

## 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 4, 2024

#### I. SUMMARY

{¶ 1} In this Entry, the Commission finds that rehearing has been denied by operation of law in the above-captioned cases and in all of the cases listed in the Attachment to this Entry.

#### II. APPLICABLE LAW

{¶ 2} 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. If the Commission does not grant or

deny such application for rehearing within thirty days from the date of filing thereof, it is denied by operation of law.

### III. DISCUSSION

{¶ 3} On August 27, 2024, the Supreme Court of Ohio issued a ruling on a motion to dismiss filed in *In re Application of Moraine Wind, L.L.C.*, In this ruling, the Court held that the Commission lacked statutory authority to grant more time for consideration of an application for rehearing; therefore, because the Commission did not rule on an application for rehearing filed in that case within 30 days of the filing of the application for rehearing, the application was denied by operation of law. *In re Application of Moraine Wind, L.L.C.*, Slip Opinion No. 2024-Ohio-3224 at ¶ 11-12, 17, 27. In light of the Court's decision in *Moraine Wind*, the Commission concludes that rehearing has been denied by operation of law in the above-captioned cases and in all of the cases listed in the Attachment to this Entry. Accordingly, the Commission finds that these cases should be closed of record. We take this action today because it is essential for the parties to know the Commission's understanding of the impact of the *Moraine Wind* ruling upon cases pending before the Commission and for the parties to have the opportunity to challenge what we believe to be the result of the *Moraine Wind* ruling.

### IV. ORDER

{¶ 4} It is, therefore,

{¶ 5} ORDERED, That the above-captioned case, and all cases listed on the Attachment to this Entry, be closed of record. It is, further,

{¶ 6} ORDERED, That a copy of this Entry be served upon all parties of record in the above-captioned case, and in all cases listed on Attachment to this Entry.

**COMMISSIONERS:**

*Approving:*

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

GAP/js

**ATTACHMENT**

<i>In re Application of Duke Energy Ohio, Inc.</i>	Case Nos. 22-507-GA-AIR, et al.
<i>In re Application of The East Ohio Gas Co.</i>	Case No. 21-1095-GA-RDR
<i>In re Application of AES Ohio</i>	Case Nos. 20-1651-EL-AIR, et al.
<i>In re Application of Suvon Energy</i>	Case No. 20-103-EL-AGG
<i>In re Application of The Dayton Power and Light Co.</i>	Case No. 18-1605-EL-RDR
<i>In re Application of The Dayton Power and Light Co.</i>	Case Nos. 15-1830-EL-AIR, et al.
<i>Ohio Consumers' Counsel v. Duke Energy Ohio, Inc.</i>	Case No. 15-1588-GE-CSS
<i>In re Investigation of Verde Energy USA Ohio, LLC</i>	Case No. 19-958-GE-COI
<i>In re Application of Duke Energy Ohio, Inc.</i>	Case Nos. 14-375-GA-RDR, et al.

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

**9/4/2024 3:15:05 PM**

**in**

**Case No(s). 21-0637-GA-AIR, 21-0638-GA-ALT, 21-0639-GA-UNC, 21-0640-GA-AAM, 22-0507-GA-AIR, 22-0508-GA-ALT, 22-0509-GA-ATA, 22-0510-GA-AAM, 21-1095-GA-RDR, 20-1651-EL-AIR, 20-1652-EL-AAM, 20-1653-EL-ATA, 20-0103-EL-AGG, 18-1605-EL-RDR, 15-1830-EL-AIR, 15-1831-EL-AAM, 15-1832-EL-ATA, 15-1588-GE-CSS, 19-0958-GE-COI, 14-0375-GA-RDR, 14-0376-GA-ATA, 16-0542-GA-RDR, 16-0543-GA-ATA, 15-0452-GA-RDR, 15-0453-GA-ATA, 18-1830-GA-UNC, 18-1831-GA-ATA, 17-0596-GA-RDR, 17-0597-GA-ATA, 18-0283-GA-RDR, 18-0284-GA-ATA, 19-0174-GA-RDR, 19-0175-GA-ATA, 20-0053-GA-RDR, 20-0054-GA-ATA, 19-1085-GA-AAM, 19-1086-GA-UNC**

Summary: Entry finding that rehearing has been denied by operation of law in the captioned cases and in all of the cases listed in the Attachment to this Entry. electronically filed by Ms. Mary E. Fischer on behalf of Public Utilities Commission of Ohio.