

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
THE EAST OHIO GAS COMPANY D/B/A  
DOMINION ENERGY OHIO FOR  
APPROVAL OF AN ALTERNATIVE FORM OF  
REGULATION TO CONTINUE ITS PIPELINE  
INFRASTRUCTURE REPLACEMENT  
PROGRAM.

CASE NO. 20-1634-GA-ALT

### ENTRY

Entered in the Journal on October 18, 2021

{¶ 1} The East Ohio Gas Company d/b/a/ Dominion Energy Ohio (Dominion) is a natural gas company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} Under R.C. 4929.05, a natural gas company may file an application for an alternative rate plan. After an investigation, the Commission shall approve the alternative rate plan if the natural gas company demonstrates and the Commission finds the natural gas company is in compliance with R.C. 4905.35; is in substantial compliance with the policy of the state, as set forth in R.C. 4929.02; and is expected to continue to be in substantial compliance with the policy of the state specified in R.C. 4929.02 after implementation of the alternative rate plan. The Commission must also find that the alternative rate plan is just and reasonable.

{¶ 3} R.C. 4929.051(B) provides that an alternative rate plan filed by a natural gas company under R.C. 4929.05 and seeking authorization to continue a previously approved alternative rate plan shall be considered an application not for an increase in rates.

{¶ 4} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies were required to implement procedures consistent with recommendations from the Ohio Department of Health to prevent or alleviate the public health threat associated with COVID-19.

{¶ 5} On October 30, 2020, Dominion filed a notice of intent to file an application for approval of the continuation of an alternative rate plan under R.C. 4929.05.

{¶ 6} On December 8, 2020, Dominion filed its application, along with supporting exhibits, pursuant to R.C. 4929.05, 4929.051(B), 4929.11, and 4909.18. In its application, Dominion states that it seeks to continue, with several limited modifications, its pipeline infrastructure replacement (PIR) program and associated cost recovery charge last approved by the Commission in *In re The East Ohio Gas Company d/b/a Dominion East Ohio*, Case No. 15-362-GA-ALT, Opinion and Order (Sept. 14, 2016). The PIR program was previously approved in Case Nos. 08-169-GA-ALT and 11-2401-GA-ALT. Dominion asserts that its application should be considered an application not for an increase in rates.

{¶ 7} On January 12, 2021, Staff filed a letter reflecting that Dominion's application is in technical compliance with Ohio Adm.Code 4901:1-19-06.

{¶ 8} By Entry issued January 14, 2021, the attorney examiner set the deadline for the filing of motions to intervene for February 10, 2021, the deadline for the filing of comments by intervenors for February 17, 2021, and the deadline for the filing of reply comments by Dominion and intervenors for March 3, 2021. Further, the attorney examiner set the deadline for the filing of the Staff Report for April 5, 2021, and the deadline for the filing of objections to the Staff Report for May 5, 2021.

{¶ 9} Ohio Consumers' Counsel (OCC) and Ohio Partners for Affordable Energy (OPAE) filed comments on February 17, 2021. Dominion filed reply comments on March 3, 2021.

{¶ 10} Thereafter, on April 5, 2021, Staff filed its Report of Investigation.

{¶ 11} Industrial Energy Users-Ohio (IEU-Ohio), OPAE, OCC, and Dominion filed objections to the Staff Report on May 5, 2021.

{¶ 12} On September 9, 2021, the attorney examiner established a procedural schedule for this case. Among other deadlines, the attorney examiner established a deadline of October 18, 2021, for the filing of testimony on behalf of Staff and intervenors, and a hearing date of November 1, 2021. The attorney examiner also granted motions to intervene filed by OCC, OPAE, and IEU-Ohio.

{¶ 13} On October 12, 2021, Dominion filed a stipulation signed by Dominion, Staff, OPAE, and IEU-Ohio (Stipulation). On the same date, Dominion also filed the testimony of Vicki H. Friscic in support of the Stipulation.

{¶ 14} On October 15, 2021, OCC filed a motion for a one-week extension to file testimony, with a specific deadline of 1:00 p.m. on October 25, 2021, and a one-day extension of the hearing date, which would be November 2, 2021. OCC also requested an expedited ruling on the motion and confirmed that it has contacted other parties, and those parties do not oppose the motion. OCC argues that there is good cause to grant the extension requests, as the parties have been engaged in settlement discussions, and the Stipulation and supporting testimony were only recently filed. In the motion, OCC also requests a seven-day expedited round of discovery, which it says would allow for discovery on the Stipulation.

{¶ 15} The attorney examiner finds that OCC's unopposed motion to extend the procedural schedule and for a seven-day expedited round of discovery is reasonable and should be granted. Accordingly, testimony opposing the Stipulation should be filed by October 25, 2021, at 1:00 p.m., a seven-day expedited round of discovery is approved, and the hearing is rescheduled for November 2, 2021, at 10:00 a.m., to be held via Webex. Instructions for participation in the evidentiary hearing shall be emailed to the parties. Anyone interested in observing the evidentiary hearing as a nonparty can access the hearing using the link <https://bit.ly/20-1634-EVH>, and entering the password PUCO, or by calling 1-408-418-9388, and entering code 2332 187 5832.

{¶ 16} All exhibits intended to be used on direct-examination and cross-examination, with the exception of exhibits that have already been filed in the docket, shall be provided to the parties and the attorney examiner by electronic mail no later than 10:00 a.m., on Monday, November 1, 2021. Counsel for the parties should ensure that their witnesses have access to all of the exhibits that have been filed in the docket or exchanged among the parties.

{¶ 17} Counsel and witnesses that will speak during the hearing should join the Webex event through internet access and must have a computer or smart device with a camera, microphone, and speakers; an electronic mail address; and reliable internet service.

{¶ 18} It is, therefore,

{¶ 19} ORDERED, That OCC's motion be granted and the modified procedural schedule set forth in Paragraph 15 be observed. It is, further,

{¶ 20} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

*/s/ Jacky Werman St. John*

By: Jacky Werman St. John  
Attorney Examiner

JRJ/mef

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**10/18/2021 10:11:16 AM**

**in**

**Case No(s). 20-1634-GA-ALT**

Summary: Attorney Examiner Entry granting the motion for extension and modifying the procedural schedule: testimony opposing the stipulation due 10/25/21 at 1:00 pm and rescheduling the hearing to 11/2/21 at 10:00 am electronically filed by Ms. Mary E. Fischer on behalf of Jacky Werman St. John, Attorney Examiner, Public Utilities Commission of Ohio