

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Review of the Energy)
Shortage Emergency Rules in Ohio Adm.Code)
Chapters 4901:5-17, 4901:5-19, 4901:5-21,)
4901:5-23, 4901:5-25, 4901:5-29, 4901:5-33,)
4901:5-35, and 4901:5-37.)
Case No. 16-567-AU-ORD

**AMENDED INITIAL COMMENTS OF
VECTREN ENERGY DELIVERY OF OHIO, INC.**

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DECEMBER 2, 2016

**ON BEHALF OF VECTREN ENERGY DELIVERY OF
OHIO, INC.**

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4901:5-35, and 4901:5-37.)

**AMENDED INITIAL COMMENTS OF
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I. BACKGROUND

In an entry in this proceeding, the Public Utilities Commission of Ohio (“Commission”) requested comments from interested parties to assist it in its review of the rules found in Chapters 4901:5-17 through 4901:5-37 of the Ohio Administrative Code (“O.A.C”). Entry at 5 (Nov. 3, 2016). As part of this review, the Commission is to consider, among other things, whether a rule should be amended, taking into consideration the purpose, scope and intent of the statute under which the rule was adopted. R.C. 106.03. In these comments, Vectren Energy Delivery of Ohio, Inc. (“VEDO”) recommends an amendment of Rule 4901:5-25-05(D) to better reflect system peak management during declared stage three emergencies.¹

II. DISCUSSION

Under R.C. 4935.03(A), the Commission is directed to adopt and amend rules defining various foreseen types and levels of energy emergency conditions for critical

¹ VEDO’s comments are limited to Rule 4901:5-25-05, but should not be taken as agreement with other amendments to the rules proposed by either the Staff of the Commission or other persons.

shortages or interruptions in the supply of natural gas and specify appropriate measures to be taken at each level or for each type of energy emergency as necessary to protect the public health or safety or prevent unnecessary damage to property. Under this authority, the Commission adopted Rule 4901:5-25-05. The rule provides for levels of curtailment at various stages of an energy emergency declared by the governor.

Paragraph (D) of the rule prescribes the curtailments for a stage three mandatory curtailment. Under that division, all stage one and stage two curtailments are to be implemented and consumers using firm gas service is curtailed except for priority use. The division further provides that gas usage for space heating shall be restricted such that “[t]emperatures within all residences, hospitals, medical and human life-support systems, blood banks, and outpatient health facilities shall be maintained at no higher than sixty-five degrees Fahrenheit from six a.m. to eleven p.m. and no higher than fifty-five degrees Fahrenheit at other times, except where necessary to protect health, safety, or welfare.”

If a stage three emergency is declared, Paragraph (D) of the rule reflects the fact that the successful operation of the system may require customers to take actions to reduce the peak system gas requirements. To accommodate operating experience, however, VEDO recommends that Rule 4901:5-25-05(D) be amended. In practice, peak demand periods may begin earlier, around four a.m., and end earlier, around nine p.m., than what is reflected in the Commission’s rule. Accordingly, the text of Paragraph (D) regarding space heating usage should be amended to read, “Temperatures within all residences, hospitals, medical and human life-support systems, blood banks, and outpatient health facilities shall be maintained at no higher than sixty-five degrees

Fahrenheit from four a.m. to nine p.m. and no higher than fifty-five degrees Fahrenheit at other times, except where necessary to protect health, safety, or welfare.”

III. CONCLUSION

For the reasons explained above, VEDO respectfully requests that the Commission amend Rule 4901:5-25-05(D) for the reasons discussed above.

Respectfully submitted,

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Summary: Comments Amended Initial Comments of Vectren Energy Delivery of Ohio, Inc. electronically filed by Mr. Frank P Darr on behalf of Vectren Energy Delivery of Ohio, Inc.