

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Cleveland Thermal Chilled Water)
Distribution, LLC for Approval of a Chilled) Case No. 14-2164-CC-AEC
Water Distribution Agreement with Drury)
Cleveland, LLC.)

FINDING AND ORDER

The Commission finds:

- (1) Cleveland Thermal Chilled Water Distribution, LLC (Cleveland Thermal or Company) is a public utility and a heating company as defined in R.C. 4905.03 and, as such, is subject to the jurisdiction of this Commission. Cleveland Thermal has been authorized by the Commission and franchised by the city of Cleveland to supply chilled water through pipes or tubing to consumers within the city of Cleveland for air conditioning and other cooling energy needs.
- (2) On November 26, 2014, Cleveland Thermal filed an application in this case requesting approval under R.C. 4905.31 of a special contractual arrangement (Agreement) that would permit Cleveland Thermal to provide chilled water service to Drury Cleveland LLC (Drury or Customer) for property commonly known as the Drury Hotel, located at 1380 E. 6th Street, Cleveland, Ohio. According to the application, the provision of chilled water service to Drury will not impair or reduce the quality of service to other Cleveland Thermal customers.
- (3) According to Cleveland Thermal, both the Company and the Customer have agreed to the terms of agreement. The initial term of this agreement shall be for a period of ten (10) years. Cleveland Thermal and Drury both seek the Commission's approval to make the agreement's termination provision operable without obtaining additional Commission approval prior to the ending of this special arrangement.
- (4) The Commission has reviewed the application filed in this case, as well as the accompanying Agreement and exhibits, and finds

that it does not appear to be unjust or unreasonable. Therefore, the application should be approved.

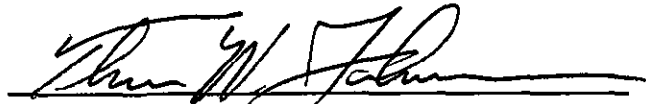
It is, therefore,

ORDERED, That the application of Cleveland Thermal for approval of the Agreement with Drury be granted. It is, further,

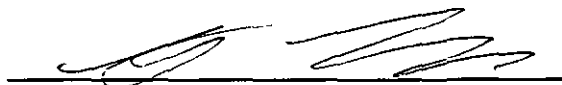
ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any subsequent investigation or proceeding involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

ORDERED, That a copy of this Finding and Order be served upon each party of record.

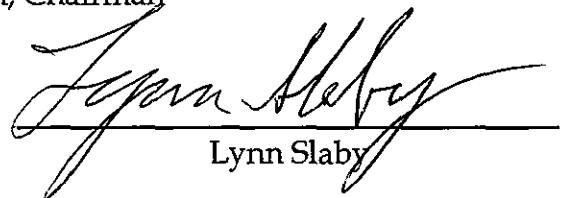
THE PUBLIC UTILITIES COMMISSION OF OHIO



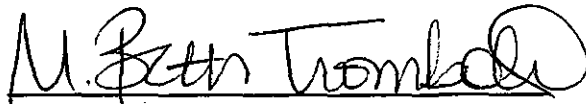
Thomas W. Johnson, Chairman



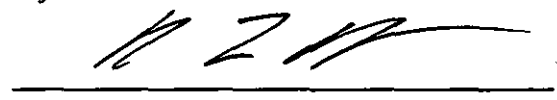
Steven D. Lesser



Lynn Slaby



M. Beth Trombold

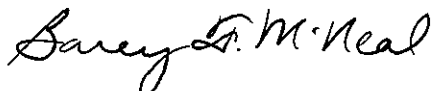


Asim Z. Haque

SNC/js

Entered in the Journal

JAN 07 2015



Barcy F. McNeal
Secretary