

FILE

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Co- )  
lumbia Gas of Ohio, Inc. for Approval )  
of an Economic Development Project: ) Case No. 19-2001-GA-EDP  
Emerson Process Management Value )  
Automation, Inc. )

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**MOTION FOR LIMITED WAIVER  
AND MEMORANDUM IN SUPPORT  
OF COLUMBIA GAS OF OHIO, INC.**

Pursuant to Ohio Admin. Code 4901:1-43-02(B) and 4901:1-12(A), Columbia Gas of Ohio, Inc. ("Columbia") hereby requests that the Public Utilities Commission of Ohio ("Commission") grant Columbia a limited waiver of Ohio Admin. Code 4901:1-43-03. The estimated state and local taxable base increase information required by Ohio Admin. Code 4901:1-43-03(A)(3)(a) cannot be provided due to Columbia not having access to information necessary to estimate the state and local state base increase. Therefore, good cause exists to grant the requested limited waiver of Ohio Admin. Code 4901:1-43-03.

The reasons for this Motion are more fully explained in the attached Memorandum in Support.

Respectfully submitted by,

**COLUMBIA GAS OF OHIO, INC.**

/s/ Joseph M. Clark

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**COLUMBIA GAS OF OHIO, INC.**

## MEMORANDUM IN SUPPORT

In its Application in this instant docket, Columbia has fulfilled all the requirements of Ohio Admin. Code 4901:1-43 except for the information that is the subject of this waiver request. Ohio Admin. Code 4901:1-43-03(A)(3) requires Columbia provide, "The level of total investment and capital expenditure by the subject company and the economic development impact." Then subsection (A)(3)(a) specifically requests the "Estimated state and local taxable base increase."

Columbia does not know the estimated state and local taxable base increase information. Nor can Columbia reasonably estimate the full tax receipt impacts of the Emerson Process Management Value Automation, Inc. project without this information. Because any information that would be utilized to calculate the state and local tax base increase is not within Columbia's possession or control, Columbia requests that this requirement be waived.

Good cause exists for the Commission to grant this Motion for limited waiver. Columbia simply does not have the information requested by Ohio Admin. Code 4901:1-43-03(A)(3)(a). Moreover, Columbia complied with all the other portions of Ohio Admin. Code 4901:1-43-03, providing the Commission sufficient information to consider this economic development project request. Finally, granting the waiver would be consistent with recent Commission precedent.<sup>1</sup>

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<sup>1</sup> *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of the Sofidel Pipeline as an Economic Development Project*, Case No. 16-2069-GA-EDP, Entry at 3 (November 18, 2016); *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Economic Development Project with Nucor Steel Marion, Inc.*, Case No. 17-1906-GA-EDP, Entry at 3 (September 29, 2017); *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Economic Development Project with GETH-Ohio, Southern Ohio Industrial District Project*, Case No. 17-1678-GA-EDP, Entry at 4 (December 12, 2017); *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Economic Development Project with FWD:Energy, Southern Ohio Industrial District Project*, Case No 17-1679-GA-EDP, Entry at 4 (December 12, 2017); *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Economic Development Project with CertainTeed*, Case No 18-295-GA-EDP, Entry at 4 (March 20, 2018); *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Economic Development Project with COMTEX Laundry*, Case No 18-1296-GA-EDP, Entry at 4 (September 4, 2018); *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Economic Development Project Known as the North Central Ohio Business Park Site* Ohio Authentication Project, Case No 19-1274-GA-EDP, Entry at 4 (June 25, 2019); *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Economic Development Project Known as the Lawrence Economic Development Corporation, Southern Ohio Industrial District*, Case No 19-1753-GA-EDP, Entry at 4 (October 3, 2019).

Respectfully submitted,  
**COLUMBIA GAS OF OHIO, INC.**

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