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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

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

MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF OHIO GAS COMPANY

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June 13, 2011

Attorneys for Ohio Gas Company

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MOTION TO INTERVENE

Now comes Ohio Gas Company ("Ohio Gas") and, pursuant to Section 4903.221, Ohio Revised Code, and Rule 4901-1-11, Ohio Administrative Code, respectfully moves for leave to intervene in the above-styled proceeding for the reasons set forth in the attached Memorandum in Support.

Respectfully submitted,


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MEMORANDUM IN SUPPORT

On August 1, 2008, Suburban Natural Gas Company ("Suburban") filed an application to abandon service to the Villages of Hamler, Holgate, Deshler, Hoytville, and Malinta and to certain customers located in unincorporated areas served by facilities owned by the Villages. As indicated in its application, Suburban has, for many years, provided natural gas service to the Villages and their inhabitants through facilities owned by the Villages and leased to Suburban pursuant to separate fifty-year lease agreements ("Leases") between Suburban and each of the Villages.¹ Suburban's application indicates that it is willing to work with the affected communities to ensure an orderly transition if the Commission should permit Suburban to abandon its service and facilities.²

Ohio Gas is in the process of acquiring the natural gas systems currently owned by the Villages of Hamler, Holgate and Malinta, with a currently-anticipated closing date of July 1, 2011. Each village owns the distribution facilities inside its corporation limits

¹ Application at 1.

² *Id.* at 3.

and a pipeline, or mainline, that connects it to the next village. Consistent with the requirements of Section 4903.221, Ohio Revised Code, and Rule 4901-1-11(B), Ohio Administrative Code, Ohio Gas is a real party in interest herein, whose interest is not now represented, who can make a contribution to the proceeding and will not unduly delay the proceeding or prejudice any existing party.

Ohio Gas submits that its interest is not represented by existing parties, that it will contribute to the just and expeditious resolution of the issues and concerns raised in this proceeding, and that its participation in this proceeding will not cause undue delay or unjustly prejudice any existing party. In fact, Ohio Gas' contribution to the imminent resolution of this proceeding is substantial and necessary.

For the aforementioned reasons, Ohio Gas has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding that will be protected only by its participation in this proceeding. Therefore, Ohio Gas respectfully requests leave to intervene in this proceeding.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Ohio Gas Company* was served upon the following parties of record this 13th day of June, 2011, via electronic transmission, hand-delivery, or ordinary U.S. mail, postage prepaid.


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