

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 Adjust its Pipeline ) Case No. 11-3238-GA-RDR  
Infrastructure Replacement Program Cost )  
Recovery Charge and Related Matters. )

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued October 15, 2008, in *In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Authority to Increase Rates for its Gas Distribution Service*, Case No. 07-829-GA-AIR, et. al (DEO Distribution Rate Case), the Commission, inter alia, approved the joint stipulation and recommendation (stipulation) filed by The East Ohio Gas Company d/b/a Dominion East Ohio (DEO) and the other parties in the DEO Distribution Rate Case. Included in the stipulation approved by the Commission was a provision adopting, with some modifications, Staff's recommendations set forth in the Staff Report filed in the DEO Distribution Rate Case on May 23, 2008. The Staff Report set forth procedures to be followed for the annual updates to DEO's PIR program cost recovery charge. Specifically, this process provides that DEO would file an annual application, beginning in August 2009, supporting an initial charge and subsequent adjustments to the PIR cost recovery charge. The application is to be based on the costs incurred for the fiscal year ending June 30 of the same year. DEO is to file a prefiling notice 90 days prior to filing its application. Staff and other parties then may file comments, and DEO has until October 1<sup>1</sup> of each year to resolve the issues raised in the comments. If the issues raised in the comments are not resolved, then a hearing will be held. The goal of the process approved in the DEO Distribution Rate Case is for

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<sup>1</sup> Because October 1, 2011, falls on a Saturday, Monday October 3, 2011, is the deadline DEO has to resolve any issues raised in the comments.

the proposed amendment to the PIR cost recovery rider to be effective in November.

- (2) In accordance with the procedure approved by the Commission in the *DEO Distribution Rate Case*, DEO filed its prefiling notice on May 31, 2011, as supplemented on June 1, 2011, in the instant case.
- (3) On August 31, 2011, DEO filed its application in compliance with the stipulation in the *DEO Distribution Rate Case*, requesting an adjustment to its PIR cost recovery rider.
- (4) In order to accomplish the review of DEO's proposed adjustment to its PIR cost recovery rider that was envisioned in the *DEO Distribution Rate Case*, the attorney examiner finds that the following procedural schedule should be established:
  - (a) September 14, 2011 - Deadline for the filing of motions to intervene.
  - (b) September 26, 2011 - Deadline for Staff and intervenors to file comments on the application.
  - (c) October 3, 2011 - Deadline for DEO to file a statement, informing the Commission whether the issues raised in the comments have been resolved.
  - (d) In the event all of the issues raised in the comments are not resolved, a hearing will be held and the deadline for the filing of all expert testimony will be October 5, 2011.
  - (e) In the event all of the issues raised in the comments are not resolved or a stipulation is entered into by the parties, the hearing will commence on October 12, 2011, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, 11-C, Columbus, Ohio 43215.

- (5) In light of the time frame for this proceeding, the attorney examiner requires that, in the event that any motion is made in this proceeding prior to the issuance of the Commission's order, any memoranda contra shall be filed within five business days after the service of such motion, and reply memoranda to any memorandum contra shall be filed within three business days. Parties shall provide service of pleadings via hand delivery, facsimile, or e-mail.
- (6) In addition, the attorney examiner finds that response time for discovery shall be shortened to seven calendar days. Unless otherwise agreed to by the parties, discovery requests and replies shall be served by hand delivery, facsimile, or e-mail. An attorney serving a discovery request shall attempt to contact the attorney upon whom the discovery request will be served, in advance, to advise him/her that a request will be forthcoming.


It is, therefore,

ORDERED, That the procedural schedule set forth in finding (4) be adopted.  
It is, further,

ORDERED, That the parties adhere to the processes established in findings (5) and (6). It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

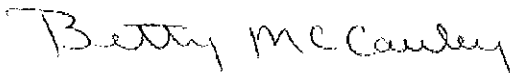
THE PUBLIC UTILITIES COMMISSION OF OHIO



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Betty McCauley  
Secretary