

**CHESTER
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FILE

Chester Willcox & Saxbe, LLP
65 East State Street, Suite 1000
Columbus, OH 43215
MAIN: 614.221.4000
FAX: 614.221.4012
WWW.CWSLAW.COM

MATTHEW S. WHITE
Direct Dial 614.334.6172
mwhite@cwsllaw.com

RECEIVED-DOCKETING DIV
2009 OCT -9 PM 4:17
PUCO

October 9, 2009

VIA HAND DELIVERY

Ms. Renee Jenkins
Chief of Docketing
The Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Re: In the Matter of the Application of Suburban Natural Gas Company for Authority
to Abandon Service Pursuant to Ohio Revised Code Sections 4905.20 and
4905.21.
Case No. 08-947-GA-ABN

Dear Ms. Jenkins :

On or about October 20, 2009, the agreements for Suburban Natural Gas Company ("Suburban") to provide natural gas services to customers in the Villages of Deshler, Holgate, Hamler and Hoytville (collectively "Subject Villages") expire. ¹ Until long term arrangements can be made to provide the Subject Villages customers with natural gas services, Suburban has proposed to the Subject Villages an interim arrangement to provide natural gas services to Subject Villages customers under the terms of Suburban's Tariff filed at the Commission.

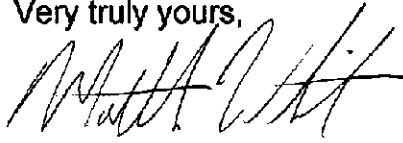
Please find enclosed a copy of correspondence requesting that the Subject Villages enact ordinances that would authorize Suburban to provide natural gas service to Subject Villages customers after October 20, 2009. Also, enclosed is the model ordinance drafted by Suburban's counsel that was attached to the correspondence sent to each of the Subject Villages.

¹ Suburban is also seeking abandonment of the Village of Malinta customers ("Malinta") in this proceeding. However, because Suburban's existing agreement to provide Malinta with natural gas services does not expire until May of 2012, Suburban has not yet proposed to serve Malinta under the terms of Suburban's Tariff.

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 Date Processed 10-9-09

Please do not hesitate to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Matthew S. White". The signature is fluid and cursive, with a prominent horizontal line across the middle.

Matthew S. White
Counsel for Suburban Natural Gas Company

MSW/cl
Enclosure

cc: Attorney General Anne Hammerstein
All Parties of Record
David L. Pemberton, Sr.
David L. Pemberton, Jr.

September 30, 2009

Village Clerk
Hoytville
P.O. Box 135
Hoytville, OH 43529

Re: Suburban Natural Gas Rate Ordinance

Dear Village Clerk:

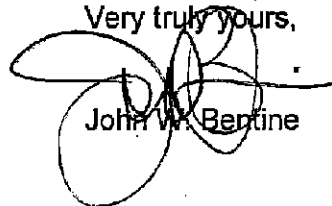
My law firm represents the Suburban Natural Gas Company ("Suburban") in its Application filed at the Public Utilities Commission of Ohio ("PUCO") to abandon service of certain villages within its service territory ("Suburban Abandonment Application"), including The Village of Hoytville ("Hoytville"). Suburban is currently supplying ("Hoytville") customers with natural gas service under terms of an agreement that expires on or around October 20, 2009. It does not appear that the PUCO will make a determination by October 20, 2009, as to how Hoytville customers will receive natural gas services after that date. Accordingly, there is a need for an interim arrangement for Hoytville customers to receive natural gas until a long term arrangements are made.

I have enclosed a copy of a model ordinance that would allow Hoytville natural gas customers to receive natural gas under Suburban's tariff filed at the PUCO, on an interim basis ("Model Ordinance"). The Model Ordinance would be in effect until the PUCO makes a determination on how Hoytville natural gas customers will be served or until Hoytville makes alternative long term arrangements for natural gas service.

Please take the necessary steps to enact the enclosed Model Ordinance as soon as reasonably practicable. Please notify me once the Model Ordinance is enacted, and return a copy of the enacted ordinance to my law firm. We will then notify the PUCO and Suburban of the enactment of the Model Ordinance.

If you have any questions or desire an electronic word version of the enclosed Model Ordinance, please do not hesitate to contact myself, or Matthew White, an attorney at my law firm, at 614-334-6172, mwhite@cwsilaw.com. I appreciate your assistance and I look forward to working with you in the future.

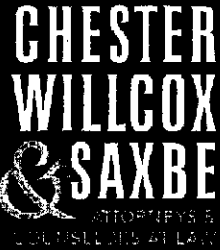
Very truly yours,



John W. Bentine

Enclosure

cc: Matthew S. White/CWS, w/enclosure



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65 East State Street, Suite 1000
Columbus, OH 43215

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FAX: 614.221.4012

WWW.CWSLAW.COM

JOHN W. BENTINE
Direct 614-334-6121
jbentine@cwsllaw.com

September 30, 2009

Village Clerk
Holgate
P.O. Box 217
Holgate, OH 43527

Re: Suburban Natural Gas Rate Ordinance

Dear Village Clerk:

My law firm represents the Suburban Natural Gas Company ("Suburban") in its Application filed at the Public Utilities Commission of Ohio ("PUCO") to abandon service of certain villages within its service territory ("Suburban Abandonment Application"), including The Village of Holgate ("Holgate"). Suburban is currently supplying ("Holgate") customers with natural gas service under terms of an agreement that expires on or around October 20, 2009. It does not appear that the PUCO will make a determination by October 20, 2009, as to how Holgate customers will receive natural gas services after that date. Accordingly, there is a need for an interim arrangement for Holgate customers to receive natural gas until a long term arrangements are made.

I have enclosed a copy of a model ordinance that would allow Holgate natural gas customers to receive natural gas under Suburban's tariff filed at the PUCO, on an interim basis ("Model Ordinance"). The Model Ordinance would be in effect until the PUCO makes a determination on how Holgate natural gas customers will be served or until Holgate makes alternative long term arrangements for natural gas service.

Please take the necessary steps to enact the enclosed Model Ordinance as soon as reasonably practicable. Please notify me once the Model Ordinance is enacted, and return a copy of the enacted ordinance to my law firm. We will then notify the PUCO and Suburban of the enactment of the Model Ordinance.

If you have any questions or desire an electronic word version of the enclosed Model Ordinance, please do not hesitate to contact myself, or Matthew White, an attorney at my law firm, at 614-334-6172; mwhite@cwsllaw.com. I appreciate your assistance and I look forward to working with you in the future.

Very truly yours,

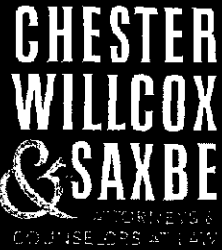


John W. Bentine

Enclosure

cc: Matthew S. White/CWS, w/enclosure

ND: 4826-5721-8052, v. 1



Chester Willcox & Saxbe, LLP
65 East State Street, Suite 1000
Columbus, OH 43215

MAIN: 614.221.4000
FAX: 614.221.4012

WWW.CWSLAW.COM

JOHN W. BENTINE
Direct 614-334-6121
jbentine@cwsllaw.com

September 30, 2009

Village Fiscal Officer
Hamler
916 Woodlawn Ct.
Napoleon, OH 43545

Re: Suburban Natural Gas Rate Ordinance

Dear Village Fiscal Officer:

My law firm represents the Suburban Natural Gas Company ("Suburban") in its Application filed at the Public Utilities Commission of Ohio ("PUCO") to abandon service of certain villages within its service territory ("Suburban Abandonment Application"), including The Village of Hamler ("Hamler"). Suburban is currently supplying ("Hamler") customers with natural gas service under terms of an agreement that expires on or around October 20, 2009. It does not appear that the PUCO will make a determination by October 20, 2009, as to how Hamler customers will receive natural gas services after that date. Accordingly, there is a need for an interim arrangement for Hamler customers to receive natural gas until a long term arrangements are made.

I have enclosed a copy of a model ordinance that would allow Hamler natural gas customers to receive natural gas under Suburban's tariff filed at the PUCO, on an interim basis ("Model Ordinance"). The Model Ordinance would be in effect until the PUCO makes a determination on how Hamler natural gas customers will be served or until Hamler makes alternative long term arrangements for natural gas service.

Please take the necessary steps to enact the enclosed Model Ordinance as soon as reasonably practicable. Please notify me once the Model Ordinance is enacted, and return a copy of the enacted ordinance to my law firm. We will then notify the PUCO and Suburban of the enactment of the Model Ordinance.

If you have any questions or desire an electronic word version of the enclosed Model Ordinance, please do not hesitate to contact myself, or Matthew White, an attorney at my law firm, at 614-334-6172, mwhite@cwsllaw.com. I appreciate your assistance and I look forward to working with you in the future.

Very truly yours,

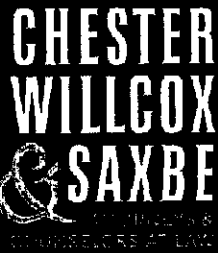
A handwritten signature of John W. Bentine is written over a circular stamp. The signature is in black ink and is somewhat stylized. The circular stamp is also in black ink and contains the name "John W. Bentine" in a serif font.

John W. Bentine

Enclosure

cc: Matthew S. White/CWS, w/enclosure

ND: 4826-5721-8052, v. 1



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FAX: 614.221.4012

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JOHN W. BENTINE
Direct 614-334-6121
jbentine@cwsllaw.com

September 30, 2009

Village Clerk
Deshler
101 E. Main St.
Deshler, OH 43516

Re: Suburban Natural Gas Rate Ordinance

Dear Village Clerk:

My law firm represents the Suburban Natural Gas Company ("Suburban") in its Application filed at the Public Utilities Commission of Ohio ("PUCO") to abandon service of certain villages within its service territory ("Suburban Abandonment Application"), including The Village of Deshler ("Deshler"). Suburban is currently supplying ("Deshler") customers with natural gas service under terms of an agreement that expires on or around October 20, 2009. It does not appear that the PUCO will make a determination by October 20, 2009, as to how Deshler customers will receive natural gas services after that date. Accordingly, there is a need for an interim arrangement for Deshler customers to receive natural gas until a long term arrangements are made.

I have enclosed a copy of a model ordinance that would allow Deshler natural gas customers to receive natural gas under Suburban's tariff filed at the PUCO, on an interim basis ("Model Ordinance"). The Model Ordinance would be in effect until the PUCO makes a determination on how Deshler natural gas customers will be served or until Deshler makes alternative long term arrangements for natural gas service.

Please take the necessary steps to enact the enclosed Model Ordinance as soon as reasonably practicable. Please notify me once the Model Ordinance is enacted, and return a copy of the enacted ordinance to my law firm. We will then notify the PUCO and Suburban of the enactment of the Model Ordinance.

If you have any questions or desire an electronic word version of the enclosed Model Ordinance, please do not hesitate to contact myself, or Matthew White, an attorney at my law firm, at 614-334-6172, mwhite@cwsllaw.com. I appreciate your assistance and I look forward to working with you in the future.

Very truly yours,


John W. Bentine

Enclosure

cc: Matthew S. White/CWS, w/enclosure

ND: 4826-5721-8052, v. 1

ORDINANCE NO. _____

**AN ORDINANCE PROVIDING FOR SUBURBAN NATURAL GAS COMPANY
TO TEMPORARILY CONTINUE TO PROVIDE
NATURAL GAS SERVICE WITHIN THE VILLAGE**

WHEREAS, for a period of almost fifty (50) years, Suburban Natural Gas Company and its predecessors ("Suburban") leased a natural gas distribution system from the Village of _____, Ohio, ("Village"), as well as the Village's interest in an integrated natural gas transmission system ("Transmission System"), and under the same agreement, provided Village residents, businesses and other premises ("Customers") natural gas service ("Lease Agreement");

WHEREAS, the Village, along with a number of other Northwestern Ohio Villages (collectively "Subject Villages"), hold interests in the Transmission System designed to provide natural gas services to Customers located within the Subject Villages;

WHEREAS, Suburban also leases each of the Subject Village's natural gas distribution systems as well as each's interest in the Transmission System, and provides natural gas services to the Subject Villages' customers in accordance to the terms and conditions of agreements similar to the Lease Agreement;

WHEREAS, the similar lease agreements between Suburban and the Subject Villages are expiring and have also not been renewed;

WHEREAS, the Lease Agreement expires on _____ of _____;

WHEREAS, the Village and Suburban have not renewed the Lease Agreement nor have the Village and Suburban entered into an agreement to supply natural gas to the Customers beyond the expiration of the Lease Agreement;

WHEREAS, Suburban has filed an application at the Public Utilities Commission of Ohio ("PUCO"), in PUCO Case No. 08-947-GA-ABN, seeking PUCO authority for Suburban to

abandon any obligation to provide natural gas service to Customers after the Lease Agreement expires as well as those customers in the Subject Villages;

WHEREAS, the Village is currently determining how and by whom natural gas will be supplied to Customers located in the Village beyond the expiration of the Lease Agreement and the temporary arrangements provided herein;

WHEREAS, upon expiration of the Lease Agreement, and as a temporary measure in order to provide the Village sufficient time to make other arrangements for the supply of natural gas to customers located within the Village, Suburban has offered, and the Village should authorize Suburban, to supply natural gas to Customers located within the Village under the terms and conditions of Suburban's tariff on file at the PUCO ("Tariff"), as the same may be modified from time to time, continuing until either further agreement of the parties or action by the PUCO.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF _____, OHIO:

SECTION 1: That all natural gas services rendered by Suburban on or after the date the Lease Agreement expires to Customers shall be rendered in accordance with the rates, terms and conditions contained in Suburban's then effective tariff on file with the PUCO, as the same may be amended from time to time.

SECTION 2: That subsequent to the expiration of the Lease Agreement and upon written acceptance of this Ordinance by Suburban, any continuing obligation of Suburban to serve Customers shall be governed by Suburban's PUCO tariff and Orders of the Public Utilities Commission of Ohio in Case No. 08-947-GA-ABN, or another applicable case, unless superseded by a subsequent written agreement between Suburban and the Village.

SECTION 3: That it is found and determined that all formal actions of this Village Council concerning and relating to the passage of this Ordinance were taken in conformance with applicable open meetings laws and that all deliberations of this Village Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

SECTION 4: This Ordinance is necessary for the preservation of the health, safety, and welfare of the Village and its citizens, and is hereby declared an emergency measure in that it is necessary to preserve the welfare of the Village and its citizens to assume the uninterrupted continuation of natural gas service to the Village and its citizens and shall take effect at the earliest date provided by law.

**[Please contact Suburban's Counsel, John Bentine at 614-334-6121
or via email at jbentine@cwslaw.com if you have questions, desire to discuss this draft, or
make changes to the same.]**

ND: 4822-1560-9604, v. 14