUNTY OF KANAWHA:

On this, the 1st day of October, 2007, before me, the undersigned, personally appeared Sheree L. Parks Downey, who acknowledged herself to be the Manager, Field Services, of COLUMBIA GAS TRANSMISSION CORPORATION, a corporation, and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by himself/herself.

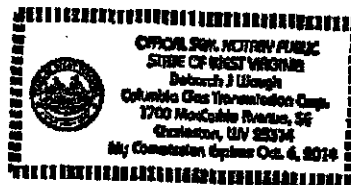
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sheree L. Parks Downey
Notary Public

My Commission Expires: Oct. 6, 2014

This document prepared by:

NiSource Corporate Law Department
1700 MacCorkle Avenue SE
Charleston, WV 25314



(Ohio)
RELEASE OF ALL CLAIMS

Name of Payee: Gerald D. Kline &
Jennifer M. Kline
Address of Payee: 5861 TR 212,
Lakeville, OH
44638

Account of:

Amount: 1500⁰⁰

Check No. 05107524

Date: 09/11/07

In consideration of \$1,500.00, receipt of which is acknowledged, the undersigned hereby release and discharge Columbia Gas Transmission Corporation, its successors, assigns, affiliates, agents, contractors and subcontractors, from all claims and damages whatsoever caused by the abandonment of pipeline FL-2773 and termination of residential pay gas pursuant to the terms contained in Columbia's Right-Of-Way # R053595-000 and # R053596-000 across the lands of Gerald D. Kline & Jennifer M. Kline situate in Knox Twp./Dist., Holmes County, Ohio.

Line No. FL-2773

X/ Gerald D. Kline 289-64-7908
Gerald D. Kline SS #

Jennifer M. Kline
Jennifer M. Kline

RELEASE OF PAY GAS RIGHTS AND NATURAL GAS TAP RIGHTS

KNOW ALL MEN BY THESE PRESENTS, for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand and other good and valuable consideration not recited herein paid to, or for the benefit of, the undersigned by Columbia Gas Transmission Corporation (referred to hereinafter as "Columbia"), the receipt and sufficiency of which is hereby acknowledged by the undersigned, the undersigned, as owners of the surface estate of the leasehold premises described therein (and/or the portion thereof upon which one, or more, of Columbia's storage wells or pipelines is located, as applicable) and as the only persons entitled to the benefit of the pay gas rights granted there under and to natural gas tap rights, if any, do hereby, for themselves and for their respective heirs, successors and assigns, forever: release Columbia, its successors and assigns, from any and all obligation to supply pay natural gas to the undersigned, and their respective heirs, successors and assigns, under the terms of that certain Right-of-Way agreement dated July 16, 1959 between District Conference of Brethren Churches and The Ohio Fuel Gas Company (which Right-of-Way agreement is designated Columbia's Right-of-Way No. R053608-000 and under the terms of the Agreement For Conditional Limited Time Gas Service dated March 22, 1982 between J. Richard Drushal C/O Camp Bethany and Columbia Gas Transmission Corporation, the "Transmission Company" and Columbia Gas of Ohio, Inc. the "Distribution Company" of record in the Office of Holmes County, Ohio Records, in Book/ Vol 217 at Page 217, release Columbia, its successors and assigns, from any and all obligation to supply pay gas or a natural gas tap imposed by any other agreement, statute, regulation or court or administrative order, and quitclaim unto Columbia all right, title and interest of the undersigned in and to pay natural gas or natural gas tap rights, if any, under the aforesaid lease, agreements, statutes, regulations and/or orders. It is understood and agreed that the release and quitclaim herein granted releases rights to pay gas and natural gas taps from both present and future wells and pipelines owned and/or operated by Columbia, its successors and assigns. This release of pay gas rights and natural gas tap rights is executed voluntarily by the undersigned with the intent to permanently surrender all free gas rights and natural gas tap rights and privileges accruing under the aforesaid lease, agreements, statutes, regulations and/or orders.

Columbia joins in the execution of this release of free gas rights and natural gas tap rights for purposes of evidencing its acceptance thereof.

IN WITNESS WHEREOF, the undersigned have affixed their signatures hereto effective as of the 12 day of Sept, 2007.

SIGNATURE OF RELEASOR:

Kenneth R. Van Dine, Treasurer
Kenneth R. Van Dine
Ohio District Conference of Brethren Churches

COLUMBIA GAS TRANSMISSION CORPORATION

BY: Sheree L. Parks Downey
 Sheree L. Parks Downey
 ITS: Manager, Field Services

STATE OF Ohio

COUNTY OF Holmes

On Sept 12, 2007, before me, a Notary Public in and for said county and state, personally appeared personally known to me or proved to me to be the person(s) whose name(s) are subscribed on the attached document as witness(es) thereto, and who, being duly sworn by me, says that he/she saw KENNETH VANDUYNE sign the attached document and that said affiant(s) subscribed his/her name(s) to the attached document.



My Commission Expires

BRENDA BENNETT

NOTARY PUBLIC, STATE OF OHIO

My Commission Expires

August 8, 2008

Brenda Bennett
Signature Date

Notary

STATE OF WEST VIRGINIA, COUNTY OF KANAWHA:

On this, the 1st day of October, 2007, before me, the undersigned, personally appeared Sheree L. Parks Downey, who acknowledged herself to be the Manager, Field Services, of COLUMBIA GAS TRANSMISSION CORPORATION, a corporation, and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by himself/herself.

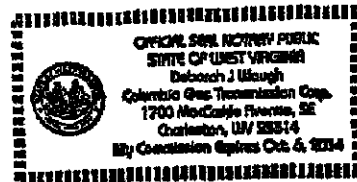
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Deborah J. Laugh
Notary Public

My Commission Expires: Oct. 6, 2014

This document prepared by:

NiSource Corporate Law Department
1700 MacCorkle Avenue SE
Charleston, WV 25314



(Ohio)
RELEASE OF ALL CLAIMS

Name of Payee: The Ohio District of
Brethren Churches
aka Camp Bethany
Address of Payee: Mail: PO Box 364
Ashland, OH
44805/ Service:
5774 Twp. Rd. 212,
Lakeville, OH
44638

Account of:

Amount: \$500.00

Check No. 05107526

Date: 09/21/2007

In consideration of \$1500.00, receipt of which is acknowledged, the undersigned hereby release and discharge Columbia Gas Transmission Corporation, its successors, assigns, affiliates, agents, contractors and subcontractors, from all claims and damages whatsoever caused by the abandonment of pipeline FL-2773 and termination of residential pay gas pursuant to the terms contained in Columbia's Right-Of-Way # R053608-000 across the lands of The Ohio District of Brethren Churches aka Camp Bethany situate in Knox Twp./Dist., Holmes County, Ohio.

Line No. FL-2773

Kenneth R. Van Duyn, Treasurer
KENNETH R. VANDUYNE Its TRANS-R&L
34-0869065
TAX ID 9/10/07
DATE

RELEASE OF PAY GAS RIGHTS AND NATURAL GAS TAP RIGHTS

KNOW ALL MEN BY THESE PRESENTS, for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand and other good and valuable consideration not recited herein paid to, or for the benefit of, the undersigned by Columbia Gas Transmission Corporation (referred to hereinafter as "Columbia"), the receipt and sufficiency of which is hereby acknowledged by the undersigned, the undersigned, as owners of the surface estate of the leasehold premises described therein (and/or the portion thereof upon which one, or more, of Columbia's storage wells or pipelines is located, as applicable) and as the only persons entitled to the benefit of the pay gas rights granted there under and to natural gas tap rights, if any, do hereby, for themselves and for their respective heirs, successors and assigns, forever release Columbia, its successors and assigns, from any and all obligation to supply pay natural gas to the undersigned, and their respective heirs, successors and assigns, under the terms of that certain Right-of-Way agreement dated November 8th, 1958 between George R. Gingery and Myrta Gingery, husband and wife and The Ohio Fuel Gas Company of record in the Office of Holmes County, Ohio Records, in Book/ Vol. 139 at Page 222 (which Right-of-Way agreement is designated Columbia's Right-of-Way No. R053594-000 and under the terms of the Agreement For Conditional Limited Time Gas Service dated October 10th, 1983 between Dorothy W. Drushal and Columbia Gas Transmission Corporation, the "Transmission Company" and Columbia Gas of Ohio, Inc. the "Distribution Company" of record in the Office of Holmes County, Ohio Records, in Book/ Vol 222 at Page 958, release Columbia, its successors and assigns, from any and all obligation to supply pay gas or a natural gas tap imposed by any other agreement, statute, regulation or court or administrative order, and quitclaim unto Columbia all right, title and interest of the undersigned in and to pay natural gas or natural gas tap rights, if any, under the aforesaid lease, agreements, statutes, regulations and/or orders. It is understood and agreed that the release and quitclaim herein granted releases rights to pay gas and natural gas taps from both present and future wells and pipelines owned and/or operated by Columbia, its successors and assigns. This release of pay gas rights and natural gas tap rights is executed voluntarily by the undersigned with the intent to permanently surrender all free gas rights and natural gas tap rights and privileges accruing under the aforesaid lease, agreements, statutes, regulations and/or orders.

Columbia joins in the execution of this release of free gas rights and natural gas tap rights for purposes of evidencing its acceptance thereof.

IN WITNESS WHEREOF, the undersigned have affixed their signatures hereto effective as of the 6th day of SEPTEMBER, 2007.

SIGNATURE OF RELEASOR:


J. Richard Drushal


Joanna Y. Drushal

COLUMBIA GAS TRANSMISSION CORPORATION

BY: 

Sheree L. Parks Downey

ITS: Manager, Field Services

STATE OF Ohio

COUNTY OF Holmes

On September 6, 2007, before me, a Notary Public in and for said county and state, personally appeared J. Richard Drushal and Joanna Y. Drushal personally known to me or proved to me to be the person(s) whose name(s) are subscribed on the attached document as witness(es) thereto, and who, being duly sworn by me, says that he/she saw J. Richard Drushal and Joanna Y. Drushal sign the attached document and that said affiant(s) subscribed his/her name(s) to the attached document.

Robert L. Clark Notary Public
State of Ohio Cuyahoga County
My Commission Expires June 11, 2012

My Commission Expires JUNE 11, 2012

Robert L. Clark 6-9-07 Notary
Signature Date

STATE OF WEST VIRGINIA, COUNTY OF KANAWHA:

On this, the 1st day of October, 2007, before me, the undersigned, personally appeared Sheree L. Parks Downey, who acknowledged herself to be the Manager, Field Services, of COLUMBIA GAS TRANSMISSION CORPORATION, a corporation, and being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of said corporation by himself/herself.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Sheree L. Parks Downey
Notary Public
My Commission Expires: Oct. 6, 2014

This document prepared by:

NiSource Corporate Law Department
1700 MacCorkle Avenue SE
Charleston, WV 25314



(Ohio)
RELEASE OF ALL CLAIMS

Name of Payee: J. Richard Drushal
and Joanna Y.
Drushal

Account of:

Address of Payee: Mail: 5952 Twp.
Rd. 212, Lakeville,
OH 44638/ Service:
5948 Twp. Rd. 212

Amount: 1500.⁰⁰

Check No. 05107525
Date: 09/11/07

In consideration of \$1500.⁰⁰, receipt of which is acknowledged, the undersigned hereby release and discharge Columbia Gas Transmission Corporation, its successors, assigns, affiliates, agents, contractors and subcontractors, from all claims and damages whatsoever caused by the abandonment of pipeline FL-2773 across the lands of J. Richard Drushal & Joanna Y. Drushal situate in Knox Twp./Dist., Holmes County, Ohio.

Line No. FL-2773

9/6/07
DATE

J. Richard Drushal 296507753
SS#
Joanna Y. Drushal

