

NC

FILE

5

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV

2011 MAY -3 PM 5:16

In the Matter of the Application by the)
Ohio Gas Company for Approval of)
the Special Arrangement for the)
Provision of Natural Gas Service to)
Certain Mainline Customers in)
Unincorporated Areas in Henry County,)
Ohio.)

Case No. 11- GA-AEC
PUCO

APPLICATION AND STATEMENT

Gretchen J. Hummel (Trial Attorney)
McNees Wallace & Nurick LLC
Fifth Third Center
21 East State Street, 17th Floor
Columbus, OH 43215
Telephone: 614-469-8000
Telecopier: 614-469-4653
ghummel@mwncmh.com

May 3, 2011

Attorney for Ohio Gas Company

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 AM Date Processed MAY 03 2011

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application by the)
Ohio Gas Company for Approval of)
the Special Arrangement for the)
Provision of Natural Gas Service to)
Certain Mainline Customers in)
Unincorporated Areas in Henry County,)
Ohio.)

Case No. 11- -GA-AEC

APPLICATION AND STATEMENT

By this Application, the Ohio Gas Company ("Ohio Gas") files a special contractual arrangement entitled Application and Agreement for Natural Gas Services ("Agreement"), for review and approval by the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4905.31 of the Ohio Revised Code.

In support of this Application, Ohio Gas states that:

- 1) Ohio Gas is a public utility and a natural gas company as defined in Sections 4905.02 and 4905.03(A)(6), Ohio Revised Code.
- 2) As a public utility and natural gas company, Ohio Gas is subject to the Commission's jurisdiction pursuant to Section 4905.05, Ohio Revised Code.
- 3) Ohio Gas is in the process of acquiring a natural gas system currently owned by the Villages of Hamler, Holgate and Malinta, all in Henry County, Ohio. Each village owns the distribution facilities inside its corporation limits and a pipeline, or mainline, that connects it to the next village or, in the case of Hamler, to the interconnection facility approved by the Commission in Case No. 11-1115-GA-AIR.
- 4) The villages will participate in the Ohio Gas' Community Energy Partnership ("CEP") Program, pursuant to which communities purchase gas commodity for delivery to customers aggregated along township or school system boundaries

pursuant to the home rule authority vested in them by Section 18.05 of Article 18 of the Ohio Constitution.

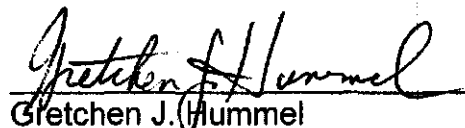
5) There are a number of natural gas customers connected to the mainlines who are located inside township and school system boundaries pursuant to which they would be aggregated by a village different from that by whose facilities they are currently served.

6) The economics of the bids made by Ohio Gas and accepted by the village councils for the purchase of these systems presume that all customers will be served by the same village facilities subsequent to the sale of the facilities as before.

7) This Application seeks approval of a special contractual arrangement for natural gas service which will be offered to the customers served by the mainlines described above so they may elect to receive the same terms, rates, and benefits which will be provided to the other customers of the particular village facilities by which they are currently served. The Agreement is attached hereto as Exhibit A.

WHEREFORE, Ohio Gas respectfully requests the Commission to approve the Application and Agreement for Natural Gas Services attached hereto.

Respectfully submitted,



Gretchen J. Hummel
McNees, Wallace & Nurick
Fifth Third Center
21 East State Street, 17th Floor
Columbus, Ohio 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
ghummel@mwncmh.com

Attorney for Ohio Gas Company

EXHIBIT A

APPLICATION AND AGREEMENT FOR NATURAL GAS SERVICES

(Name of Customer)

(Street Address)

(City, State, Zip Code)

Customer requests to be provided natural gas services at this address by Ohio Gas Company ("Ohio Gas") under the following terms and conditions:

(1) Customer understands that natural gas distribution service is subject to Ohio Gas' Tariff on file with the Public Utilities Commission of Ohio ("PUCO") and any subsequent revisions thereof, to the applicable orders of the PUCO, and to the rules and laws of the state of Ohio.

(2) With respect to other services, Customer wishes to be provided the same services pursuant to the same rates as those that apply to Ohio Gas customers inside the corporation limits of _____, Ohio, as follows:

(a) Customer agrees to be served as a customer of Ohio Gas' Community Energy Partnership Program. Customer agrees that Customer's natural gas will be purchased on Customer's behalf by the Village of _____ and will be subject to the rates established by ordinance enacted by the Village of _____.

(b) Customer agrees to be served pursuant to an ordinance enacted by the Village of _____ to establish an Infrastructure Improvement Cost ("IIC") Fund and to be subject to the rates established by said ordinance to recover the costs thereof. Customer agrees that, as a part of the IIC, Ohio Gas will replace the Customer-owned service line, after which Ohio Gas will retain ownership and responsibility for maintenance and repair of the service line installed at this address.

(3) This Agreement will become effective on the day Ohio Gas assumes ownership and operation of the natural gas system which serves the Village of _____.

(4) This Agreement will remain in effect and binding on the Customer, his successors or assignees, with regard to any natural gas service provided to the above-referenced address should the property at the address be sold or transferred.

(5) This Application and Agreement shall not be binding upon either party until acceptance is signed by the authorized representative of Ohio Gas, and when so accepted shall constitute a contract binding upon both parties, their heirs, successors or assigns, subject to the public utilities laws of Ohio.

Accepted By: _____ (Buyer)

Date Executed: _____

Telephone No.: _____

OHIO GAS COMPANY
200 West High Street
Bryan, OH 43506-0528
(800) 331-7396 (toll free)

By: _____

Date Executed: _____