

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of)	
KNG Energy, Inc.,)	
)	
Complainant,)	
)	
v.)	Case No. 12-2758-GA-CSS
)	
Ohio Intrastate Energy, LLC,)	
)	
Respondent.)	

ENTRY

The attorney examiner finds:

- (1) On October 17, 2012, KNG Energy, Inc. (KNG) filed a complaint against Ohio Intrastate Energy, LLC (OIE). In the complaint, KNG alleges that OIE has not reinstalled the required blind plates, did not provide notice to KNG prior to removing the blind plates, and failed to obtain KNG's consent or Commission approval.
- (2) On November 6, 2012, OIE filed an answer to KNG's complaint admitting, in part, and denying, in part, the allegations contained in the complaint. OIE also argues that: the complaint fails to state reasonable grounds for complaint; the Revised Stipulation referred to by KNG, which was approved by the Commission in *In re Suburban Natural Gas Co.*, Case No. 08-947-GA-ABN, is not binding in any other proceeding except as necessary to enforce its terms; the Commission lacks subject matter jurisdiction over this matter; and the complaint requests relief which cannot be granted by the Commission.
- (3) Numerous settlement conferences have been held and status updates have been filed in this case. Settlement conferences were held on November 8, 2012, July 15, 2013, and August 29, 2013. However, the parties were unable to resolve this matter. Additionally, status updates were filed in this case on January 3, 2014, July 24, 2014, and August 22, 2014.

- (4) On November 3, 2014, KNG filed a status update and a motion for an expedited procedural schedule. In the memorandum in support of the motion for an expedited procedural schedule, KNG argues that settlement in this case cannot be achieved. KNG notes that it had previously served written discovery upon OIE, but with the understanding that the period for response would not commence until such time as a new procedural schedule is established.
- (5) The attorney examiner finds that KNG's motion for an expedited procedural schedule should be granted. Accordingly, a prehearing conference should be scheduled to determine a date for hearing, resolve any discovery disputes, and ensure that OIE is represented by counsel in accordance with Ohio Adm.Code 4901-1-08. The prehearing conference will be held on January 8, 2015, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-D, 180 East Broad Street, Columbus, Ohio, 43215-3793.
- (6) Additionally, the attorney examiner notes that this case has been pending for over two years and that several continuances have already been granted. Accordingly, the attorney examiner finds that no additional continuances will be granted by the attorney examiner unless a joint motion signed by both parties and detailing the nature of the conflict is filed in this case.

It is, therefore,

ORDERED, That KNG's motion for an expedited procedural schedule is granted.
It is, further,

ORDERED, That a prehearing conference be scheduled for January 8, 2015, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-D, 180 East Broad Street, Columbus, Ohio, 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/10/2014 9:24:46 AM

in

Case No(s). 12-2758-GA-CSS

Summary: Attorney Examiner Entry scheduling a prehearing conference for 01/08/2015 at 10:00 a.m. at the offices of the Commission, Hearing Room 11-D. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio