

## 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 ON REHEARING

Entered in the Journal on March 22, 2023

#### I. SUMMARY

{¶ 1} In this Entry on Rehearing, the Commission grants the applications for rehearing filed by Ohio Partners for Affordable Energy, Environmental Law & Policy Center, and Citizens' Utility Board of Ohio for the limited purpose of further consideration of the matters specified on rehearing.

#### II. APPLICABLE LAW

{¶ 2} Columbia Gas of Ohio, Inc. (Columbia) 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.

{¶ 3} 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. Additionally, 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. After an investigation, the Commission shall approve the alternative rate plan if the natural gas company demonstrates, and the Commission finds, that the 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 that state policy after implementation of the plan. The Commission must also find that the alternative rate plan is just and reasonable, pursuant to R.C. 4929.05.

### III. HISTORY OF PROCEEDINGS

{¶ 4} On May 28, 2021, Columbia filed a notice of intent to file an application for an increase in rates, pursuant to R.C. 4909.43(B) and in compliance with Ohio Adm.Code 4901-7-01, Appendix A, Chapter I of the Commission's Standard Filing Requirements (SFR). Columbia also filed a notice of intent to file an application for an alternative rate plan under R.C. 4929.05 on May 28, 2021. Subsequently, on June 30, 2021, Columbia filed its application (Application) to increase its rates pursuant to R.C. 4909.18 and for approval of an alternative rate plan pursuant to R.C. 4909.18 and R.C. 4929.05.

{¶ 5} The following entities were granted intervention in these proceedings: Ohio Energy Group (OEG), Ohio Consumers' Counsel (OCC), Ohio Partners for Affordable Energy (OPAE), Interstate Gas Supply, Inc. (IGS), Retail Energy Supply Association (RESA), Northeast Ohio Public Energy Council (NOPEC), Ohio School Council (OSC), Ohio Manufacturers' Association Energy Group (OMAEG), Environmental Law & Policy Center (ELPC), The Kroger Co. (Kroger), Citizens' Utility Board of Ohio (CUB), and Industrial Energy Users-Ohio (IEU-Ohio).

{¶ 6} Pursuant to R.C. 4909.19, Staff conducted an investigation of the facts, exhibits, and matters relating to the application. Staff filed a written report of its investigation (Staff Report) on April 6, 2022. Objections to the Staff Report were filed by various parties on May 6, 2022.

{¶ 7} On October 31, 2022, a stipulation and recommendation (Stipulation) was filed by Columbia, OCC, IGS, RESA, NOPEC, OSC, OMAEG, Kroger, IEU-Ohio, OEG<sup>1</sup>, and Staff (collectively, Signatory Parties). On November 3, 2022, Columbia filed a corrected version of Stipulation Appendix A. On November 9, 2022, Columbia filed corrections to the Stipulation. On December 16, 2022, Columbia filed Appendix F to the Stipulation.

{¶ 8} If adopted, the Signatory Parties assert the Stipulation would resolve all of the issues in these proceedings.

{¶ 9} The evidentiary hearing was called on June 15, 2022, and was continued to July 13, 2022, then rescheduled by subsequent attorney examiner entries to November 21, 2022.

{¶ 10} On January 26, 2023, the Commission issued its Opinion and Order in this proceeding, approving the Stipulation.

{¶ 11} R.C. 4903.10 states that any party to a Commission proceeding may apply for rehearing with respect to any matters determined by the Commission, within 30 days of the entry of the order upon the Commission's journal.

{¶ 12} On February 27, 2023, OP AE, ELPC, and CUB each filed an application for rehearing. OP AE filed a corrected application for rehearing later that same day. ELPC filed a corrected application for rehearing on February 28, 2023.

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<sup>1</sup> Although OEG did not sign the Stipulation filed on October 31, 2022, OEG filed a letter on November 4, 2022, stating that it supports the Stipulation and should be added as a signatory party.

{¶ 13} On March 9, 2023, Columbia and OCC filed memoranda contra the applications for rehearing filed by OPAE, ELPC and CUB.

#### IV. DISCUSSION

{¶ 14} The Commission grants the applications for rehearing filed by the parties. We believe that sufficient reason has been set forth by the parties to warrant further consideration of the matters specified in the application for rehearing.

#### V. ORDER

{¶ 15} It is, therefore,

{¶ 16} ORDERED, That the applications for rehearing filed by OPAE, ELPC and CUB be granted for the limited purpose of further consideration of the matters specified on rehearing. It is, further,

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

#### COMMISSIONERS:

##### *Approving:*

Jenifer French, Chair  
Lawrence K. Friedeman  
Daniel R. Conway  
Dennis P. Deters

GAP/JWS/mef

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

Summary: Entry on Rehearing granting the applications for rehearing filed by Ohio Partners for Affordable Energy, Environmental Law & Policy Center, and Citizens' Utility Board of Ohio for the limited purpose of further consideration of the matters specified on rehearing. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio.