

FILE

6

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Regulation of the :
Purchased Gas Adjustment Clause :
Contained Within the Rate Schedules of : Case No. 14-211-GA-GCR
Ohio Cumberland Gas Company and :
Related Matters. :

RECEIVED OPERATING DIV
2014 MAY 12 PM 2:35
PUCO

STIPULATION AND RECOMMENDATION

I. BACKGROUND

Rule 4901:1-30, Ohio Administrative Code (O.A.C.), provides that any two or more parties to a proceeding may enter into a written or oral stipulation concerning the issues presented in such proceeding. Pursuant to Rule 4901:1-10(C), O.A.C., the Staff of the Public Utilities Commission of Ohio (Staff) is considered a party for the purpose of entering into a stipulation under 4901:1-30, O.A.C.

The purpose of this document is to set forth the understanding of the Ohio Cumberland Gas Company (Company) and the Staff (collectively, the Signatory Parties) and to resolve all issues related to the Company's Gas Cost Recovery (GCR) Mechanism involved in this proceeding.

- A. It is understood by the Signatory Parties that this Stipulation and Recommendation is not binding upon the Public Utilities Commission of Ohio (Commission). However, the agreement contained herein is supported by information provided in the "Financial Audit of the Gas Cost Recovery

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician Date Processed 5/12/14

Mechanisms for the costs incurred for the period of August 2011 through July 2013” (Audit), conducted by the Staff and filed in this proceeding on March 14, 2014. This Stipulation and Recommendation is based upon the Signatory Parties’ desire to arrive a reasoned and reasonable result considering the law, facts, and circumstances in these cases. Accordingly, the Company and Staff believe this Stipulation and Recommendation should be given careful consideration by the Commission and should be adopted.

- B. This Stipulation and Recommendation is submitted for purposes of this case and should not be understood to reflect the positions which either the Staff or the Company would have taken if the issues in this proceeding were litigated. As with most Stipulations and Recommendations reviewed by the Commission, the willingness of the Staff and the Company to jointly sponsor this document is predicated on the reasonableness of the Stipulation and Recommendation taken as a whole.
- C. This Stipulation and Recommendation is submitted subject to the condition that the Commission not make any material modifications and adopt the Stipulation as set forth below. In the event the Commission should materially modify this Stipulation or reject this Stipulation and Recommendation, the parties shall have fifteen (15) days after the order or decision effecting such material modification or rejection within which to file with the Commission a letter requesting that the Stipulation and Recommendation be

deemed withdrawn. In such event, the Stipulation and Recommendation shall not be regarded in any way as part of the record in this proceeding. If this Stipulation and Recommendation is not adopted by the Commission in accordance with these conditions, it is understood that the parties shall be entitled to fully litigate, including all rights of appeal, all issues which each has attempted to resolve herein, just as though this Stipulation and Recommendation had never been submitted.

- D. In order to resolve all the issues raised in this proceeding, the agreement set forth below is offered for the Commission's consideration.

II. STIPULATION AND RECOMMENDATION

The Signatory Parties agree and recommend that the Commission find:

- A. That the Company is a natural gas company within the meaning of Section 4905.03(A)(5), Revised Code, and, as such, is a public utility subject to the jurisdiction and supervision of the Commission.
- B. Pursuant to O.A.C. 4901:1-14-07, the Staff conducted an audit of the Company and compiled its findings in a document entitled "Financial Audit of the Gas Cost Recovery Mechanisms for the costs incurred for the period of August 2011 through July 2013." The Audit was filed with the Docketing Division of the Commission on March 14, 2014. The Audit should be identified and admitted into evidence as Commission-Ordered Exhibit 1.

- C. This Joint Stipulation and Recommendation should be adopted and admitted into evidence as Joint Exhibit 1.
- D. The Commission should adopt the findings, as modified, contained in the aforementioned exhibits.
- E. The Company has accurately calculated its Gas Cost Recovery rates during the audit period, subject to the following recommendations:
 - 1. Staff recommends that the Commission order a reconciliation adjustment of \$(9,382) in the Customer's favor to be included in the next GCR filing following the Commission's Opinion and Order in this case, to correct for the differences identified in the Actual Adjustment Section of the Audit.
 - 2. Staff recommends that the Commission order a reconciliation adjustment of \$146 in the Company's favor, be applied in the first GCR filing following the Opinion and Order in this case, to correct for the differences identified in the Balance Adjustment Section of the Audit.

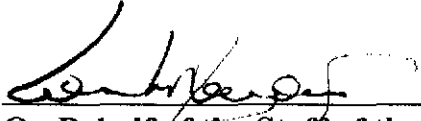
III. PROCEDURAL MATTERS

- A. The Signatory Parties agree that the proof of publication, to be submitted as a late-filed exhibit (Company Exhibit 1), demonstrate that proper notice of this proceeding has been published in compliance with the Commission's

rules and the Commission's Entry herein dated February 13, 2014, and should be admitted into evidence.

- B. The Signatory Parties agree that the GCR Audit Report filed on March 14, 2014, should be deemed to be part of the record in these cases and further agree to waive their right to conduct cross-examination of the sponsor of this document, provided this Stipulation and Recommendation is adopted by the Commission.
- C. The Signatory Parties agree and intend to support the reasonableness of this Stipulation and Recommendation before the Commission and in any appeal from the Commission's adoption or enforcement of this Stipulation and Recommendation. If not finally adopted by the Commission or if rejected by any appellate court, this Stipulation and Recommendation shall not prejudice any of the positions taken by any party on any issue before the Commission in these or any other proceeding, is not an admission of fact by any of the parties, and shall not be admissible evidence in these or any other proceedings. This Stipulation and Recommendation is submitted for purposes of these cases only, and may not be relied upon or used in any other proceedings except as necessary to enforce the terms of this Stipulation and Recommendation.

Agreed to and signed this 12th day of May, 2014.



**On Behalf of the Staff of the
Public Utilities Commission of Ohio**

Werner L. Margard III
Assistant Attorney General
Public Utilities Section
180 East Broad Street, 6th Floor
Columbus, OH 43215-3793
614.466.4397 (telephone)
614.644.8764 (fax)
werner.margard@puc.state.oh.us



**On Behalf of the Ohio Cumberland Gas
Company**

Mark R. Ramser
President
Ohio Cumberland Gas Company
20718 Danville-Amity Road
Mt. Vernon, OH 43050
(740) 392-2941
(740) 392-2940 [Fax]
markramser@hotmail.com