

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Amendment of the	)	
Rules in Ohio Adm.Code Chapters	)	Case No. 22-813-GA-ORD
4901:1-43 Regarding Recovery of	)	
Infrastructure Development Costs.	)	

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**INITIAL COMMENTS OF  
COLUMBIA GAS OF OHIO, INC.**

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On October 5, 2022, the Public Utilities Commission of Ohio (the “Commission”) directed that interested parties file comments to Staff’s proposed changes to Ohio Adm.Code 4901:1-43 (the “Rules”). Columbia Gas of Ohio, Inc. (“Columbia”) provides these Initial Comments for the Commission’s consideration in its efforts to reduce the number of regulatory restrictions contained in the Rules.<sup>1</sup>

Ohio Adm.Code 4901:1-43-03 outlines the “project information and approval process” in applying for approval of an Economic Development Project. Staff recommends the removal of division (A)(5)(b) and (A)(6) from the Rule. However, Ohio Adm.Code 4901:1-43-03(A) restates the statutory text in R.C. 4929.163. As a result, the Rules need only reference that statute to signal the information required in considering this designation. To accomplish this, Columbia recommends the changes below . In Columbia’s suggestion, changes appearing in red represent Staff’s original suggestion, and changes appearing in blue represent Columbia’s additional recommendation.

**4901:1-43-03 Project information and approval process**

(A) Pursuant to division (A) of section 4929.163 of the Revised Code, a natural gas company may file, prior to beginning construction, for approval of an economic development project through an economic development project notice with the commission's docketing division. This notice ~~shall~~ may contain ~~the~~

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<sup>1</sup> See R.C. 121.951(A)(1)

following any information the natural gas company deems relevant, so long as it includes the items enumerated by section 4929.163(C) of the Revised Code.:

~~(1) The name and location of the project.~~

~~(2) A background of the subject company of the economic development project.~~

~~(3) The level of total investment and capital expenditure by the subject company and the economic development impact. This description shall contain the following information:~~

~~(a) Anticipated number of new jobs created and jobs retained by the project.~~

~~(b) Description of the community served and the benefits to that community.~~

~~(4) To the maximum extent practicable, a description of other potential locations that may compete with the proposed location, including the type, location, and time frame of potentially competing projects.~~

~~(5) The level of infrastructure investment anticipated by the natural gas company. This description shall contain the following information:~~

~~(a) A description of how the infrastructure development costs are projected to generate a return less than the most recently authorized rate of return.~~

~~(b) A description of how the utility will not exceed the one dollar and fifty cents recovery cap on a monthly basis from any single customer in this state.~~

~~(6) The support for the project by an economic development entity or chamber of commerce.~~

Taking this action would eliminate all regulatory restrictions<sup>2</sup> from this division of the Rules. Further, given the clarity of the referenced section of the Revised Code, these changes would not present any confusion related to what is required in filing for an Economic Development Project.

Columbia appreciates the opportunity presented by the Commission to offer these suggestions and respectfully requests that it consider the recommendations presented herein.

**COLUMBIA GAS OF OHIO, INC.**

/s/ John R. Ryan

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<sup>2</sup> As defined by R.C. 121.95(B).

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**Case No(s). 22-0813-GA-ORD**

Summary: Comments Initial Comments electronically filed by Mr. John R. Ryan on  
behalf of Columbia Gas of Ohio