

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Commission's )  
Review of its Rules for the )  
Establishment of Credit for )  
Residential Utility Services and the )  
Disconnection of Gas, Natural Gas, ) Case No. 13-274-AU-ORD  
or Electric Services to Residential )  
Customers Contained in Chapters )  
4901:1-17 and 4901:1-18 of the Ohio )  
Administrative Code. )**

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**COLUMBIA GAS OF OHIO, INC.'S  
MEMORANDUM CONTRA  
THE APPLICATION FOR REHEARING  
FILED BY THE CONSUMERS GROUP**

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In accordance with Ohio Adm. Code 4901-1-35(B), Columbia Gas of Ohio, Inc. ("Columbia") files the instant Memorandum Contra the application for rehearing filed by the Consumers Group<sup>1</sup> on July 7, 2014. While Columbia will only address two propositions made by the Consumers Group, a failure to specifically address any proposal by any party should not be construed as either support or opposition.

The Public Utilities Commission of Ohio ("Commission") should reject the Consumers Group's proposal to require a thirty (30) day notice to tenants of a master metered building before disconnection instead of a ten (10) day notice as provided the rules. As Columbia argued in its Reply Comments, expanding the required notice to tenants of a master metered building is unwarranted. In

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<sup>1</sup> The Consumer Groups are: Advocates for Basic Legal Equality, Citizens Coalition, Coalition on Homelessness and Housing in Ohio, Legal Aid Society of Cleveland, Legal Aid Society of Columbus, Legal Aid Society of Southwest Ohio, Office of the Ohio Consumers' Counsel, Ohio Partners for Affordable Energy, Ohio Association of Area Agencies on Aging, Ohio Association of Community Action Agencies, Ohio Association of Foodbanks, Ohio Poverty Law Center, Pro Seniors, Inc. and Southeastern Ohio Legal Services.

Columbia's experience, a landlord typically elects to terminate service because a new residential tenant has agreed to pay for the utility service throughout the duration of occupancy. The current ten (10) day notice period provides the residential tenant with sufficient time to place the utility service in his or her name. Expanding the notice requirement would place an increased burden on the landlord, who will bear the responsibility for the utilities consumed during the expanded period. The Consumers Group has not provided a compelling argument as to why the landlord should bear that burden and why ten (10) days is insufficient. As such, the Commission should deny rehearing.

The Consumer Group's proposal to mandate a one twelfth payment plan, in addition to all of the other payment plans available, should also be rejected for several reasons. First, the Consumers Group has failed to provide any evidence that the existing payment plans are insufficient. Utilities are already required to provide a one sixth and a one ninth payment plan and there is nothing in the record that demonstrates that these plans are ineffective in assisting customers with delinquent balances. In fact, a twelve month payment plan would have the opposite effect in helping customers with their delinquent balances. Instead of helping customers "catch up" on winter bills during the warmer months when bills are lower, a twelve month payment plan would cause customers to be still paying off the previous winter's arrearages when the next winter began.

Additionally, mandating a twelve month payment plan would cause the utilities to incur expensive programming costs when there is no evidence that current payment plans are insufficient. These additional costs will ultimately be borne by the ratepayer.

Finally, the Commission has previously rejected a twelve month payment plan in Case Nos. 83-303-GE-COI and 08-723-AU-ORD. Specifically, the Commission concluded that a "twelve month plan not only would fail to provide long term relief, but would exacerbate the problems of those we seek to help while increasing costs which would ultimately be paid by the remainder of the utilities' rate payers."<sup>2</sup> This remains true.

For the reasons set forth above, Columbia respectfully requests the Commission to deny the application for rehearing filed by the Consumers Group.

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<sup>2</sup> See *In the Matter of the Investigation into Long-Term Solutions Concerning Disconnection of Gas and Electric Service in Winter Emergencies*, Case No. 83-303-GE-COI, Opinion and Order (Nov. 23, 1983) at 10.

Respectfully submitted by  
**COLUMBIA GAS OF OHIO, INC.**

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Memorandum Contra of Columbia Gas of Ohio, Inc. was served by electronic mail upon the parties in the Service List below this 17<sup>th</sup> day of July, 2014.

/s/ Stephen B. Seiple

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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**7/17/2014 1:58:42 PM**

**in**

**Case No(s). 13-0274-AU-ORD**

Summary: Memorandum Contra the Application for Rehearing filed by the Consumers Group electronically filed by Cheryl A MacDonald on behalf of Columbia Gas of Ohio, Inc.