

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of )  
Columbia Gas of Ohio, Inc. for an ) Case No. 11-5803-GA-RDR  
Adjustment to Rider IRP and Rider DSM )  
Rates. )

ENTRY

The attorney examiner finds:

- (1) By opinion and order issued December 3, 2008, in *In the Matter of the Application of Columbia Gas of Ohio, Inc., for Authority to Amend Filed Tariffs to Increase the Rates and Charges for Gas Distribution Service*, Case No. 08-72-GA-AIR, et al. (*Columbia Distribution Rate Case*) the Commission approved a stipulation that, inter alia, provided a process for adjustments to the Infrastructure Replacement Program Rider (Rider IRP) and the Demand-Side Management Rider (Rider DSM) of Columbia Gas of Ohio, Inc. (Columbia). In accordance with the stipulation, by November 30 of each year, Columbia is to file its initial prefiling notice and such notice would include estimated schedules regarding Rider IRP and Rider DSM, containing a combination of actual and projected data for the calendar year. Columbia agreed to file, by the following February 28, an updated application with schedules based on actual data through the end of the prior calendar year. The Commission Staff (Staff) and other parties may then file comments and Columbia has until March 31 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 set forth in the stipulation is for the proposed amendments to Rider IRP and Rider DSM to be effective by the first billing cycle of May.
- (2) In accordance with the Rider IRP and Rider DSM provisions of the stipulation in the *Columbia Distribution Rate Case*, Columbia filed its prefiling notice on November 30, 2011, in the instant case.
- (3) On December 9, 2011, Ohio Partners for Affordable Energy (OPAE) filed a motion to intervene in this case. In support of its motion, OPAE states that it is an Ohio corporation with a

stated purpose of advocating for affordable energy prices for low to moderate income Ohioans. Additionally, OPAE states that it includes as members non-profit organizations located in the service area. No memorandum contra was filed in opposition to OPAE's motion to intervene. Accordingly, the attorney examiner finds that the motion to intervene should be granted.

- (4) On December 16, 2011, the office of the Ohio Consumers' Counsel (OCC), filed a motion to intervene in this case. In support of its motion, OCC states that it represents the residential utility customers of Columbia and that this case may adversely affect these customers' interests. OCC further submits that its participation will not unduly prolong or delay the proceeding and that its advocacy will significantly contribute to the full development and equitable resolution of the issues. No memorandum contra was filed in opposition to OCC's motion to intervene. Accordingly, the attorney examiner finds that the motion to intervene should be granted.
- (5) On February 28, 2012, Columbia filed its application in this case, requesting an adjustment to Rider IRP and Rider DSM to recover costs for 2011.
- (6) In order to accomplish the review of Columbia's proposed adjustments to Rider IRP and Rider DSM, the attorney examiner finds that the following procedural schedule should be established:
  - (a) March 28, 2012: Deadline for the filing of motions to intervene.
  - (b) March 28, 2012: Deadline for Staff and intervenors to file comments on the application.
  - (c) April 2, 2012: Deadline for Columbia to file a statement informing the Commission whether the issues raised in the comments have been resolved.
  - (d) April 9, 2012: Deadline for the parties and Staff to file expert testimony.

- (e) In the event that some or all of the parties enter into a stipulation resolving some or all of the issues in this case, the parties must file such a stipulation with the Commission by 9:00 a.m. on April 10, 2012.
  - (f) In the event all of the issues are not resolved or the parties enter into a stipulation, a hearing shall commence on April 11, 2012, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11<sup>th</sup> floor, Hearing Room 11-A, Columbus, Ohio 43215. Any party requesting a continuance of the hearing must file a motion to continue the hearing with the Commission by 9:00 a.m. on April 10, 2012.
- (7) 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, any memoranda contra shall be filed within seven business days after the service of such motion, and reply memoranda to any memorandum contra shall be filed within four business days. Parties shall provide service of pleadings via hand delivery, facsimile, or e-mail.
- (8) In addition, the attorney examiner finds that response time for discovery shall be shortened to seven 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,

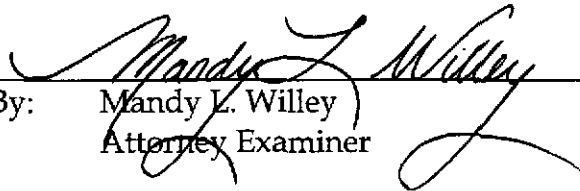
ORDERED, That the motions for intervention filed by OPAE and OCC be granted.  
It is, further,

ORDERED, That the procedural schedule set forth in finding (6) be adopted. It is, further,

ORDERED, That the parties adhere to the processes established in findings (7) and (8). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Mandy L. Willey  
Attorney Examiner

ffg/sc

Entered in the Journal

**MAR 07 2012**



Barcy F. McNeal  
Secretary