

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
ORWELL NATURAL GAS COMPANY,**

CASE No. 14-1654-GA-CSS

COMPLAINANT,

v.

**ORWELL-TRUMBULL PIPELINE COMPANY,
LLC,**

CASE No. 15-637-GA-CSS

RESPONDENT.

ENTRY ON REHEARING

Entered in the Journal on August 3, 2016

I. SUMMARY

{¶ 1} In this Entry on Rehearing, the Commission grants the application for rehearing filed by Orwell-Trumbull Pipeline Company, LLC for the limited purpose of further consideration of the matters specified in the application for rehearing.

II. DISCUSSION

{¶ 2} Orwell Natural Gas Company (Orwell) is a natural gas company as defined by R.C. 4905.03(E), and Orwell-Trumbull Pipeline Company, LLC (OTP) is a pipeline company as defined by R.C. 4905.03(F). Both Orwell and OTP are public utilities as defined by R.C. 4905.02 and are both subject to the jurisdiction of the Commission pursuant to R.C. 4905.04 and 4905.05.

{¶ 3} R.C. 4905.31 provides that a public utility may establish a reasonable arrangement with another public utility over the rates and terms for transportation services that are subject to the approval of the Commission. R.C. 4905.31 also provides that every reasonable arrangement shall be under the supervision and regulation of the Commission and is subject to change, alteration, or modification by the Commission.

{¶ 4} Pursuant to R.C. 4905.26, the Commission has authority to consider written complaints filed against a public utility by any person or corporation regarding any rate, service, regulation, or practice relating to any service furnished by the public utility that is in any respect unjust, unreasonable, insufficient, or unjustly discriminatory.

{¶ 5} On September 19, 2014, and March 31, 2015, Orwell filed complaints in Case No. 14-1654-GA-CSS (14-1654) and Case No. 15-637-GA-CSS (15-637), respectively, against OTP pursuant to R.C. 4905.26 and 4929.24, relating to an agreement for natural gas transportation services approved by the Commission pursuant to R.C. 4905.31.

{¶ 6} OTP filed its answers to the complaints, denying the allegations in the complaints.

{¶ 7} A consolidated hearing in 14-1654 and 15-637 was held on November 3 and 4, 2015.

{¶ 8} On June 15, 2016, the Commission issued an Opinion and Order finding that 14-1654 should be dismissed and that, in 15-637, the arbitration provision of the reasonable arrangement should be suspended until further ordered by the Commission, that Orwell's request for refunds should be denied, that the reasonable arrangement should be modified as set forth in the Opinion and Order, that OTP should file an application pursuant to R.C. Chapter 4909 to establish just and reasonable rates for service, and that the subject matter of Case No. 14-1709-GA-COI should be expanded to include an investigation of all pipeline companies owned or controlled by Richard Osborne.

{¶ 9} R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matters determined in that proceeding, by filing an application within 30 days after the entry of the order upon the journal of the Commission.

{¶ 10} On July 15, 2016, OTP filed an application for rehearing in 15-637.

{¶ 11} The Commission finds that the application for rehearing filed by OTP should be granted for the limited purpose of further consideration of the matters specified in the application for rehearing. We find that sufficient reason has been set forth by OTP to warrant further consideration of the matters raised in the application.

III. ORDER


{¶ 12} It is, therefore,

{¶ 13} ORDERED, That the application for rehearing filed by OTP be granted for further consideration of the matters specified in the application. It is, further,

{¶ 14} ORDERED, That a copy of this Entry on Rehearing be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

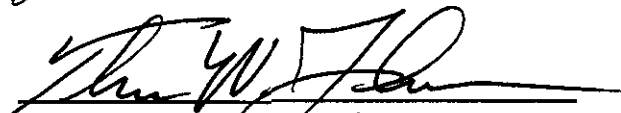
Asim Z. Haque, Chairman



Lynn Slaby



M. Beth Trombold



Thomas W. Johnson




M. Howard Petricoff

SEF/sc

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AUG 03 2016



Barcy F. McNeal
Secretary