

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
COPLEY BUSINESS CENTER, LLC FOR AN
INCREASE IN RATES AND CHARGES.

CASE NO. 22-489-WS-AIR

ENTRY

Entered in the Journal on December 5, 2022

{¶ 1} R.C. 4909.18 requires, in part, that any public utility seeking to establish, modify, amend, change, increase, or reduce any rate must file an application with the Commission.

{¶ 2} Copley Business Center, LLC (Copley or Applicant) is a waterworks company as defined by R.C. 4905.03(G), a sewage disposal system company as defined by R.C. 4905.03(M) and a public utility as defined by R.C. 4905.02, and as such, is subject to the jurisdiction of this Commission pursuant to R.C. 4905.04, 4905.05, and 4905.06.

{¶ 3} On May 9, 2022, Applicant filed an abbreviated application to increase its rates for sewage disposal service, pursuant to R.C. 4909.18. The Applicant also seeks to set a new rate structure, changing from quarterly billing to monthly billing.

{¶ 4} On July 19, 2022, Staff filed a review and recommendation. Staff indicated that it reviewed the May 9, 2022 application, and that the application substantively conforms to the Standard Filing Requirements for Rate Increase (SFR) as described in Ohio Adm.Code 4901-7-01. Accordingly, Staff recommended that the Commission accept the application for filing as of May 9, 2022.

{¶ 5} On July 27, 2022, the Commission found that (1) Applicant's application met the SFR, (2) Applicant's request to establish the test period as January 1, 2021, to December 31, 2021, and the date certain as July 1, 2021, was reasonable and should be granted, (3) the application was accepted as of the filing date of May 9, 2022, and (4) Applicant's requested waivers of R.C. 4909.18(A) through (E) were reasonable and should be granted.

{¶ 6} On August 29, 2022, Copley filed proof of publication of its rate increase.

{¶ 7} On October 18, 2022, pursuant to R.C. 4909.19, Staff filed a report of its investigation of the facts, exhibits, and matters relating to Copley's application (Staff Report). Copies of the Staff Report were mailed to Copley and other persons the Commission deemed to be interested in the case.

{¶ 8} On November 16, 2022, Copley filed a notice of acceptance of the Staff Report.

{¶ 9} Pursuant to the Entry of October 28, 2022, a prehearing conference was scheduled for January 4, 2023, and an evidentiary hearing was scheduled to begin on January 25, 2023. As part of the same Entry, the attorney examiner established a procedural schedule, which required that any objection to the Staff Report or motions to intervene in the case were due on November 17, 2022.

{¶ 10} No person filed an objection to the Staff Report or motion to intervene in this case.

{¶ 11} At this time, the attorney examiner finds that an evidentiary hearing is not necessary to determine this matter because (1) Copley filed a notice of acceptance of the Staff Report, (2) no party has moved to intervene, and (3) no objections to the Staff Report have been filed. *See* Ohio Adm.Code Chapter 4901-7, Appendix A. Accordingly, the prehearing conference scheduled to commence on January 4, 2023, and the evidentiary hearing scheduled to commence on January 23, 2023, shall be cancelled.

{¶ 12} R.C. 4903.083 requires that the Commission hold at least one public hearing session within Copley's service territory. The public hearing will be held on Monday, January 9, 2023, at 6:00 p.m. at the Fairlawn-Bath Branch of the Akron-Summit County Public Library, McDowell Community Room, 3101 Smith Road, Akron, Ohio 44333. Individuals interested in providing testimony should attend at the designated time and place. Copley is required to publish legal notice of the public hearing in a newspaper of general circulation in all of the affected service territory once a week for two consecutive weeks prior to the scheduled date of the local hearing. The hearing notice should not appear

in the legal notices section of the newspaper. Copley shall file proof of publication of the notice with the Commission. The notice should read as follows:

LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled a local public hearing in Case No. 22-489-WS-AIR, *In the Matter of the Application of Copley Business Center, LLC for an Increase in Rates and Charges*. The local hearing is scheduled for the purpose of providing an opportunity to interested members of the public to testify in the proceeding. The local hearing will be held at the following time and location: Monday January 9, 2023, at 6:00 p.m. at the Fairlawn-Bath Branch of the Akron-Summit County Public Library, McDowell Community Room, 3101 Smith Road, Akron, Ohio 44333.

By its application, Copley Business Center, LLC (Copley) seeks a rate increase that would generate additional base revenues of approximately \$10,942.56, or 115.56 percent over current revenues for the company's water customers and a rate increase that would generate additional base revenue of approximately \$11,620.80 or 115.20 percent over current revenues for the company's sewage disposal customers. The Staff of the Commission recommends a revenue increase of 110.73 percent over current revenues for the company's current water customers and a revenue increase of 110.74 percent over current revenues for the company's current sewage disposal customers. The Applicant also seeks to set a new rate structure, changing from quarterly billing to monthly billing. The major issues in the case are (1) the appropriate base rate, (2) the determination of test-year revenues and operating expenses or costs of service including management fees, taxes, depreciation,

uncollectible expenses, and rate case expenses, and (3) the appropriate rate of return.

At this time, it is not expected that an evidentiary hearing will occur in this case, and the case will be decided based on the information in the docket, as well as the testimony at the public hearing. Additional information may be obtained by contacting the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793, the Commission's hotline at 1-800-686-7826, or the Commission's website at <http://www.puco.ohio.gov>.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the local public hearing be scheduled in accordance with Paragraph 12. It is, further,

{¶ 15} ORDERED, That the notice of the local public hearing be published by Copley as directed in Paragraph 12. It is, further,

{¶ 16} ORDERED, That the prehearing conference scheduled for January 4, 2023, and the evidentiary hearing scheduled for January 25, 2023, be cancelled in accordance with Paragraph 11. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jay S. Agranoff

By: Jay S. Agranoff
Attorney Examiner

JRJ/dmh

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

12/5/2022 2:10:59 PM

in

Case No(s). 22-0489-WS-AIR

Summary: Attorney Examiner Entry that the prehearing conference scheduled for January 4, 2023, and the evidentiary hearing scheduled for January 25, 2023, be cancelled and that the public hearing will be held on Monday, January 9, 2023, at 6:00 p.m. at the Fairlawn-Bath Branch of the Akron-Summit County Public Library, McDowell Community Room, 3101 Smith Road, Akron, Ohio 44333 electronically filed by Ms. Donielle M. Hunter on behalf of Jay S. Agranoff, Attorney Examiner, Public Utilities Commission of Ohio