

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Regulation of the)
Purchased Gas Adjustment Clauses)
Contained Within the Rate Schedules of) Case No. 12-209-GA-GCR
Northeast Ohio Natural Gas Corporation) Case No. 12-212-GA-GCR
and Orwell Natural Gas Company.)

In the Matter of the Regulation of the)
Uncollectible Expense Riders of Northeast) Case No. 12-309-GA-UEX
Ohio Natural Gas Corporation and Orwell) Case No. 12-312-GA-UEX
Natural Gas Company.)

ENTRY

The attorney examiner finds:

- (1) Northeast Ohio Natural Gas Corporation (Northeast) and Orwell Natural Gas Company (Orwell) are gas or natural gas companies as defined by Sections 4905.03(A)(4) and (5), Revised Code, and public utilities by reason of Section 4905.02, Revised Code. As such, these companies are subject to the jurisdiction of the Commission in accordance with Sections 4905.04 and 4905.05, Revised Code.
- (2) Section 4905.302, Revised Code, and Rule 4901:1-14-07, Ohio Administrative Code (O.A.C.), provide that the Commission shall conduct, or cause to be conducted, periodic audits of each gas or natural gas company under the Commission's jurisdiction. Such audits shall review each company's compliance with the gas cost recovery (GCR) mechanism as delineated in Rule 4901:1-14-07, O.A.C.
- (3) By entry of January 23, 2012, the Commission directed the Commission Staff (Staff) to examine the compliance of each company under the GCR mechanism and to file audit reports by December 20, 2012. The January 23, 2012, entry also directed that the uncollectible expense (UEX) riders of each company be audited in the course of each company's GCR audit. In addition, the January 23, 2012 entry scheduled the above-captioned cases for hearing on February 19, 2013, and directed that the direct testimony of any witnesses testifying

on behalf of each company should be filed at least 16 days prior to the GCR hearing and that all direct testimony to be presented by any other party should be filed at least seven days prior to the hearing.

- (4) By entry of January 23, 2013, the attorney examiner granted the requests to continue the hearing to April 30, 2013.
- (5) On April 26, 2013, Northeast and Orwell filed a request to extend the procedural schedule in the above-captioned cases. Northeast and Orwell request that the hearing currently scheduled for April 30, 2012, be continued until July 8, 2013, and also request an expedited ruling on this motion. According to Northeast and Orwell, the Staff and the Ohio Consumers Counsel support the extension of the procedural schedule. Northeast and Orwell state that if the motion is granted, they will publish notice of the hearing in accordance with the January 23, 2013 entry.
- (6) Upon review, the attorney examiner finds good cause to grant the motion for a continuance of the hearing. Accordingly, the hearing in these cases should be continued to July 8, 2013, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Commission 180 East Broad Street, Columbus, Ohio 43215. All direct testimony of any witnesses testifying on behalf of each company should be filed at least 16 days prior to the hearing and all direct testimony to be presented by any other party should be filed at least seven days prior to the hearing. In addition, Orwell and Northeast should publish notice of the hearing in these cases, in accordance with Rule 4901:1-14-08(C), O.A.C., between 15 and 30 days prior to the new hearing date of July 8, 2013. The notice may be provided by publication of a display ad in a newspaper (in a section other than the legal notice section), bill message, bill insert, or direct mailing to the customers. The form of the notice should be in substantially the following form as applicable to the individual company:

LEGAL NOTICE

The Public Utilities Commission of Ohio has set for public hearing Case Nos. 12-209-GA-GCR and 12-212-GA-GCR to review the gas cost recovery rates and the operation of its Purchased Gas Adjustment Clauses of Northeast Ohio Natural Gas Corporation (Northeast) and Orwell Natural Gas Company (Orwell), and Case Nos. 12-309-GA-UEX and 12-312-GA-UEX to review the uncollectible expense riders of Northeast and Orwell. This hearing is scheduled to begin at 10:00 a.m. on July 8, 2013, at the offices of the Commission, 180 East Broad Street, Hearing Room 11-C, Columbus, Ohio 43215. All interested persons will be given an opportunity to be heard. Further information may be obtained by viewing the Commission's web page at <http://www.puc.state.oh.us>, or contacting the Commission's hotline at 1-800-686-7826. Hearing or speech impaired customers may contact the Commission via 7-1-1 (Ohio Relay Service).

- (7) The attorney examiner notes that, after review of the docket in these cases, the company did not file proof of publication of the ordered newspaper notice, and, to the understanding of the attorney examiner, did not publish notice of the hearing as ordered previously, nor did any of the parties file expert testimony of any witness. It is the expectation of the attorney examiner that there will be no more motions seeking a continuance of the newly scheduled hearing on July 8, 2013, that the companies will timely publish notice of the hearing and file proof of publication of the newspaper notice, and that all of the parties who will offer witnesses with expert testimony, timely file all expert testimony as newly ordered in this entry.

It is, therefore,

ORDERED, That Northeast and Orwell's motion for a continuance of the hearing is granted. It is, further,

ORDERED, That the hearing in these cases be held on July 8, 2013, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Commission 180 East Broad Street, Columbus, Ohio 43215. It is, further,

ORDERED, That Northeast's and Orwell's motion for an extension of the requirement to publish legal notice of the hearing is granted. It is, further,

ORDERED, That Northeast and Orwell publish notice of the hearing in accordance with finding (6). It is, further,

ORDERED, That all direct testimony of any witnesses testifying on behalf of each company be filed at least 16 days prior to the GCR hearing and all direct testimony to be presented by any other party be filed at least seven days prior to the hearing. It is, further,

ORDERED, That a copy of this entry shall be served upon all parties of record to these proceedings.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Scott Farkas

By: Scott E. Farkas
Attorney Examiner

JRJ/sc

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in

Case No(s). 12-0209-GA-GCR, 12-0212-GA-GCR, 12-0309-GA-UEX, 12-0312-GA-UEX

Summary: Attorney Examiner Entry orders a hearing scheduled for 07/08/2013 at 10:00 a.m. in Rm. 11-C on the 11th floor of the Commission offices located at 180 E. Broad St., Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of Scott Farkas, Attorney Examiner, Public Utilities Commission of Ohio