

January 22, 2016

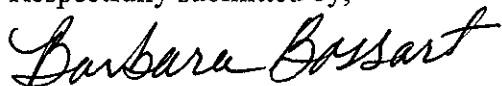
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43215

RE: Case no. 15-1894-GA-UNC -In the Matter of the Notice of Material Default Served by  
The East Ohio Gas Company d/b/a Dominion East Ohio upon Energy 95, LLC d/b/a  
Quake Energy, LLC

Dear Docketing Division:

Enclosed please find the Staff Report to be docketed in case no. 15-1894-GA-UNC.

Respectfully submitted by,



Barbara Bossart  
Chief, Reliability and Service Analysis Division  
Service Monitoring and Enforcement Department

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In the Matter of the Notice of Material Default  
Case No. 15-1894-GA-UNC  
Staff Comments

**Introduction**

The following Staff comments are only to address the proposal by East Ohio Gas Company d/b/a Dominion East Ohio (DEO) that a collaborative process involving the Commission Staff and other interested parties be developed to identify the specific, reasonable, and measurable steps to cure the claimed violations listed by DEO.

**Staff Comments**

On November 9, 2016, DEO filed a Notice of Material Default upon Energy 95, LLC d/b/a Quake Energy, LLC (Quake) in Case No. 15-1894-GA-UNC. DEO filed the notice pursuant to Ohio Administrative Code 4901:1-27-13 (F) (1), which states, "In the event of a material default, as defined by a natural gas company's tariff or by an agreement between the natural gas company and the retail natural gas supplier.... [t]he natural gas company shall serve a written notice of such default in reasonable detail and with a proposed remedy to the retail natural gas supplier....and the commission."

DEO states in its filing that certified Retail Natural Gas Suppliers (CRNGS) participating in DEO's Energy Choice program must execute Energy Choice Pooling Service (ECPS) Service Agreements with DEO, and these agreements impose "Supplier Standards of Conduct." DEO's filing provides an outline of Quake's violation of the agreement, which constituted the material default.

The filing also provides a proposed remedy that will allow Quake to continue to participate in DEO's Energy Choice Program. DEO proposes that Quake voluntarily participates in a collaborative process involving the Commission Staff and other interested parties to identify the specific, reasonable, and measurable steps to cure the claimed violations listed by DEO and avoid the repetition of further complaints.

Quake responded to DEO's Notice of Material Default on November 16, 2015. In its response, Quake stated that it "has no objection to the relief requested by DEO, insofar as the commission staff shall also participated in the requested collaborative process."

Staff has no objections to DEO's proposed remedy to allow Quake to continue to participate in DEO's Energy Choice Program. Further, Staff has no objection to participating in the collaborative. To help remedy these issues in a timely matter, all parties<sup>i</sup> agreed to meet on January 22, 2016, to start discussion.

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<sup>i</sup> Interested parties to the case include; DEO, Quake, The Ohio Consumers Council and commission staff.