

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
The Cincinnati Gas & Electric Company) Case No. 01-1228-GA-AIR
For an Increase in its Gas Rates in its)
Service Territory.)

In the Matter of the Application of)
The Cincinnati Gas & Electric Company) Case No. 01-1478-GA-ALT
For Approval of an Alternative Rate Plan)
For its Gas Distribution Service.)

ENTRY

The Commission finds:

- (1) Applicant, The Cincinnati Gas & Electric Company, is a natural gas company as defined by Section 4905.03(A)(6), Revised Code, and a public utility as defined by Section 4905.02, Revised Code. Applicant is therefore subject to the jurisdiction of this Commission.
- (2) The notice of intent to file an application for an increase in rates was received on June 28, 2001, pursuant to Section 4909.43(B), Revised Code, and in compliance with amended Chapter I of the Commission's Standard Filing Requirements, Sections A and B. This filing also includes a notice of intent to file an application for approval of an alternative rate plan for its gas distribution service. Pursuant to Section 4909.43(B), Revised Code, and Rule 4901:1-19-05(A), Ohio Administrative Code (O.A.C.), such notices must be filed no later than thirty days prior to the filing of the applications.
- (3) The application to increase rates and the application for an alternative rate plan were received by this Commission on July 31, 2001, and are subject to Section 4909.18, Revised Code. The applications were further supplemented on September 12, 2001 and October 9, 2001.
- (4) Section 4909.18, Revised Code, enumerates the statutory requirements for an application to increase rates. The Commission adopted Rule 4901-7-01, O.A.C., and Appendix thereto (Standard Filing Requirements) pursuant to Sections 4901.13, 4909.04(C), and 4909.18, Revised Code. These Standard Filing Requirements specify the format for filing all information required in an application for an increase in rates and they delineate the information which the Commission, in its discretion, requires pursuant to Section 4909.18(F), Revised Code. The requirements

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for the filing of an application for an alternative rate plan are set forth in Section 4901:1-19-05, O.A.C.

- (5) The applications of The Cincinnati Gas & Electric Company meet the requirements of Section 4909.18, Revised Code, and this Commission's Standard Filing Requirements, as well as the requirements of Section 4901:1-19-05, O.A.C. The applications should be accepted for filing as of July 31, 2001.
- (6) The proposed notice for publication Schedule S-3, complies with the requirements of Section 4909.18(E), Revised Code, and should be approved. The Commission believes the notice of publication should be as clear and concise as possible to achieve the greatest cost effectiveness while complying with the Commission's Standard Filing Requirements and Section 4909.18(E), Revised Code. The Applicant shall begin publication of this notice, pursuant to Section 4909.19, Revised Code, within thirty days of the date of this Entry and such notice shall not appear in the legal notices section of the newspaper.
- (7) On July 31, 2001, the Applicant also filed a request to waive the filing of Rule 4901:1-19-05(C)(2)(e) and (h), O.A.C. These two sections of the O.A.C. require the Applicant to provide a matrix showing how rates, services, and regulations in the plan are affected during the term of the plan and projected financial data through the term of the plan. The Applicant states that sufficient information will be provided to allow the Commission Staff to evaluate the Alternate Rate Plan and, in the event additional data is required by the Staff, the information will be provided in response to data requests. The Commission is of the opinion that the request to waive Rule 4901:1-19-05(e) and (h), O.A.C. is reasonable and should be granted.

Granting of these waivers does not preclude the Staff from obtaining the information waived through data request if subsequently deemed necessary to complete the Staff's investigation effectively and efficiently.

It is, therefore,


ORDERED, That the applications of The Cincinnati Gas & Electric Company are accepted for filing as of July 31, 2001. It is, further,

ORDERED, That the proposed newspaper notice submitted by The Cincinnati Gas & Electric Company is approved for publication as set forth in Finding No. (6) above. It is, further,


ORDERED, That the request to waiver Rule 4901:1-19-05 (e) and (h), O.A.C., is granted as set forth in Finding No. (7). It is, further,

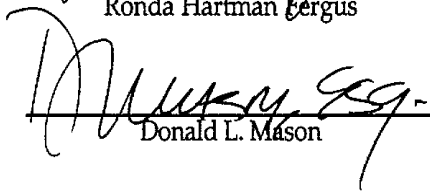
ORDERED, That a copy of this Entry be served upon all parties of record.

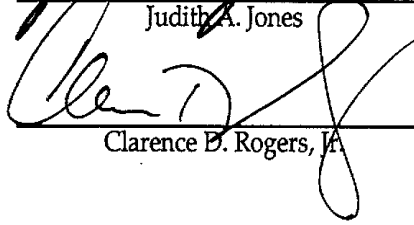
THE PUBLIC UTILITIES COMMISSION OF OHIO


Alan R. Schriber, Chairman


Ronda Hartman Bergus

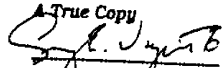

Judith A. Jones


Donald L. Mason


Clarence B. Rogers, Jr.

LGH:sm

Entered in the Journal
OCT 31 2001

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Gary E. Vigorito
Secretary