

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Regulation of the)	
Purchased Gas Adjustment Clauses Contained)	Case No. 16-216-GA-GCR
Within the Rate Schedules of Suburban)	
Natural Gas Company.)	

**MOTION FOR WAIVER OF
SUBURBAN NATURAL GAS COMPANY
AND REQUEST FOR EXPEDITED APPROVAL**

Suburban Natural Gas Company (“Suburban” or “Company”) hereby moves the Public Utilities Commission of Ohio (“Commission” or “PUCO”)¹ for approval of a waiver of Ohio Administrative Code Rule 4901:1-14-08(C), which will allow Suburban to notify customers directly of the gas cost recovery (“GCR”) hearing via bill inserts. These inserts will be issued slightly outside the time period specified by the Rule, but will still provide customers adequate notice of Suburban’s GCR hearing on September 27, 2016.

In addition, the Company requests an expedited ruling on this motion. An expedited ruling will allow Suburban to begin preparation of the bill inserts for inclusion and distribution with its two billing cycles of customer bills. The only other party in this case, the PUCO Staff, has authorized Suburban to state that it does not object to this waiver request.

¹ Pursuant to Ohio Adm. Code Rule 4901-1-12(A) and (C).

Therefore, for the reasons stated in the attached Memorandum in Support, Suburban respectfully requests the Commission grant the Company's Motion on an expedited basis.

Respectfully submitted,

/s/ Christopher J. Allwein

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MEMORANDUM IN SUPPORT

I. INTRODUCTION

On February 24, 2016, the Public Utilities Commission of Ohio (“Commission” or “PUCO”) presented a procedural Entry in several cases, including the above-captioned case. The Entry proposed hearing dates subsequent to the PUCO Staff’s audits of gas cost recovery (“GCR”) mechanisms. The hearing date for Suburban Natural Gas Company (“Suburban” or “Company”) is September 27, 2016. For each hearing, the Entry required that notice be provided to each utility’s customer base. Upon the issuance of the Staff report on July 29, 2016, Suburban is prepared to provide notice to customers of the hearing in accordance with the Entry’s instructions.

The Company would like to provide notice to customers via bill insert, which is allowable under the applicable rule as discussed below. Because the timing of the bill issuance for each of its two monthly billing cycles, notice will be slightly outside of the specified time period, as described below. However, Suburban is confident that the notice provided via bill insert will be adequate for customers. Therefore, Suburban requests a waiver of the Rule.

II. WAIVER REQUEST

Ohio Administrative Code Rule 4901:1-14-08(C) states that:

The gas or natural gas company shall publish notice of the hearing required under paragraph (A) of this rule throughout its service area **at least fifteen and not more than thirty days** prior to the scheduled date of hearing by:

- (1) Display ad in a newspaper or newspapers of general circulation;
- (2) Bill message on or **bill insert included with the customer bills**; or
- (3) Separate direct mailing to customers. (Emphasis added).

Suburban's billing schedule for each of its two billing cycles will allow it to issue bill inserts providing direct notice of the hearing to its customers. However, the bills are scheduled to be released thirty-six (36) days and eleven (11) days prior to the hearing – just outside the time period specified by the Rule. Suburban is confident that the bill inserts, despite being issued outside of the time period specified by the Rule, will provide adequate notice to customers of the GCR audit hearing. Therefore, Suburban is respectfully requesting a waiver of Rule 4901:1-14-08(C).

The Commission has the authority to waive any rule for good cause shown.² Unlike publication in newspaper, the bill inserts will provide direct notice of the hearing to each and every applicable Suburban customer. The bill insert will provide adequate notice for any customers planning to attend the hearing, and is more likely to be read by the Company's customers as opposed to publication in a newspaper. The bill insert is a more efficient, direct

² Ohio Adm. Code 4901:1-14-02(B): "The commission may, upon an application or a motion filed by a party, waive any requirement of this chapter, other than a requirement mandated by statute, for good cause shown."

way for the Company to provide notice to its customers. Thus, Suburban requests that the Commission approve this motion for a waiver of the applicable rule.

III. REQUEST FOR EXPEDITED RULING

Suburban also requests an expedited ruling. Suburban has contacted PUCO Staff, the only other party in the case. Staff has no objection to the waiver. An expedited ruling will allow Suburban to promptly begin the process of preparing the bill inserts to provide notice to customers.

IV. CONCLUSION

Good cause exists for granting a waiver of the notice provision in this case. Suburban Natural Gas Company respectfully requests the Commission grant an expedited waiver of Ohio Administrative Code Rule 4901:1-14-08(C), and allow Suburban to notice its customers via bill insert.

Respectfully submitted,

/s/ Christopher J. Allwein

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Waiver and Memorandum in Support were served upon the following parties of record or as a courtesy, via electronic mail on August 4, 2016.

/s/ Christopher J. Allwein

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Summary: Motion for Waiver of Rule and Memorandum in Support electronically filed by Mr. Christopher J. Allwein on behalf of Suburban Natural Gas Company