

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of North)
Coast Gas Transmission LLC for Approval) Case No. 21-1021-PL-AEC
of an Amendment to a Customer Agreement.)

**APPLICATION OF NORTH COAST GAS TRANSMISSION LLC
FOR APPROVAL OF AN AMENDMENT TO
A CUSTOMER AGREEMENT**

Pursuant to R.C. 4905.31, North Coast Gas Transmission LLC (“North Coast”) respectfully requests approval of an amendment to a natural gas transportation service agreement. Specifically, North Coast recently entered into an agreement with Northeast Ohio Natural Gas Corp. to amend the Orwell Natural Gas Company Natural Gas Service Agreement (the “Orwell Agreement”) to provide monthly gas balancing service for the period of November 1, 2021, through April 30, 2022. Orwell Natural Gas Company merged into Northeast Ohio Natural Gas Corp. (“NEO”), a merger the Public Utilities Commission of Ohio (the “Commission”) approved in a January 3, 2019 Finding and Order.

In support of this application, North Coast states as follows:

1. The Commission previously authorized North Coast to operate as an intrastate pipeline company in Case No. 04-265-PL-ATA. As an intrastate pipeline company subject to the Commission’s jurisdiction, North Coast owns and operates a series of pipelines in the northern portion of Ohio, including the Toledo-Marion 6-inch Pipeline, the Buckeye 425 Pipeline, the Buckeye 10-inch Pipeline, the Ashland 8-inch Pipeline, and the Parma Expansion 10-inch Pipeline.

2. On August 23, 2004, North Coast and Orwell Natural Gas Company (“Orwell”) entered into a natural gas service agreement for interruptible delivery service (the “Orwell

Agreement”). Amendments to the Orwell Agreement were executed and the Commission approved them on a number of occasions. *See e.g.*, Finding and Order dated December 8, 2010, in Case No. 10-2535-PL-AEC; and Finding and Order dated May 30, 2018, in Case No. 18-0781-PL-AEC. The Orwell Agreement was amended on a number of occasions to provide terms for monthly gas balancing services, and the Commission approved those balancing service amendments in the following cases:

- Finding and Order dated June 1, 2016, in Case No. 15-1997-PL-AEC
- Finding and Order dated March 28, 2018, in Case No. 16-2046-PL-AEC
- Finding and Order dated March 28, 2018, in Case No. 17-1911-PL-AEC
- Finding and Order dated July 31, 2019, in Case No. 18-1658-PL-AEC
- Finding and Order dated January 15, 2020, in Case No. 19-2004-PL-AEC

3. Orwell merged into NEO, and the Commission approved that merger in 2019. *In the Matter of the Joint Application of Brainard Gas Corp., Northeast Ohio Natural Gas Corp., Orwell Natural Gas Company, and Spelman Pipeline Holdings, LLC for Approval of a Merger*, Case Nos. 18-1484-GA-UNC et al., Finding and Order (January 3, 2019).

4. On September 28, 2021, North Coast and NEO agreed to amend the Orwell Agreement to provide monthly balancing service, effective November 1, 2021. Under this amendment, the parties agree North Coast will provide balancing services for the term of November 1, 2021, through April 30, 2022. In addition, they agree on (i) a maximum monthly quantity; (ii) a maximum daily quantity; (iii) a balancing rate; (iv) a monthly charge equal to the balancing rate multiplied by the maximum monthly quantity; and (v) other terms regarding North Coast’s provision of gas balancing services while leaving the remaining terms and conditions of

the Orwell Agreement unchanged. This new gas balancing amendment of the Orwell Agreement is attached hereto as Attachment A.

5. The attached gas balancing amendment is between North Coast and a shipper who needs transport and natural gas balancing services. The attached amendment contains information that is proprietary and should not be disclosed to the public. Although rates and volumes in the attached amendment have been redacted, they have been submitted under seal to the Commission and its Staff for review in accordance with Ohio Adm.Code 4901-1-24(D). A motion for a protective order seeking protection of the Orwell Amendment's rates and volumes was filed simultaneously with this Application.

6. In December 2020, the Commission stated that North Coast should file all applications for approval of proposed agreements or amendments well in advance of their effective date. To that end, the Commission concluded that such filings should be filed at least 45 days prior to the effective date. *In the Matter of the Application of North Coast Gas Transmission LLC for Approval of Natural Gas Transportation Service Agreement Amendments*, Case No. 20-1649-PL-AEC, Finding and Order at ¶ 18 (December 2, 2020).

7. The parties to the attached amendment did not execute the amendment more than 45 days prior to its effective date. North Coast, however, has expeditiously filed the attached amendment for Commission review – filing it only a few days after the amendment was executed and four weeks in advance of the effective date. North Coast submits that it has presented this amendment to the Commission well in advance of the effective date, and therefore requests that the Commission conclude that North Coast has substantially complied with the Commission's advance-filing directive.

8. North Coast further submits that the amendment attached hereto as Attachment A is a reasonable arrangement, is in the public interest, and should be approved pursuant to R.C. 4905.31.

WHEREFORE, pursuant to R.C. 4905.31, North Coast respectfully requests that the Commission approve the amendment attached as Attachment A to this application.

Respectfully submitted,

/s/ Michael J. Settineri

Michael J. Settineri (0073369), Counsel of Record
Gretchen L. Petrucci (0046608)

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Attorneys for North Coast Gas Transmission LLC

ATTACHMENT A



North Coast Gas

Jerry Westerfield
Vice President, Commercial Activity

NORTH COAST GAS TRANSMISSION, LLC.

445 Hutchinson Ave.
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September 27, 2021

Mr. Michael Zappitello
NORTHEAST OHIO Natural Gas Corp.
5640 Lancaster – Newark Rd, NE
Pleasantville, Ohio 43148

Dear Mr. Zappitello:

This Letter Agreement ("Agreement") shall be incorporated with Contract IT 30000-A between Orwell Natural Gas ("Customer") and North Coast Gas Transmission, LLC ("Company").

Effective November 1, 2021:

Company will, on a best-efforts basis, provide Customer with Monthly Balancing Service with the following terms:

- Term: November 1, 2021 through April 30, 2022
- Maximum Monthly Quantity (MMQ): [REDACTED]
- Maximum Daily Quantity (MDQ): [REDACTED]
- Balancing Rate: [REDACTED]
- Monthly Charges: Balancing Rate ([REDACTED]) x MMQ ([REDACTED]) = [REDACTED] per month
- Primary Service: Daily swing rights up to the MDQ subject to the MMQ on a best-efforts basis
- Other Terms:
 - Service only available for four (4) consecutive days
 - Minimum of three (3) days required between service requests
 - Total deliveries to Orwell limited to monthly confirmed uniform daily scheduled quantities.
 - Delivery Pressure maintained at or near 250 psi.
 - If Company cannot perform Balancing Service due to operational constraints, Company will refund Customer the quantities requested up to the MMQ that were not delivered times the balancing rate

All other terms and conditions of Contract IT 30000-A shall remain in full force and effect.

Please indicate your acceptance by signing below and returning a copy of this letter to the attention of Jerry Westerfield at the above address.

IN WITNESS WHEREOF, the parties have executed this Agreement as of this 28 day of September 2021.

NORTHEAST OHIO Natural Gas Corp.

By: Rogus Dan

Title: Gas Supply Manager

Date: 9/28/21

North Coast Gas Transmission, LLC

By: Jerry Westerfield

Title: Vice-President

Date: 9/28/21

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Case No(s). 21-1021-PL-AEC

Summary: Application Application for Approval of an Amendment to a Customer Agreement electronically filed by Mr. Michael J. Settineri on behalf of North Coast Gas Transmission LLC