

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

ORWELL NATURAL GAS
COMPANY,

Complainant,

vs.

ORWELL-TRUMBULL PIPELINE
COMPANY, LLC,

Respondent.

Case No.: 15-475-GA-CSS

PUCO

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**RESPONSE TO ORWELL-TRUMBULL PIPELINE COMPANY LLC'S STATEMENT
FILED PURSUANT TO RULE 4901-9-01(f)**

Now comes Complainant, Orwell Natural Gas Company (hereinafter "ONG") and pursuant to §4909-9-01, respectfully files this Response to Orwell-Trumbull Pipeline Company, LLC's (hereinafter "OTP") Statement that the Complaint has been Satisfied, filed with the Public Utility Commission of Ohio (hereinafter "PUCO") on April 3, 2015.

To begin, OTP suggests the Complaint filed by ONG was "frivolous." Merriam-Webster Dictionary defines frivolous as "(a) of little weight or importance; (b) having no sound basis (as in fact or law).¹" Black's Law Dictionary defines a frivolous action as "the term that describes a law suit that is not legally tenable and as such is worthless."² To suggest that the Complaint filed by ONG fits within either one of these definitions is inappropriate and disheartening.

¹ <http://www.merriam-webster.com/dictionary/frivolous>

² <http://thelawdictionary.org/frivolous-action/>

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With respect to the timing and information, the project, as explained by OTP employees to ONG, would have denied gas to thirteen (13) customers north of I-90. The original scope of the project, as described by OTP to ONG, did not include any outages or isolation of any customers. ONG was also aware of the ODOT project and the fact that OTP would have to move its pipeline. To clarify, however, OTP had over one (1) year to design, plan, enforce and execute the project, including working with ODOT. At *no time* (emphasis added) prior to March 4, 2015 was ONG notified that the pipeline re-location would have any effect on their customers. By changing the project scope and only providing six (6) days' notice of an outage, OTP was creating what ONG deems an emergency. There was significant potential that the outage would have lasted up to forty-five (45) days. This is another issue that also created great concern.

ONG admits that compressed natural gas could have been used to temporarily supply gas to the thirteen (13) customers north of I-90. However, OTP assumes that getting the proper equipment needed to provide compressed natural gas for over thirty (30) days, with only two and ½ working days' notice, would be accomplished with ease. This is not the case. The estimate to use compressed natural gas for thirty (30) days is over \$19,000.00. ONG would be happy to provide documentation to support this estimate. It also must be recognized that this is for rental of the equipment for just thirty (30) days. If additional supply would be needed, obviously this number would increase.

ONG regretfully filed this Complaint after trying to work with OTP and their schedule. All the solutions were recommended to OTP by ONG prior to filing a Complaint. OTP refused to work with ONG and the best interest of the customers required the Commission's involvement. It was only with the Commission's assistance that actual details of the project were

disclosed and ONG could take the appropriate action. OTP's lack of communication, planning, scheduling and work processes created the issue.

For the safety of the customers, the project has gone well. Disruption of service has been kept to a minimum and ONG continues to be optimistic that things will run smoothly. Until OTP completes their work, however, and the pipeline is available for ONG's customers, we do not feel the case should be dismissed.

ONG only hopes that the basis for the Complaint is recognized and the worth respected and understood. Frivolity does not exist.

Respectfully submitted,


**THE WEI DELE & PIACENTINO
LAW GROUP CO., LPA**

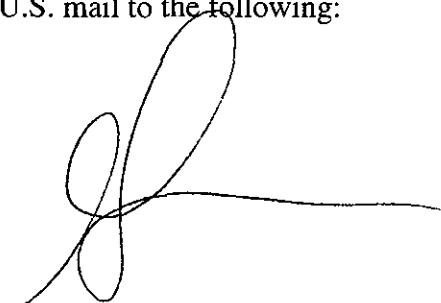
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CERTIFICATE OF SERVICE

The PUCO's e-filing system will serve notice of this filing of *Orwell Natural Gas Company's Response* upon counsel for the Respondent.

I hereby certify that a true and accurate copy of the foregoing was served upon counsel for the Respondent this 14th day of April, 2015 via U.S. mail to the following:

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