

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
INVESTIGATION INTO OHIO RURAL
NATURAL GAS CO-OP AND RELATED
MATTERS.

CASE No. 16-1578-GA-COI

ENTRY ON REHEARING

Entered in the Journal on March 8, 2017

I. SUMMARY

{¶ 1} The Commission grants the application for rehearing filed by Ohio Rural Natural Gas Co-op for the limited purpose of further consideration of the matters specified in the application.

II. DISCUSSION

{¶ 2} Ohio Rural Natural Gas Co-op (ORNG) is a pipeline company as defined in R.C. 4905.03 and an operator as defined in R.C. 4905.90, and, pursuant to R.C. 4905.90 through 4905.96, is subject to the jurisdiction and supervision of this Commission. Accordingly, ORNG is required to comply with Ohio Adm.Code Chapter 4901:1-16, which sets forth the safety standards and requirements for intrastate gas pipeline facilities subject to the jurisdiction of the Commission. Pursuant to Ohio Adm.Code 4901:1-16-03(A), these rules adopt the United States Department of Transportation's gas pipeline safety (GPS) regulations contained in 49 C.F.R. Parts 40, 191, 192, and 199.

{¶ 3} R.C. 4905.91 provides that the Commission may investigate any service, act, practice, policy, or omission by any operator to determine its compliance with R.C. 4905.90 to 4905.96 and the pipeline safety code.

{¶ 4} On July 15, 2016, Staff filed a report regarding the results of a series of investigations into ORNG's facilities, operations, and records (Staff Report). In the Staff Report, Staff asserted that there have been multiple, repeated instances of non-compliance by ORNG from February 2015 to May 2016 and that ORNG's system is a potential threat to human life and property.

{¶ 5} Following an evidentiary hearing on September 6, 2016, the Commission issued an Opinion and Order on January 18, 2017, finding, pursuant to R.C. 4905.95(B), that ORNG is in violation of the Commission's rules for intrastate gas pipeline facilities and that ORNG's facilities are hazardous to human life and property. The Commission concluded that ORNG has not demonstrated that it has the requisite knowledge, training, organization, or procedures to safely operate a gas pipeline system. The Commission directed ORNG to cease all operations, including connecting new customers, until it has corrected all of the violations in the Staff Report and can demonstrate that it has the knowledge and organization to consistently follow the GPS regulations. Specifically, ORNG was ordered to immediately cease all operations at the Duck Creek Road and Ellsworth Road systems, and for all other parts of the system, to cease operations on March 1, 2017. In addition, ORNG was ordered to work with Staff to assist customers in obtaining an alternative source of energy.

{¶ 6} On February 17, 2017, ORNG filed an application for rehearing as well as a motion to stay the Commission's order to discontinue service to customers on March 1, 2017.

{¶ 7} On February 23, 2017, the Commission issued an Entry granting customers on the ORNG system a limited extension of the suspension of service date, until April 17, 2017, and denying ORNG's motion to stay.

{¶ 8} 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.

{¶ 9} The Commission finds that the application for rehearing filed by ORNG should be granted. We believe that sufficient reason has been set forth by ORNG to warrant further consideration of the matters specified in the application for rehearing.

III. ORDER

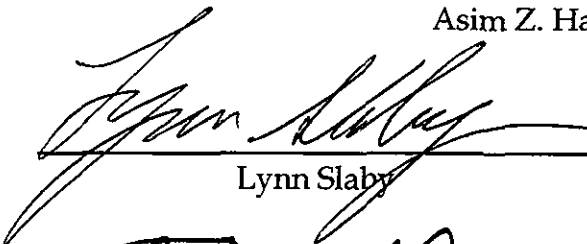
{¶ 10} It is, therefore,

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

{¶ 12} ORDERED, That a copy of this Entry on Rehearing be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Asim Z. Haque, Chairman


Lynn Slaby


M. Beth Trombold



Thomas W. Johnson


Lawrence K. Friedeman

NW/vrm

Entered in the Journal

MAR 08 2017


Barcy F. McNeal
Secretary