

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
AQUA OHIO, INC. FOR APPROVAL OF A
REVISED WATER PURCHASE AGREEMENT
WITH WHIRLPOOL CORPORATION.

CASE NO. 17-2193-WW-AEC

ENTRY ON REHEARING

Entered in the Journal on June 13, 2018

I. SUMMARY

{¶ 1} The Commission grants the application for rehearing filed by the Office of the Ohio Consumers' Counsel on May 18, 2018, for the purpose of further consideration of the matters specified in the application for rehearing.

II. DISCUSSION

{¶ 2} Aqua Ohio, Inc. (Aqua or Company) is a "public utility" and "waterworks company" as defined in R.C. 4905.02(A) and 4905.03(G). As such, Aqua is subject to the Commission's jurisdiction in accordance with R.C. 4905.04, 4905.05, and 4905.06.

{¶ 3} R.C. 4905.31 authorizes the Commission to approve schedules or reasonable arrangements between a public utility and one or more of its customers. The statute provides that every such schedule or reasonable arrangement shall be under the supervision and regulation of the Commission, and is subject to change, alteration, or modification by the Commission.

{¶ 4} On October 24, 2017, Aqua filed an application for approval of a revised water purchase agreement with Whirlpool Corporation (Whirlpool), which it submitted to the Commission for approval under R.C. 4905.31(E). On October 27, 2017, the Office of the Ohio Consumers' Counsel (OCC) filed a motion to intervene pursuant to R.C. 4903.221 and Ohio Adm.Code 4901-1-11.

{¶ 5} On April 18, 2018, the Commission issued a Finding and Order. In the order, the Commission granted OCC's motion to intervene. Furthermore, upon review of Aqua's

application, as well as Staff's review and recommendation, the Commission found that the application did not appear to be unjust or unreasonable, and approved it.

{¶ 6} Pursuant to R.C. 4903.10, 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 Commission's order is journalized.

{¶ 7} On May 18, 2018, OCC filed an application for rehearing of the Commission's April 18, 2018 Finding and Order. On May 29, 2018, Aqua filed a memorandum contra to OCC's application for rehearing.

{¶ 8} Upon review, the Commission believes that OCC has set forth sufficient reasons to warrant further consideration of the matters specified in the application for rehearing. Accordingly, the OCC's application for rehearing should be granted.

III. ORDER

{¶ 9} It is, therefore,

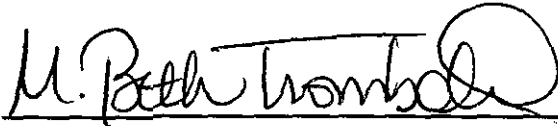
{¶ 10} ORDERED, That OCC's application for rehearing be granted for further consideration of the matters specified in the application for rehearing. It is, further,

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


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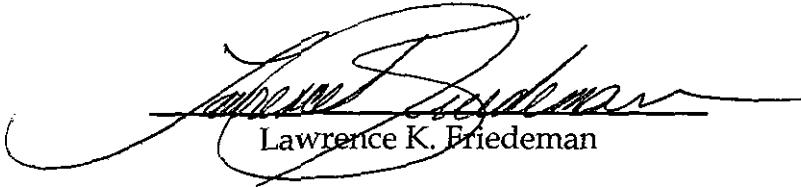
Asim Z. Haque, Chairman



M. Beth Trombold



Thomas W. Johnson



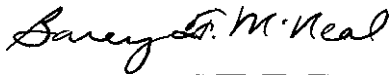
Lawrence K. Friedeman



Daniel R. Conway

AS/mef

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JUN 13 2018



Barcy F. McNeal
Secretary