

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S  
INVESTIGATION INTO COBRA PIPELINE  
CO. AND RELATED MATTERS.

CASE No. 14-1709-GA-COI

### ENTRY

Entered in the Journal on April 5, 2017

{¶ 1} Orwell-Trumbull Pipeline Company, LLC (OTP) and Cobra Pipeline Company, LTD (Companies) are pipeline companies under R.C. 4905.03 and public utilities as defined in R.C. 4905.02, and, as such, are subject to the jurisdiction of this Commission.

{¶ 2} On September 19, 2014, and March 31, 2015, Orwell Natural Gas Company (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. Both complaints relate to a reasonable arrangement for natural gas transportation services (Agreement) between Orwell and OTP, approved by the Commission pursuant to R.C. 4905.31. *In re Orwell-Trumbull Pipeline Co., LLC*, Case No. 08-1244-PL-AEC, Entry (Dec. 19, 2008).

{¶ 3} Following a hearing, the Commission issued an Opinion and Order in 14-1654 and 15-637 on June 15, 2016, finding that 14-1654 should be dismissed, and finding, in 15-637, that the arbitration provision of the Agreement should be suspended until further ordered by the Commission, that Orwell's request for refunds should be denied, that the Agreement should be modified as set forth in the Opinion and Order, and that OTP should file a rate case application pursuant to R.C. Chapter 4909 to establish just and reasonable rates for service. *In re Complaint of Orwell Natural Gas Co. v. Orwell-Trumbull Pipeline Co., LLC*, Case No. 14-1654-GA-CSS, et al. (*Complaint Case*), Opinion and Order (June 15, 2016). The Commission also found that, since the approval of the Agreement, there have been legitimate concerns as to whether the Agreement was an arm's-length transaction. As a result, the Commission ordered that the subject matter of the above-captioned case be expanded to include an investigation of all pipeline companies owned or controlled by

Richard Osborne and their affiliates that are subject to the jurisdiction of the Commission, namely the Companies. *Complaint Case* at 44.

{¶ 4} On September 14, 2016, the Commission issued an Entry directing Staff to issue a request for proposal for the audit services necessary to assist with the investigative audit of the Companies. Thereafter, by Entry issued October 26, 2016, the Commission selected Schumaker & Company (Schumaker) to complete the audit. Schumaker was to complete the audit and file a report by April 7, 2017.

{¶ 5} On March 31, 2017, Staff filed a motion for extension of time to file the audit report. Staff indicates that the Companies are currently undergoing additional Commission audits which has strained resources and slowed responses. Further, according to Staff and the auditors, some data request responses remain outstanding. Therefore, Staff asserts the auditors would benefit from additional time in order to complete the investigation. Staff requests an extension of 45 days.

{¶ 6} The attorney examiner finds that the request for an extension of time is reasonable and should be granted. Accordingly, the audit report should be filed by May 22, 2017.

{¶ 7} ORDERED, That Staff's motion be granted. It is, further,

{¶ 8} ORDERED, That the audit report be filed by May 22, 2017. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Nicholas Walstra

By: Nicholas Walstra  
Attorney Examiner

jrj/vrm

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**Case No(s). 14-1709-GA-COI**

Summary: Attorney Examiner Entry granting motion for extension of time to file the audit report; electronically filed by Vesta R Miller on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission of Ohio