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WILLCOX  
&  
SAXBE**

**FILE**

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PUCO

January 25, 2010

**VIA HAND DELIVERY**

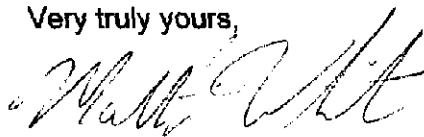
Ms. Renee Jenkins  
Chief of Docketing  
The Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

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:

Please find enclosed copies of Ordinances enacted, respectively, by the Villages of Hoytville, Hamler, Holgate and Deshler ("Villages") adopting, on an interim basis as set forth in those Ordinances, Suburban Natural Gas Company's ("Suburban") tariff rate with the exception of a monthly customer charge that is reduced by two dollars and eighteen cents (\$2.18) ("Rate Ordinances"). In addition, enclosed are copies of letters to each Village from Suburban accepting the respective Rate Ordinances.

Very truly yours,



Matthew S. White  
Counsel for Suburban Natural Gas Company

MSW/cis

Enclosures

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

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DEC 14, 2009 03:20P Hoytville Council

419-278-6638

page 1

**ORDINANCE NO. 2009-18****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 Hoytville, Ohio, ("Village"), as well as the Village's interest in the 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 20<sup>th</sup> of Oct, 2009;

**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 Commissions 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 agreements provided herein;

DEC 14, 2009 03:21P Hoytville Council

419-278-6638

page 2

**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 the 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 HOYTVILLE, 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, except the customer charge shall be \$7.00 per month rather than \$9.18 per month, 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 and for the routine operation and maintenance of the leased system 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.

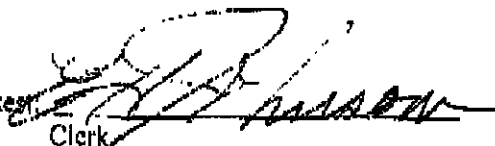
DEC 14, 2009 03:21P Hoytville Council

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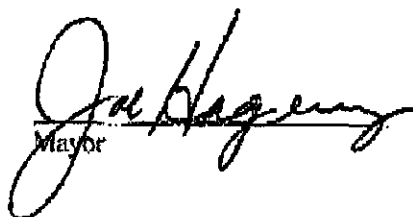
page 3

Passed: 4-YES 0-NO

  
President of Council

Attest:   
Clerk

Approved: 11/30/09 —

  
Mayor

ESTEBAN R. CALLEJAS  
VILLAGE LEGAL COUNSEL

ORDINANCE NO. 2009-09

**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 Hamler, 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, 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 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 by Suburban;

WHEREAS, the Lease Agreement expires on October 20<sup>th</sup>, 2009;

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 HAMLER, 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, except the customer charge shall be \$7.00 per month rather than \$9.18 per month, 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 and for the routine operation and maintenance of the leased system 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: That this Ordinance shall take effect from and after the earliest period allowed by law.

1<sup>st</sup> Reading: April 28, 2009

2<sup>nd</sup> Reading: November 11, 2009

3<sup>rd</sup> Reading: November 25, 2009

Passed this 25 day of November, 2009.

Attested:

  
Clerk

  
Mayor

**ORDINANCE NO. 773**  
**AN ORDINANCE PROVIDING FOR SUBURBAN NATURAL GAS COMPANY  
TO TEMPORARILY CONTINUE TO PROVIDE NATURAL GAS SERVICE  
WITHIN THE VILLAGE OF HOLGATE, HENRY COUNTY, OHIO.**

**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 10/20/2009 ;

**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 HOLGATE, 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, except the customer charge shall be \$7.00 per month rather than \$9.18 per month, 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 and for the routine operation and maintenance of the leased system 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.

MOTION TO SUSPEND: L. Streicher First T. Kelly Second  
VOTE TO SUSPEND: 6 AYES 0 NAYS

MOTION TO PASS: G. Giesige First C. Clady Second  
VOTE TO PASS: 6 AYES 0 NAYS

Wallace L. Snyder  
MAYOR

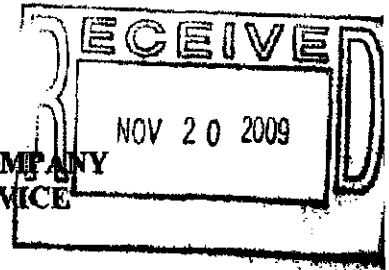
Attested this 10 day of November, 2009:

Sally K. Brieger  
Clerk



ORDINANCE NO. 09-35

**AN ORDINANCE PROVIDING FOR SUBURBAN NATURAL GAS COMPANY  
TO TEMPORARILY CONTINUE TO PROVIDE NATURAL GAS SERVICE  
WITHIN THE VILLAGE OF DESHLER, HENRY COUNTY, OHIO.**



**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 10/20/2009 ;

**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 DESHLER, 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, except the customer charge shall be \$7.00 per month rather than \$9.18 per month, 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 and for the routine operation and maintenance of the leased system 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.

MOTION TO SUSPEND: Roder First Labie Second  
VOTE TO SUSPEND: 4 AYES 0 NAYS

MOTION TO PASS: Petersen First Labie Second  
VOTE TO PASS: 4 AYES 0 NAYS

Stephen D. Gibson  
MAYOR

Attested this 9<sup>th</sup> day of November, 2009: Karen M. Diem  
Clerk

This is a true and  
certified copy of  
Ord. 09-35.  
Karen M. Diem  
Clerk-Treas.

**SUBURBAN NATURAL GAS COMPANY**  
ESTABLISHED 1882



274 E. FRONT STREET, P.O. BOX 130  
CYNOSSET, OHIO 43413-0130  
(419) 655-2345

DAVID L. PEMBERTON, JR.  
PRESIDENT

2626 LEWIS CENTER ROAD  
LEWIS CENTER, OHIO 43035-9208  
(740) 548-2450

January 8, 2010

Ms. Edna Johnson  
Village Clerk  
Village of Hoytville  
P.O. Box 135  
Hoytville, Ohio 43529

Re: Suburban Natural Gas Rate Ordinance

Dear Ms. Johnson:

Suburban Natural Gas Company ("Suburban") has received a copy of the Village of Hoytville's ("Village") ordinance approving the adoption of Suburban's tariff rates for Village natural gas customers. This letter is to notify you of Suburban's acceptance of the Village's ordinance adopting Suburban's tariff rates.

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

Cordially,

David L. Pemberton, Jr.

**SUBURBAN NATURAL GAS COMPANY**  
ESTABLISHED 1882



274 E. FRONT STREET, P.O. BOX 130  
CYGNET, OHIO 43412-0130  
(419) 535-2343

DAVID L. PEMBERTON, JR.  
PRESIDENT

2826 LEWIS CENTER ROAD  
LEWIS CENTER, OHIO 43035-0206  
(740) 548-2430

January 8, 2010

Ms. Shelly Grant  
Fiscal Officer  
Village of Hamler  
916 Woodlawn Court  
Napoleon, Ohio 43545

Re: Suburban Natural Gas Rate Ordinance

Dear Ms. Grant:

Suburban Natural Gas Company ("Suburban") has received a copy of the Village of Hamler's ("Village") ordinance approving the adoption of Suburban's tariff rates for Village natural gas customers. This letter is to notify you of Suburban's acceptance of the Village's ordinance adopting Suburban's tariff rates.

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

Cordially,

David L. Pemberton, Jr.

**SUBURBAN NATURAL GAS COMPANY**  
ESTABLISHED 1882



274 E. FRONT STREET, P.O. BOX 130  
OYONNET, OHIO 43413-0130  
(419) 685-2345

DAVID L. PEMBERTON, JR.  
PRESIDENT

2026 LEWIS CENTER ROAD  
LEWIS CENTER, OHIO 43035-9206  
(740) 548-2450

January 8, 2010

Ms. Sally K. Briggs  
Village Clerk  
Village of Holgate  
P.O. Box 217  
Holgate, Ohio 43527

Re: Suburban Natural Gas Rate Ordinance

Dear Ms. Briggs:

Suburban Natural Gas Company ("Suburban") has received a copy of the Village of Holgate's ("Village") ordinance approving the adoption of Suburban's tariff rates for Village natural gas customers. This letter is to notify you of Suburban's acceptance of the Village's ordinance adopting Suburban's tariff rates.

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

Cordially,

A handwritten signature in dark ink, appearing to read "David L. Pemberton, Jr.".

David L. Pemberton, Jr.

**SUBURBAN NATURAL GAS COMPANY**  
ESTABLISHED 1888



274 E. FRONT STREET, P.O. BOX 130  
CYGNET, OHIO 43413-0130  
(419) 655-2343

DAVID L. PEMBERTON, JR.  
PRESIDENT

2626 LEWIS CENTER ROAD  
LEWIS CENTER, OHIO 43035-9206  
(740) 549-2430

January 8, 2010

Ms. Karen M. Diem  
Village Clerk  
Village of Deshler  
101 East Main Street  
Deshler, Ohio 43516

Re: Suburban Natural Gas Rate Ordinance

Dear Ms. Diem:

Suburban Natural Gas Company ("Suburban") has received a copy of the Village of Deshler's ("Village") ordinance approving the adoption of Suburban's tariff rates for Village natural gas customers. This letter is to notify you of Suburban's acceptance of the Village's ordinance adopting Suburban's tariff rates.

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

Cordially,

David L. Pemberton, Jr.