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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of the East Ohio Gas Company d/b/a Dominion East Ohio to File Revised Tariffs Extending Its Low Pilot Program.	))))	Case No. 10-200-GA-ATA

APPLICATION FOR REHEARING
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL

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January 20, 2011

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APPLICATION FOR REHEARING BY THE OFFICE OF THE OHIO CONSUMERS' COUNSEL

The Office of the Ohio Consumers' Counsel ("OCC") applies for rehearing of the December 21, 2010, Supplemental Finding and Order ("Supplemental Order") issued by the Public Utilities Commission of Ohio ("Commission" or "PUCO"). The Commission erred by relying on the current low commodity cost of natural gas as a basis for discontinuing Dominion East Ohio's Low Income Pilot Program ("Pilot Program"). Through this Application for Rehearing, OCC seeks to have the Commission continue the Pilot Program for existing participants or, in the alternative, order the Pilot Program be reinstituted should gas prices increase to the level they were when the Pilot Program was approved.

Pursuant to R.C. 4903.10 Ohio Adm. Code 4901-1-35, the Order was unjust, unreasonable and unlawful in the following regards:

> The Commission erred when it failed to comply with the requirements of R.C. 4903.09, and provide specific findings of fact and written opinions that were supported by record evidence.
>
> The Commission erred by terminating the low-income assistance Pilot Program when it would be reasonable to continue the program for the existing participants.

The reasons for granting this Application for Rehearing are set forth in the attached Memorandum in Support. Consistent with R.C. 4903.10, and the OCC claims of error, the PUCO should grant rehearing.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

I. INTRODUCTION

In Dominion's 2007 Rate Case, OCC argued that the Straight Fixed Variable ("SVF") rate design has the effect of increasing the distribution cost per Mcf that a customer faces at lower consumption levels than at higher consumption levels.[1] OCC further argued that such a rate design is inherently unfair to low-usage, low-income customers, who because of their limited means, likely live in smaller dwellings, such as apartments, and use less natural gas than homeowners with larger homes.[2]

The Commission initially expressed its concern with the impact that the change in rate structure would have on some of Dominion East Ohio's ("Dominion" or "Company") customers who were low-income low-usage customers.[3] In recognition of the adverse impacts of moving to the SVF rate design on low-income residential customers, the Commission directed Dominion to establish a one-year Pilot Program designed to help low-income, low-use customers pay their bills.[4] Consequently,

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[1] *See* Case No. 10-200-GA-ATA, Comments by the Office of the Ohio Consumers Counsel, (June 3, 2010), at 3.

[2] *Id.*

[3] *In Re 2007 Rate Case*, Opinion and Order (October 15, 2008) at 26.

[4] *In re 2007 Rate Case,* O&O (October 15, 2008) at 26.

Dominion implemented a Pilot Program on or about March 13, 2009. In compliance with the Commission's instruction, at the conclusion of the first year of the Pilot Program, the Staff prepared a report ("Staff Report") evaluating the Pilot Program's effectiveness. The data contained in the Staff Report illustrates that the Pilot Program was largely successful as only 1.6% of the customers faced disconnection for non-payment, and the Pilot Program helped 89% of customers stay off of the Percentage of Income Payment Plan Program ("PIPP).[5] To this end, Staff recommended the continuation of the Pilot Program.[6]

Nevertheless, on December 21, 2010, the Commission issued the Supplemental Order discontinuing the low-income, low-use Pilot Program. It is from this Supplemental Order that OCC seeks rehearing.

II. PROCEDURAL HISTORY

On October 15, 2008, the Commission issued an Opinion and Order ("O&O") in the Dominion East Ohio 2007 Rate Case ("2007 Rate Case"), Case No. 07-829-GA-AIR, et al. One of the main issues in that proceeding was the imposition of the SFV rate design.[7] As part of the debate over the SVF rate design, the OCC and Ohio Partners for Affordable Energy ("OPAE"), the Neighborhood Environmental Coalition, the Empowerment Center of Greater Cleveland, the Cleveland Housing Network, the Consumers for Fair Utility Rates ("Citizens Coalition"), (collectively "Joint Consumer Advocates") opposed the SFV rate design, partly, because there was concern backed by

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[5] Staff Report (April 29, 2010) at 1.

[6] Id. at 2.

[7] See *2007Rate Case*, Case No. 07-829-GA-AIR, et al., O&O (October 15, 2008).

record evidence that the SFV rate design would adversely impact low-use and low-income residential customers.

In recognition of the adverse impacts moving to the SVF rate design has on low-income residential customers, the Commission directed Dominion to establish a one-year Pilot Program designed to help low-income, low-use customers pay their bills.[8] In addition, the 2007 Rate Case Order stated "the Commission will evaluate the program for its effectiveness in addressing our concerns relative to the impact on low-use, low-income customers." The Company filed tariffs in compliance with the Commission's directive effective March 13, 2009. The Pilot Program was established to provide a four-dollar monthly discount to 5,000 non-PIPP low-usage customers verified at or below 175 percent of the poverty level.[9]

On February 17, 2010, the Company filed revised tariffs requesting the Commission to authorize Dominion to extend the Pilot Program to allow the Commission and Staff time to complete the required evaluation. On March 4, 2010, OCC filed its Motion to Intervene. On April 6, 2010, OPAE filed its Motion to Intervene.

On March 10, 2010, the Commission issued a Finding and Order, stating in pertinent part:

> The Commission envisions that our review of the pilot program will include consideration of the results of Staff's review of the pilot program. To that end, the Commission finds that, once staff has completed its review of the pilot program, it should file the results of its review in this docket. Upon the filing of Staff's document, the Commission will establish a procedural process for consideration of the pilot program in this case.

[8] *Id.* at 26-27.

[9] *Id.*

In compliance with the Commission's March 10, 2010 Finding and Order, the Staff Report was filed on April 29, 2010.

On June 3, 2010, OCC, OPAE, and the Company filed Comments, and on June17, 2010, OCC and the Company filed Reply Comments.

On September 15, 2010, the Commission issued an Entry in this proceeding directing Staff to supplement its previously filed Staff Report ("September 15 Entry"). The supplemental information required by the Commission was a comparison of the total annual bill incurred by customers consuming between 10 and 70 Mcf per year at 10 Mcf intervals under various scenarios. On September 20, 2010, the Staff filed its supplemental report ("Supplemental Report").

Consequently, on October 13, 2010, the Consumer Advocates[10] filed Joint Comments ("Joint Comments") to the Supplemental Report in accordance with the Commission's established procedural schedule. In those Comments, the Consumer Advocates sought the expansion of the low-income program from 5,000 to 20,000 to more appropriately size Dominion's Program relative to Duke. In addition, the Comments sought to use the $4.00 per customer per month discount as a fuel fund instead of the discount, or in the alternative, retain the $4.00 per month discount.[11] The Consumer Advocates also argued that the Pilot Program became effective with bills rendered on or after March 13, 2009. During the year in which the Pilot Program was

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[10] Consumer Advocates are OCC, and Ohio Partners for Affordable Energy ("OPAE"), the Neighborhood Environmental Coalition, the Empowerment Center of Greater Cleveland, the Cleveland Housing Network, the Consumers for Fair Utility Rates ("Citizens Coalition"),

[11] *In the Matter of the Application of the East Ohio Gas Company d/b/a Dominion East Ohio to File Revised Tariffs Extending Its Low Pilot Program*, Case No. 10-200-GA-ATA, Joint Comments (October 13, 2010) at 5.

initially offered the natural gas commodity market saw prices reach seven-year lows.[12] Thus, the Commission should not use the impact that the declining natural gas commodity prices have had on the customers' total bill as justification for elimination of or significant alteration to the Pilot Program.[13]

On December 21, 2010, the PUCO issued a Supplemental Finding and Order deciding against the Consumer Advocates.

III. STANDARD OF REVIEW

Applications for Rehearing are governed by R.C. 4903.10 and Ohio Adm. Code 4901-1-35. This statute provides that, within thirty (30) days after issuance of an order from the Commission, "any party who has entered an appearance in person or by counsel in the proceeding may apply for rehearing in respect to any matters determined in the proceeding."[14] Furthermore, the application for rehearing must be "in writing and shall set forth specifically the ground or grounds on which the applicant considers the order to be unreasonable or unlawful."[15]

In considering an application for rehearing, Ohio law provides that the Commission "may grant and hold such rehearing on the matter specified in such application, if in its judgment sufficient reason therefore is made to appear."[16] Furthermore, if the Commission grants a rehearing and determines that "the original

[12] *See* http://tonto.eia.doe.gov/oog/info/ngw/historical/2009/08_27/ngupdate.asp stating that natural gas prices at the Henry Hub fell below $3.00 for the first time since August 8, 2002, falling to $2.78 per MMbtu in trading on Friday, August 21, [2009].

[13] Joint Comments (October 13, 2010) at 6.

[14] R.C. 4903.10.

[15] *Id.*

[16] *Id.*

order or any part thereof is in any respect unjust or unwarranted, or should be changed, the Commission may abrogate or modify the same * * *."[17]

OCC meets the statutory conditions applicable to an applicant for rehearing pursuant to R.C. 4903.10. Accordingly, OCC respectfully requests that the Commission grant rehearing on the matters specified below.

IV. ARGUMENT

The Commission Erred When It Failed To Comply With The Requirements Of R.C. 4903.09, And Provide Specific Findings Of Fact And Written Opinions That Were Supported By Record Evidence.

The Commission Erred By Terminating the Low-Income Pilot-Program When It Would Be Reasonable To Continue The Program For Existing Participants.

The reasons the Commission should grant rehearing for OCC's two claims of error are explained below. For one, Ohio law requires the Commission to issue an Entry that sets forth the Commission's rationale and the findings of fact that were relied upon in support of its decision. For the second claim of error, the program should be continued as reasonable under R.C. 4909.18, to maintain the assistance that is needed for low-income customers in Northern Ohio.

R.C. 4903.09 states:

> In all contested cases heard by the public utilities commission, a complete record of all of the proceedings shall be made, including a transcript of all testimony and of all exhibits, and the commission shall file, with the records of such cases, findings of fact and written opinions setting forth the reasons prompting the decisions arrived at, based upon said findings of fact.

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[17] *Id.*

In this case, the Commission has issued an Order that fails to comply with the requirements of Ohio law.

The Commission Order permitted Dominion to discontinue its low-income Pilot Program despite the fact that the PUCO relied on factors completely outside the control of the Company or the Pilot Program as a basis for its decision.[18] The Order states in pertinent part:

> *** [T]he Commission now has an opportunity to evaluate the low-use, low-income pilot program to determine whether it should be continued. In evaluating the future of the low-use, low-income program, the Commission is aware that the original goal of the low-use, low-income pilot program was to mitigate the impact of the imposition of the SVF rate design on low-use, low-income customers. The supplemental report filed by Staff demonstrates that declining commodity process served to mitigate much of the feared rate shock and continued to do so as the full SFV rate went into effect in October 2010. Accordingly, we find that DEO should be allowed to discontinue its low-use, low-income pilot program.[19]

Pursuant to R.C. 4903.10 and Ohio Adm. Code 4901-1-35, the Order was unjust, unreasonable and unlawful because the Commission failed to consider the rising number of Dominion customers enrolling in PIPP, and rising number of customers whose service is being disconnected for non-payment.[20] Further, and more importantly, the Order fails to consider the impact of discontinuing the Pilot Program on low-income, low-use customers should gas prices increase. To the extent that the "original goal" of the Pilot Program was to mitigate the impact of the SFV rate design, then the need to mitigate

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[18] Supplemental Order (December 21, 2010) at 5.

[19] See *In the Matter of the Application of the East Ohio Gas Company d/b/a Dominion East Ohio to File Revised Tariffs Extending Its Low Pilot Program*, Case No. 10-200-GA-ATA, Supplemental Opinion and Order (December 21, 2010) at 5. (Emphasis added).

[20] *See* Tables 1 and 2 in OCC's Application for Rehearing.

exists when the natural gas commodity costs are at or above the level that existed at the time of the rate case Opinion and Order.

There is no guarantee that the current temporary decrease in natural gas commodity prices will continue into the future. Thus, any decision based on lower current commodity prices should be contingent upon reversal when the prices increase again in the future. Finally, the Order failed to consider the fact that despite the current low natural gas commodity rates, many of Dominion's residential customers are still experiencing difficulty in paying their bills.

It is important to note that the Staff took certain of the above factors into consideration when developing its recommendations in the Staff Report. The Staff recommended a "continuation of the program based primarily on the significant impact its elimination would have on the current participants."[21] In addition, the Staff Report indicates that only 1.6% of customers who participated in the Pilot Program were disconnected for non-payment.[22] Further, the Pilot Program helped approximately 89% of the participants stay off of PIPP.[23] The Staff's analysis recognized the importance of the Pilot Program in providing assistance to the low-use low-income customer to maintain natural gas service. The Commission's Supplemental Order should have relied upon the Staff's analysis underlying its recommendation as record evidence in this proceeding, and the Commission should have found that it would be reasonable to continue the program for the existing participants. Therefore, OCC's rehearing should be granted.

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[21] *See* Staff Report at 2.

[22] Staff Report at 1.

[23] *Id.*

For the reasons that are the same or similar to why the Commission should grant rehearing based on R.C. 4903.10, the Commission should grant rehearing because it would be reasonable to continue the Pilot Program for those Ohio customers currently enrolled. R.C. 4909.18 provides a standard of reasonableness for matters before the Commission.[24]

A. The Commission Failed To Take Into Account The Rising Number Of Dominion Customers Whose Service Has Been Disconnected For Non-Payment.

As Staff noted in the Staff Report, there were 5,120 customers who initially participated in the Pilot Program.[25] After the end of twelve months, only 87 of the 5,120 customers were disconnected for non-payment.[26] Thu, it appears that the Pilot Program had the desired effect of mitigating the impact of the SFV rate design on low-income and low-use customers. The Staff Report stated: "One item that may be instructive [of the Program's overall effectiveness] is the 87 disconnects for non-payment which constitutes 1.7% of the initial program participants. This compares favorably with a 6.9% disconnect rate in 2009 for all Dominion customers."[27] In other words, the customers who participated in the Pilot Program were, on average, better able to avoid service disconnection than other Dominion customers.

It is also noteworthy that the total number of disconnections for non-payment for Dominion's customers has more than doubled from August 2006, before the SFV was

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[24] *See* R.C. 4909.18.

[25] Staff Report at 1.

[26] Staff Report at 1.

[27] *Id.*

implemented, to August of 2010, after the SFV was implemented.[28] Thus, even though natural gas commodity rates have reached seven-year lows, the need for the mitigating effects of the Pilot Program is not receding.

OCC Table 1 shows that from August 2005 to August 2006, 32,246 Dominion customers suffered from service disconnection.[29] But from August 2009 to August 2010 there were 83,932 disconnections.[30] Clearly, and despite the price of gas, disconnections are on the rise, and have more than doubled since 2006. This statistic is critical when evaluating the Pilot Program because the increase in disconnections tends to show that customers are having growing difficulty in paying their bills.

<u>OCC Table 1</u>
<u>Dominion Disconnection For Non-Payment Statistics</u>
<u>2005-2009</u>

Rolling 12 Months[31]	Disconnections[32]	Change (%)
Sept. 2009 – Aug. 2010	83,932	6.8
Sept. 2008 – Aug. 2009	78,199	7.2
Sept. 2007 – Aug. 2008	72,574	25.9
Sept. 2006 – Aug. 2007	53,795	32.2
Sept. 2005 – Aug. 2006	36,246	-

When making the determination whether or not to continue a program that aids low-income, low-usage customers, the rising number of disconnections is record evidence that should have been taken into account and examined by the Commission. There is no indication in the Supplemental Order that the Commission considered this

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[28] *See* OCC Table 1 and Attachment A to this Application for Rehearing.

[29] *See* Attachment A.

[30] *Id.*

[31] *See* Attachment A, containing the monthly DEO Ohio Statistical Customer Account Receivable (" OSCAR") Report data used to compile OCC Table 1.

[32] Yearly total of disconnections on a rolling basis from September through August.

issue when making their decision, and these statistics demonstrate the reasonableness of continuing the Pilot Program for existing customers. Therefore, the Commission should grant rehearing.

B. The Commission Failed To Take Into Account The Rising Number Of Dominion Customers Enrolling In PIPP.

The number of Dominion's customers going on PIPP is also steadily increasing. As OCC Table 2 illustrates, the total percentage of Dominion customers on PIPP has increased from 7.9% in June of 2006,[33] to 10% in June of 2010.[34] Further, there were 87,251 PIPP customers in June of 2006. This number increased to 110,032 PIPP customers in June of 2010.[35] This is a staggering 26.1% increase.

These statistics should not be ignored by the Commission, as they are more telling about the need for the Pilot Program than the "current cost of gas." Again, the rising number of customers enrolling in PIPP tends to show that Dominion's customers are having difficulty paying their bills.

<u>OCC Table 2</u>
<u>Dominion PIPP Statistics</u>
<u>2006-2010</u>

Date	PIPP Customers[36]	% Total Customers[37]	PIPP Change From June 2006	% Increase in PIPP from June 2006
June 2010	110,032	10	22,781	26.1
June 2009	108,965	9.9	21,714	24.9

[33] *See* OCC Table 2.

[34] *Id.*

[35] *Id.*

[36] Data provided in the DEO OSCAR Reports for June 2006-2010, Column 1.02.

[37] Total Dominion Residential Customers Assumed to be 1.1 million. The percentages contained in this column are derived by dividing PIPP Customers from OSCAR Report Column 1.02 by 1.1 million and multiplying by 100.

June 2008	102,951	9.4	15,700	18
June 2007	93,975	8.5	6,724	7.7
June 2006	87,251	7.9	-	-

In contrast, the Staff Report indicates that there were 5,120 initial participants in the Pilot Program.[38] Of those 5,120 participants, only 460 enrolled in PIPP during the first year.[39] Simply put, the Pilot Program successfully helped 91% of the customers stay off of PIPP.[40]

Finally, Staff recommended the continuation of the Pilot Program based "primarily on the significant impact its elimination would have on current participants."[41] Staff noted that 460 of the participants resorted to the PIPP program in the first twelve months, and reasoned that more customers would enroll in PIPP should the discount to low-use, low-income customers be discontinued, "regardless of how much the economy recovers."[42] Although 91% of the customers in the Pilot Program were able to forego going on PIPP, that number will surely increase if the program is discontinued.

When making the determination whether or not to continue a program that aids low-income, low-usage customers, the rising number of customers enrolling in the PIPP program is record evidence that should have been taken into account and examined by the Commission. There is no indication in the Supplemental Order that the Commission considered this issue when making their decision; therefore, the Commission should grant

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[38] Staff Report at 1.

[39] *Id.*

[40] *Id.*

[41] *Id.* at p. 2.

[42] *Id.*

rehearing. Further, the Commission should have found that it would be reasonable to continue the program for the existing participants.

C. The Commission Decided To Authorize Dominion To Discontinue The Pilot Program Based Upon The Current Cost Of Gas.

The Commission in its Order admits that the Pilot Program was not authorized as a one-year program. The Commission stated:

> Initially, we would note that it was never our intention in our October 15, 2008, Finding and Order in 07-829 to limit the low-use low-income program to a one-year term. Had the Commission intended to conclude the program after one year, we would not have stated our intent to evaluate the program at the end of that term. Such an evaluation would have been meaningless under those circumstances.[43]

However, the Commission failed to recognize that natural gas prices are volatile, and a severe winter or active hurricane season away from the potential for significant price increases. Therefore, the Commission's decision to discontinue the Pilot Program based upon the current state of natural gas commodity prices is problematic.

The Pilot Program became effective with bills rendered on or after March 13, 2009.[44] During the year in which the Pilot Program was initially offered the natural gas commodity market saw prices reach seven year lows.[45] Therefore, a meaningful evaluation of the Pilot Program was not accomplished because the gas prices were low. The decline in natural gas commodity rates skewed the effectiveness of the Pilot Program. Thus, the true effectiveness of this program cannot be accurately measured

[43] Supplemental Order at 5.

[44] Entry (May 12, 2010) at 1.

[45] *See* http://tonto.eia.doe.gov/oog/info/ngw/historical/2009/08_27/ngupdate.asp stating that natural gas prices at the Henry Hub fell below $3.00 for the first time since August 8, 2002, falling to $2.78 per MMbtu in trading on Friday, August 21, [2009].

until such time as the natural gas commodity prices return to the level experienced during Dominion's 2007 Rate Case.

The Commission instituted the Pilot Program because it perceived that "some relief [was] warranted for this class of customers."[46] As such, the Commission should not discontinue the Pilot Program simply because the Supplemental Staff Report "demonstrates that declining commodity prices served to mitigate much of the feared rate shock and continued to do so as the full SFV rate went into effect in October 2010."[47] The Commission was correct when it determined relief was warranted for low-usage, low-income customers, and implemented the Pilot Program, and as such it would have been reasonable for the Pilot Program to have been continued for existing customers. But now, the Commission has failed to take into consideration what the impact will be on these customers should the gas costs increase. Therefore, the Commission should grant rehearing and reinstate the Pilot Program.

D. The Economic Conditions In Dominion's Service Territory Warrant Continuation Of The Pilot Program.

The economic conditions in the Dominion service territory do not support the elimination of the Pilot Program. According to recent economic data, the poverty level in Cuyahoga County is at 15.9% compared to a statewide poverty level of 13.3%.[48] Poverty in other counties, like Mahoning, are currently experiencing poverty at a 16.7% level.[49]

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[46] *Dominion Rate Case*, Case No. 07-829-GA-AIR, et al., Opinion and Order (October 15, 2008) at 26-27.

[47] Supplemental Order (December 21, 2010) at ¶ 17.

[48] http://quickfacts.census.gov/qfd/states/39/39035.html

[49] http://quickfacts.census.gov/qfd/states/39/39099.html

Unemployment levels in Ohio are currently at 9.6%,[50] significantly higher than the 7.3% that was in effect in November 2008 immediately after the discount program was approved.[51] In addition, the federal funding for the Home Energy Assistance Program (HEAP) could be significantly less than the funding that has been available for the last two years. For example, the FY-2009 HEAP allocation in Ohio was $220.6 million, FY-2010 allocation was $247.9, and the 2011 projected allocation is $132.6 million.[52] Low-income, low-usage customers are going to need every bit of assistance available to help maintain utility services and this is especially true in Cleveland -- the second highest impoverished major city in the nation.[53]

In support of OCC's position, the Staff Report states that it would be "counterproductive to completely eliminate the program at this point in time."[54] Further, the Staff Report indicates that "[g]iven the economic upheavals that occurred concurrent with the implementation of this program, it is not realistic to reach any firm conclusions regarding the impact of the discount program in reducing disconnections or movement to the PIPP program."[55] Therefore, and at a minimum, the Commission should grant rehearing, and order Dominion to continue the Pilot Program without interruption.

In the alternative, the Commission should order Dominion to reinstate the Pilot Program at such time as the natural gas commodity prices increase to the level experienced at the time the Pilot Program was implemented.

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[50] http://jfs.ohio.gov/RELEASES/unemp/201012/unemppressrelease.asp

[51] http://jfs.ohio.gov/RELEASES/unemp/200812/UnempPressRelease.asp

[52] http://www.liheap.ncat.org/Funding/LHfunding2009-11.xls

[53] http://www.cleveland.com/datacentral/index.ssf/2010/09/clevelands_poverty_is_second_a.html

[54] *See* Staff Report at 2.

[55] *Id.*

A Commission order requiring Dominion to either reinstate the Pilot Program or alternatively reinstate the Pilot Program in the event natural gas commodity prices increase, would allow another opportunity to more thoroughly evaluate the effectiveness of the Pilot Program for low-use low-income customers.

V. CONCLUSION

In sum, the Commission failed to take into account other factors, such as the state of Ohio's current economy, the increasing number of Dominion's customers who are enrolling in PIPP, and the increasing number of Dominion's customers whose natural gas service has been disconnected when making the decision to discontinue the Pilot Program. In fact, it appears the Commission failed to take any factor into account but the current price of gas. As articulated herein, even though the cost of gas may currently be low, this factor is insignificant if customers are increasingly unable to pay their bills, or unable to pay their bills without the support of PIPP. Further, customers will face even more difficulty should the price of gas rise. For these reasons, OCC recommends that the Commission continue the Pilot Program.

As a final alternative, the Pilot Program should be reinstituted in the event gas prices increase to the level they were when the program was approved. For all the reasons discussed above, the Commission should grant OCC's Application for Rehearing.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing *Application for Rehearing by the Office of the Ohio Consumers' Counsel* has been served upon the below-named counsel via regular U.S. Mail, postage prepaid this 20th day of January 2011.

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ATTACHMENT A

Dominion Disconnections on a Rolling Basis From August Through August[1]

Rolling 12 Months	September	October	November	December	January	February	March	April	May	June	July	August	TOTAL
September 2009-August 2010	8.609	4.099	851	200	458	364	3,750	5,580	18,066	17,361	12,936	11,658	**83,932**
September 2008-August 2009	9.578	4.620	356	355	28	27	2.992	7,354	13,438	14,884	13,890	10,677	**78,199**
September 2007-August 2008	6.266	3.185	394	153	42	518	1.607	8,512	12,188	13,261	14,480	11,968	**72,574**
September 2006-August 2007	7.397	1.605	127	63	150	68	2.550	4,622	9,176	9,396	9,389	9,252	**53,795**
September 2005-August 2006	1.776	588	140	11	36	175	715	1,574	5,977	7,407	8,064	9,783	**36,246**

[1] The data contained in this table was taken directly from DEO's OSCAR Reports, Column 8.01.