

In the Matter of the Application of )  
Columbia Gas of Ohio, Inc. for Approval ) Case No. 16-650-GA-UNC  
of Revised Bill Formats. )

The Office of the Ohio Consumers' Counsel ("OCC") moves to intervene in this case in which Columbia Gas of Ohio, Inc. ("Columbia") seeks to modify the information that it provides to customers on their gas bills. OCC files this motion on behalf of Columbia's approximately 1.4 million residential natural consumers.<sup>1</sup> The Public Utilities Commission of Ohio (the "PUCO") should grant OCC's motion for the reasons set forth in the attached memorandum in support.

BRUCE J. WESTON (0016973)  
OHIO CONSUMERS' COUNSEL

<sup>1</sup> See R.C. Chapter 4911; R.C. 4903.221; Ohio Adm. Code 4901-1-11.

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In this case, Columbia seeks numerous changes to the form of customers' bills, including the following:

- a. Columbia deleted the "Billing Options" section, which contained information on E-Bill, budget payment plan, and customer CHOICE.
- b. Columbia deleted the explanations regarding ZipCheck (automatic payments from a bank account) and BillMatrix (phone payments by credit card, debit card, and e-check).
- c. Columbia deleted the "Payment Options" section and moved the information on online, mobile, mail, and in-person payments to the "Contact Us" section.
- d. Columbia changed the "Contact Us" section to include pictorial icons for phone, web, mobile, mail payments, and authorized payment locations.
- e. Columbia removed the instructions for how to read a natural gas meter.
- f. Columbia moved the "Safety Tips" section from the back of the bill to the front of the bill and renamed it "Your Safety."
- g. Columbia changed the name of the "Billing & Payment Summary" section to "Account Summary" and increased the size of the amount due.
- h. Columbia moved the "Billing and Payment Notes" section into the "Account Summary" section and reduced the amount of information regarding foreign language interpretation.

- i. Columbia moved the "Service Charges Notes" on the back of the bill into the "Detail Charges" section.
- j. Columbia changed the name of the "Additional Account Information" section, which contains information on paperless billing, automatic payments, budgeting, customer choice, and home energy audits, to "Message Board."
- k. Columbia updated the website and address of the PUCO apples to apples resource.
- l. Columbia reformatted the HeatShare Contribution and Change Contact Information sections.
- m. Columbia added a new "Helpful Definitions" section that includes definitions for "Ccf," "Estimated Readings," "Fixed Monthly Delivery Charge," and "Usage Based Charges."
- n. Columbia changed the name of the "Service Summary" section to "13 Month Usage History."
- o. Columbia removed the words "Gas Bill" and "Residential Service" from the top of the front and back of the bill.

Ohio law authorizes OCC to represent the interests of all of Columbia's approximately 1.4 million residential natural gas customers.<sup>2</sup> R.C. 4903.221 provides that any person "who may be adversely affected" by a PUCO proceeding is entitled to intervene in that proceeding. The interests of Ohio's residential consumers may be adversely affected by this case because residential customers are entitled to receive bills that are accurate, clear, and understandable. *See* R.C. 4901:1-13-11(B) ("Bills issued by or for the gas or natural gas company shall be accurate and rendered at monthly intervals and shall contain clear and understandable form and language."). If customers' bills are not accurate, clear, and understandable, customers can become confused and may find

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<sup>2</sup> *See* R.C. Chapter 4911.

themselves unable to make informed choices. Thus, this element of the intervention standard in R.C. 4903.221 is satisfied.

R.C. 4903.221(B) requires the PUCO to consider the following criteria in ruling on motions to intervene:

- (1) The nature and extent of the prospective intervenor's interest;
- (2) The legal position advanced by the prospective intervenor and its probable relation to the merits of the case;
- (3) Whether the intervention by the prospective intervenor will unduly prolong or delay the proceeding; and
- (4) Whether the prospective intervenor will significantly contribute to the full development and equitable resolution of the factual issues.

First, the nature and extent of OCC's interest is representing Columbia's residential consumers and ensuring that customers can make informed choices about the utility services they subscribe to. This interest is different from that of any other party and especially different than that of the utility, whose advocacy includes the financial interest of stockholders.

Second, OCC's advocacy for consumers will include, among other things, guaranteeing that customers' bills remain accurate, clear, and understandable as a result of the proposed changes.<sup>3</sup> OCC will also analyze Columbia's proposed changes to ensure that the bill format changes Columbia proposes will not cause unjust increases to customers' bills. OCC's position is therefore directly related to the merits of this case, which is pending before the PUCO, the authority with regulatory control of public utilities' rates and service quality in Ohio.

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<sup>3</sup> See, e.g., Ohio Admin. Code 4901:1-13-11(B) (identifying information that must be included on customers' gas bills).

Third, OCC's intervention will not unduly prolong or delay the proceedings. OCC, with its longstanding expertise and experience in PUCO proceedings, will duly allow for the efficient processing of the case with consideration of the public interest.

Fourth, OCC's intervention will significantly contribute to the full development and equitable resolution of the factual issues. OCC will obtain and develop information that the PUCO should consider for equitably and lawfully deciding the case in the public interest.

OCC also satisfies the intervention criteria in the Ohio Administrative Code (which are subordinate to the criteria that OCC satisfies in the Ohio Revised Code). To intervene, a party should have a "real and substantial interest." *See* Ohio Adm. Code 4901-1-11(A)(2). As the residential utility consumer advocate, OCC has a real and substantial interest in this case in which the PUCO must address whether Columbia's gas bills are accurate, clear, and understandable and will not contribute to customers' paying rates that are unjust or unreasonable.

In addition, OCC meets the criteria of Ohio Adm. Code 4901-1-11(B)(1)-(4). These criteria mirror the statutory criteria in R.C. 4903.221(B), which OCC already has addressed and which OCC satisfies.

Ohio Adm. Code 4901-1-11(B)(5) states that the PUCO shall consider the "extent to which the person's interest is represented by existing parties." Although OCC does not concede that the PUCO must consider this factor, OCC satisfies it because OCC has been uniquely designated as the state representative of the interests of Ohio's residential utility consumers. That interest is different from, and not represented by, any other entity in Ohio.

Moreover, in deciding two consolidated appeals regarding OCC's right to intervene, the Supreme Court of Ohio has confirmed that "intervention ought to be liberally allowed."<sup>4</sup> In those cases, OCC explained in its motion to intervene that the proceeding could negatively impact residential consumers, and OCC established that the interests of consumers would not be represented by existing parties.<sup>5</sup> Because there was no evidence disputing OCC's position, nor any evidence that OCC's intervention would unduly delay the proceedings, the Supreme Court found that the PUCO could not deny OCC the right to intervene.<sup>6</sup>

OCC meets the criteria set forth in R.C. 4903.221, Ohio Adm. Code 4901-1-11, and the precedent established by the Supreme Court of Ohio for intervention. On behalf of Ohio residential consumers, the PUCO should grant OCC's Motion to Intervene.

Respectfully submitted,

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<sup>4</sup> See *Ohio Consumers' Counsel v. Pub. Util. Comm.*, 111 Ohio St. 3d 384, 2006-Ohio-5853, ¶ 20 (2006).

<sup>5</sup> *Id.* ¶¶ 18-20.

<sup>6</sup> *Id.* ¶¶ 13-20.

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Motion to Intervene was served on the persons stated below via electric transmission this 20th day of April, 2016.

/s/ Christopher Healey

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

**Commission of Ohio Docketing Information System on**

**4/20/2016 2:19:36 PM**

**in**

**Case No(s). 16-0650-GA-UNC**

Summary: Motion Motion to Intervene by the Office of the Ohio Consumers' Counsel.  
electronically filed by Ms. Jamie Williams on behalf of Mr. Christopher Healey