

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Aqua )  
Ohio Inc. for Authority to Change the ) Case No. 12-720-WS-ACN  
Name of Ohio American Water Company )  
to Aqua Ohio Water Company. )

In the Matter of the Application of Aqua )  
Ohio, Inc. for Approval of the Transfer of ) Case No. 12-721-WS-ATC  
Certificates of Public Convenience and )  
Necessity. )

In the Matter of the Application of Aqua )  
Ohio Water Company Inc. for Approval to ) Case No. 12-722-WS-ATA  
Change its Bill Format. )

ENTRY

The Commission finds:

- (1) Pursuant to its February 14, 2012, Finding and Order in Case No. 11-5102-WS-ATR (11-5102), *In the Matter of the Joint Application of American Water Works Company, Inc., Ohio American Water Company, and Aqua Ohio Inc. for Approval of the Purchase of Common Stock of Ohio American Water Company by Aqua Ohio Inc.*, the Commission approved the stock purchase agreement whereby 100 percent of Ohio American Water Company's (Ohio American) outstanding stock held by American Water Works Company, Inc. was purchased by Aqua Ohio Inc. (Aqua Ohio). Ownership of all of the assets held by Ohio American remained under the control of Ohio American and Ohio American continued to provide service under its existing Certificates of Public Convenience and Necessity.
- (2) On February 21, 2012, as amended on March 6, 2012, Aqua Ohio filed an application in Case No. 12-720-WS-ACN (12-720) seeking to change the name of Ohio American to Aqua Ohio Water Company, Inc. Also on February 21, 2012, Aqua Ohio filed an application in Case No. 12-721-WS-ATC (12-721) seeking to transfer Ohio American's Certificate of Public Convenience and Necessity No. 12 for the purpose of provisioning water service. In particular, Aqua Ohio requests that the reissued certificate reflect the change in name of Ohio American to Aqua Ohio Water Company, Inc. Further Aqua Ohio seeks the transfer of Ohio American's

Certificates of Public Convenience and Necessity to provide sewer service. Specifically, Aqua Ohio requests that Amended Certificate No. 1, Amended Certificate No. 10, and Amended Certificate No. 17 be transferred to Aqua Ohio Water Company, Inc. and consolidated into an Amended Certificate No. 1.

As part of its application in 12-721, Aqua Ohio requests that Ohio American be removed from the Commission's rolls subsequent to the closing of the transaction in 11-5102, inasmuch as Ohio American will no longer be a water-works company or a sewage disposal company as defined under Sections 4905.03(A)(7) and 4905.03(A)(13), Revised Code, or a public utility as defined under Section 4905.02, Revised Code.

- (3) Further, Aqua Ohio Water Company, Inc. seeks the adoption of Ohio American's tariff, including its existing rate structure. Aqua Ohio notes that following the closing of the transaction approved by the Commission in 11-5102, it will provide service to Ohio American customers under the rates, rules, and terms and conditions set forth in Ohio American's existing tariff. Aqua Ohio notes that following any rate change for customers pursuant to Ohio American's pending rate application in Case No. 11-4161-WS-AIR, *In the Matter of the Application of Ohio American Water Company to Increase its Rates for Water and Sewer Services*, Aqua Ohio Water Company, Inc. will charge the rates ordered by the Commission. Pursuant to its request in Case No. 12-722-WS-ATA (12-722), Aqua Ohio submitted revised tariff sheets with an effective date as of the closing date of transaction in 11-5102 reflecting the change in name of the service provider from Ohio American to Aqua Ohio Water Company, Inc. Additionally, Aqua Ohio seeks the authority to change the bill format of Aqua Ohio Water Company, Inc. to be consistent with the bill formats of the other divisions of Aqua Ohio, Inc.
- (4) In support of its applications, Aqua Ohio states that upon the closing of the transaction approved by the Commission in 11-5102, Aqua Ohio will own all of Ohio American's stock, will operate Ohio American's water and sewer systems, and will be responsible for providing high quality and reliable water and sewer service to customers of Ohio American. Additionally, Ohio American's customers will become customers of Aqua Ohio Water Company, Inc.

- (5) Finally, Aqua Ohio requests that the Commission approve the submitted applications without a hearing.
- (6) The application to transfer certificates is in compliance with the Commission rules and appears to be complete. Therefore, the application shall be accepted by the Commission. In accordance with Rule 4901:1-15-04, Ohio Administrative Code, Aqua Ohio should cause publication of legal notice one time, on or before March 18, 2012, in each county affected by the applications. Publication should be made in a newspaper of general circulation with such county and should occur in a section other than the legal notice section of the newspaper.

#### LEGAL NOTICE

Public notice is given that given that on September 13, 2011, Ohio American Water Company, American Water Works Company, Inc., and Aqua Ohio Inc., filed a joint application with the Public Utilities Commission of Ohio (PUCO) requesting authority for Aqua Ohio, Inc., to acquire 100 percent of the outstanding common stock of Ohio American Water Company from American Water Works Company, Inc. A Finding and Order approving the stock purchase was issued by the PUCO on February 14, 2012. Upon closing the stock transaction, Aqua Ohio, Inc. will integrate the operations of Ohio American Water Company into Aqua Ohio Inc.'s existing operations. Ohio American Water Company customers will be served at rates and upon terms existing at the date the transaction is closed.

On February 21, 2012, Aqua Ohio, Inc. filed applications with the PUCO in Case Nos. 12-720-WS-ACN, 12-721-WS-ATC, and 12-722-WS-ATA, seeking approval to do the following: (i) change the name of Ohio American Water Company ("Ohio American") to "Aqua Ohio Water Company, Inc."; (ii) transfer Ohio American's certificates of public convenience and necessity to Aqua Ohio Water Company, Inc., for the provision of both water and sewer service; and (iii) change the bill format to reflect the transfer of the certificates of public convenience and necessity and

the name change from Ohio American Water Company to Aqua Ohio Water Company, Inc. (collectively the "Name Change Application"). The purpose of the Name Change Application is to allow Aqua Ohio Water Company, Inc. to provide water and sewer service to former Ohio American Water Company customers in light of Aqua Ohio Inc.'s purchase of the stock of Ohio American Water Company. The Name Change Application will not result in an increase in any rate, toll, classification, charge or rental.

Any interested party seeking detailed information with respect to the Name Change Application may utilize any of the following: (i) Aqua Ohio's website at <http://aquaohio.com>, (ii) the PUCO's website at <http://www.puco.ohio.gov>, select DIS, input 12-720-WS-ACN, and select the date the Application was filed; (iii) view a copy of the Application at the offices of Ohio American Water Company, Inc., 365 East Center Street, Marion, Ohio 43302-4155 or at the offices of Aqua Ohio at 6650 South Avenue, Boardman, Ohio 44512; (iv) contact the Company by telephone at (330)-726-8151, or (v) view a copy of the Application at the offices of the PUCO at 180 East Broad Street, 11<sup>th</sup> Floor, Columbus, Ohio 43215-3793.

- (7) Aqua Ohio should file with the Commission on or before March 27, 2012, proof of publication, including a notarized statement from any newspaper in which publication was made, attesting to the particular county in which it is published and of general circulation.

It is, therefore,

ORDERED, That Aqua Ohio cause publication of legal notice to occur in accordance with Finding (6) and file proof of publication with the Commission in accordance with Finding (7). It is, further,

ORDERED, That any interested person, firm, corporation or entity who can show good cause why the application in this case should not be granted shall file with the Commission on or before March 26, 2012, a written statement detailing the reasons. It is, further,

ORDERED, That the application to transfer certificates be accepted by the Commission consistent with Finding (6). It is, further,

ORDERED, That, unless the Commission receives a written statement objecting to the granting of the application in this case for good cause shown, and an accompanying request for an oral hearing on such issue, this matter will be decided on the basis of the information contained in the application and exhibits submitted by Aqua Ohio. It is, further,

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


THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Snitchler, Chairman

  
Paul A. Centolella

  
Steven D. Lesser

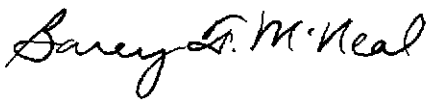
  
Andre T. Porter

  
Cheryl L. Roberto

JSA/dah

Entered in the Journal

**MAR 14 2012**

  
Barcy F. McNeal  
Secretary