

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application to Modify,)
in Accordance with Section 4929.08,)
Revised Code, the Exemption Granted to) Case No. 12-1842-GA-EXM
The East Ohio Gas Company d/b/a)
Dominion East Ohio in Case No. 07-1224-)
GA-EXM.)

ENTRY

The attorney examiner finds:

- (1) On April 8, 2005, The East Ohio Gas Company d/b/a Dominion East Ohio (DEO), filed an application requesting an exemption pursuant to Section 4929.04, Revised Code, and seeking approval of phase one of its plan to exit the merchant function. *In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Approval of a Plan to Restructure Its Commodity Service Function*, Case No. 05-474-GA-ATA (05-474). By opinion and order issued May 26, 2006, in 05-474, the Commission approved DEO's application, as modified by the stipulation filed in the case, to undertake phase one of its proposal to test alternative, market-based pricing of commodity sales.
- (2) On June 18, 2008, in *In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Approval of a General Exemption of Certain Natural Gas Commodity Sales Services or Ancillary Services*, Case No. 07-1224-GA-EXM (07-1224), the Commission authorized DEO to implement phase two of its plan to exit the merchant function, in which DEO implemented a standard choice offer (SCO), wherein suppliers bid for the right to supply gas in tranches to choice-eligible customers at a retail level.
- (3) Section 4929.08, Revised Code, provides, in pertinent part, that:

the commission...upon the motion of any person adversely affected by...such exemption, and after notice and hearing and subject to this division, may abrogate or modify any order granting such... exemption....

- (4) On June 15, 2012, DEO and the Ohio Gas Marketers Group (Marketers) filed a motion to modify the exemption pursuant to Section 4929.08, Revised Code, to allow DEO to discontinue the availability of its SCO to choice-eligible nonresidential customers beginning in April 2013. In its definition of nonresidential customers, DEO includes General Sales Service – Nonresidential, Large Volume General Sales Service, Energy Choice Transportation Service –Nonresidential and Large Volume Energy Choice Transportation Service customers. Joint movants propose that nonresidential customers receive commodity service from the next available competitive retail natural gas supplier (CRNGS) on a rotating list maintained by DEO pursuant to the CRNGS's applicable monthly variable rate. Along with the joint motion, DEO and the Marketers also filed a stipulation and recommendation (stipulation) signed by DEO, the Marketers, and the Ohio Consumers' Counsel.
- (5) By entry issued July 27, 2012, the attorney examiner set the following procedural schedule:
 - (a) September 27, 2012 – Deadline for the filing of Staff and intervenor testimony.
 - (b) October 9, 2012 – The hearing will commence at 10:00 a.m., at the offices of the Commission.
- (6) On September 27, 2012, Staff filed a motion for an extension of the procedural schedule and a request for an expedited ruling. Staff explains that it needs additional time to prepare its testimony and consequently, the parties will need more time to review that testimony. Staff asserts that it has contacted the other parties to this case and they do not oppose the extension. In considering Staff's request, the attorney examiner finds that it is reasonable and should be granted. Accordingly, the parties should observe the following procedural schedule:
 - (a) October 4, 2012 – Deadline for the filing of Staff and intervenor testimony.
 - (b) October 16, 2012 – The hearing will commence at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, hearing room 11-C, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That Staff's motion for an extension of the procedural schedule be granted. It is, further,

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

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Katie Stenman

By: Katie L. Stenman
Attorney Examiner

JRJ/sc

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in

Case No(s). 12-1842-GA-EXM

Summary: Attorney Examiner Entry granting Staff's motion for an extension of the procedural schedule as set forth in finding (6). - electronically filed by Sandra Coffey on behalf of Katie Stenman, Attorney Examiner, Public Utilities Commission of Ohio