

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF COLUMBIA GAS OF OHIO, INC. FOR AUTHORITY TO AMEND ITS FILED TARIFFS TO INCREASE THE RATES AND CHARGES FOR GAS SERVICES AND RELATED MATTERS.

CASE No. 21-637-GA-AIR

IN THE MATTER OF THE APPLICATION OF COLUMBIA GAS OF OHIO, INC. FOR APPROVAL OF AN ALTERNATIVE FORM OF REGULATION.

CASE No. 21-638-GA-ALT

IN THE MATTER OF THE APPLICATION OF COLUMBIA GAS OF OHIO, INC. FOR APPROVAL OF A DEMAND SIDE MANAGEMENT PROGRAM FOR ITS RESIDENTIAL AND COMMERCIAL CUSTOMERS.

CASE No. 21-639-GA-UNC

IN THE MATTER OF THE APPLICATION OF COLUMBIA GAS OF OHIO, INC. FOR APPROVAL TO CHANGE ACCOUNTING METHODS.

CASE No. 21-640-GA-AAM

ENTRY

Entered in the Journal on September 9, 2022

{¶ 1} Columbia Gas of Ohio, Inc. (Columbia or the Company) is a natural gas company and a public utility as defined by R.C. 4905.03 and R.C. 4905.02, respectively. As such, Columbia is subject to the jurisdiction of this Commission pursuant to R.C. 4905.04, 4905.05, and 4905.06.

{¶ 2} The fixation of rates for public utilities in the state of Ohio is governed by R.C. Chapter 4909. The statutory requirements for an application to increase a public utility's rates are enumerated in R.C. 4909.17, 4909.18, 4909.19, and 4909.43. Also, pursuant to R.C. 4901.13, 4909.04(C), and 4909.18, the Commission adopted Ohio Adm.Code 4901-7-01 and its Appendix (Standard Filing Requirements). These Standard Filing Requirements

specify the format for filing all information required in an application for an increase in rates and define the information that the Commission requires pursuant to R.C. 4909.18(E).

{¶ 3} Further, pursuant to R.C. 4929.05(A), a natural gas company may request approval of an alternative rate plan by filing an application to establish or change a rate under R.C. 4909.18.

{¶ 4} On May 28, 2021, Columbia filed separate notices of its intent to file an application for an increase in rates and an application for approval of an alternative rate plan. First, in accordance with Ohio Adm.Code 4901-7-01, Appendix A, Chapter I(B), the Company filed notice of intent to file an application for an increase in rates. Second, pursuant to Ohio Adm.Code 4901:1-19-06(A), the Company filed a notice of its intent to file an application for approval of an alternative rate plan.

{¶ 5} Also, on May 28, 2021, Columbia filed a motion to establish a test year and date certain and for waiver of certain filing requirements pursuant to R.C. 4909.15(C) and Ohio Adm.Code 4901-7-01 and 4901:1-19-02(D), respectively. By Entry issued July 7, 2021, the Commission approved the test year and date certain and granted in part and denied in part the requested waiver of specified Standard Filing Requirements.

{¶ 6} On June 30, 2021, Columbia filed a combined application to increase rates and charges and for approval of an alternative rate plan pursuant to R.C. 4909.18 and R.C. 4929.05, respectively.

{¶ 7} On August 10, 2021, Staff filed a letter stating that Columbia's application substantively conformed with the Standard Filing Requirements found in Ohio Adm.Code 4901-7-01, Appendix A.

{¶ 8} By Entry dated August 25, 2021, the Commission found that Columbia's application for an increase in rates and for an alternative rate plan be accepted for filing as of June 30, 2021.

{¶ 9} Staff conducted an investigation of the facts, exhibits, and matters relating to Columbia's applications. On April 6, 2022, Staff filed a comprehensive written report of its investigation in the above-captioned case dockets.

{¶ 10} By Entry dated April 14, 2022, the attorney examiner issued a procedural schedule. The Entry indicated that local public hearings would be scheduled, and publication required, by subsequent entry.

{¶ 11} On May 11, 2022, an Entry was issued scheduling local public hearings.

{¶ 12} On May 19, 2022, an Entry was issued, which scheduled an additional local public hearing.

{¶ 13} On May 20, 2022, Ohio Consumers' Counsel (OCC) filed a motion to allow consumers to participate virtually in the local public hearings. OCC argued that it would be a courtesy for consumers who may not want to attend due to COVID concerns or who are otherwise have limited availability to travel. No memoranda contra were filed.

{¶ 14} At this time, the attorney examiner finds that the motion should be denied. Five local public hearings have already been held throughout Columbia's service territory. Most of the hearings have garnered only a few comments from local consumers or representatives. However, many consumers and representatives have filed written comments in the case, as almost 600 comments have been received as of this date. It is apparent that consumers are participating in the proceeding overwhelmingly by filing written comments rather than through public hearing participation.¹ The attorney examiner declines to grant the motion, as it is unnecessary.

{¶ 15} On June 3, 2022, motions for intervention were granted for Ohio Energy Group, OCC, Ohio Partners for Affordable Energy, Interstate Gas Supply, Inc., Retail Energy

¹ Additionally, the Commission is at the mercy of the venues at which the local public hearings are held. Appropriate equipment, IT troubleshooting, and even internet access for streaming may not be available at all venues.

Supply Association, Northeast Ohio Public Energy Council, Ohio School Council, Ohio Manufacturers' Association Energy Group, Environmental Law & Policy Center, The Kroger Co., Citizens' Utility Board of Ohio, and Industrial Energy Users-Ohio.

{¶ 16} Also on June 3, 2022, the evidentiary hearing was rescheduled to be held on July 13, 2022.

{¶ 17} On June 29, 2022, Columbia filed a motion for continuance of the evidentiary hearing. On July 1, 2022, the attorney examiner granted the motion and rescheduled the evidentiary hearing to take place on August 9, 2022.

{¶ 18} On July 28, 2022, Columbia filed a motion for continuance of the evidentiary hearing until October 18, 2022.

{¶ 19} On August 5, 2022, Columbia filed a letter stating that it will not exercise its rights under R.C. 4909.42 by putting its proposed rates into effect on December 28, 2022, or for 90 days thereafter, unless the rates have been approved by the Commission.

{¶ 20} After Columbia filed its letter, the evidentiary hearing was rescheduled to be held on October 18, 2022.

{¶ 21} On September 1, 2022, OCC filed a motion to hold a local public hearing in Toledo, Ohio. OCC states that R.C. 4903.083 requires that a local public hearing be held in each municipal corporation with a population over 100,000 in the service area. OCC notes that Toledo has a population over 100,000, so a local public hearing must be held in Toledo.

{¶ 22} On September 2, 2022, Columbia filed a memorandum contra, stating that local public hearings have been held in five cities, including Bowling Green, which is only 20 miles south of Toledo. Columbia asserts that the local public hearing that was held in nearby Bowling Green satisfies the statute's intent. Columbia also argues that the time to request a local public hearing in Toledo would have been in May when the Commission scheduled the local public hearings. By waiting this long, Columbia argues that OCC has

forfeited its right to request a local public hearing to be held in Toledo. Specifically, Columbia asserts that OCC should have raised the issue before Columbia paid for newspaper notices to be published for the Bowling Green local public hearing and before the parties and Commission representatives traveled to the local public hearing in Bowling Green. Columbia adds that its Toledo customers would not be prejudiced by denying the motion because they can participate by submitting comments by telephone, mail, or via the Commission's website.

{¶ 23} Although Columbia's arguments are well taken, the attorney examiner finds it appropriate to schedule a local public hearing to be held in Toledo, Ohio, as required by R.C. 4903.083. Accordingly, an additional local public hearing will be held October 14, 2022, at 2:30 p.m., at Toledo City Council Chambers, 1 Government Center, Toledo, Ohio 43604.

{¶ 24} Columbia should publish legal notice of the local public hearing in newspapers of general circulation in the affected service territory once a week for two consecutive weeks prior to the scheduled date of the local public hearing. The legal notice should not appear in the legal notices section of the newspaper. The notice should read as follows:

LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled a local public hearing in Case Nos. 21-637-GA-AIR, *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Increase in Gas Rates*; 21-638-GA-ALT, *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Alternative Rate Plan*; 21-639-GA-UNC, *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of a Demand Side Management Plan*; and 21-640-GA-AAM, *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval to Change Accounting Methods*.

In its applications, Columbia requests approval of an increase in gas distribution rates and an alternative rate plan. In its rate case, Columbia requests a rate increase of \$221,429,000, an increase of 21.3 percent over current revenues. After its review of Columbia's application and records, the Staff of the Commission recommends a revenue increase in the range of \$35,197,000 to \$57,554,000, which represents an increase of between 3.98 percent and 6.34 percent over current revenues. Columbia's application for alternative rate plans seek to implement the following elements: the continuation of the infrastructure replacement rider for an additional five-year period; the continuation of the capital expenditure program rider for an additional five-year term; and the creation of a federally mandated investment rider to recover costs to comply with the Pipeline and Hazardous Materials Safety Administration "Mega Rule" and other future mandated governmental spending.

An additional local hearing is scheduled to provide an opportunity for interested members of the public to testify in these proceedings. The local hearing will be held at 2:30 p.m. on October 14, 2022, at Toledo City Council Chambers, 1 Government Center, Toledo, Ohio 43604.

The evidentiary hearing in these proceedings will commence on October 18, 2022, at 10:00 a.m., at the offices of the Commission, Hearing Room 11-A, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215.

Further information may be obtained by contacting the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio, 43215-3793, by calling the Commission's hotline at 1-800-686-7826, or by visiting the Commission's website at <http://www.puco.ohio.gov>.

{¶ 25} It is, therefore,

{¶ 26} ORDERED, That OCC's May 20, 2022 motion be denied as set forth in Paragraph 14. It is, further

{¶ 27} ORDERED, That OCC's September 1, 2022 motion be granted and a local public hearing in these proceedings be held as set forth in Paragraph 23. It is, further,

{¶ 28} ORDERED, That Columbia publish notice of the hearings as set forth in Paragraph 24. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jacky Werman St. John

By: Jacky Werman St. John
Attorney Examiner

MJA/dmh

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in

Case No(s). 21-0637-GA-AIR, 21-0638-GA-ALT, 21-0639-GA-UNC, 21-0640-GA-AAM

Summary: Attorney Examiner Entry that OCC's May 20, 2022 motion be denied; OCC's September 1, 2022 motion be granted and a local public hearing in these proceedings be held October 14, 2022, at 2:30 p.m., at Toledo City Council Chambers, 1 Government Center, Toledo, Ohio 43604; and Columbia publish notice of the hearings as set forth in Paragraph 24 electronically filed by Ms. Donielle M. Hunter on behalf of Jacky Werman St. John, Attorney Examiner, Public Utilities Commission of Ohio