

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's Review )  
of its Rules at Chapters 4901:1-17 and )  
4901:1-18, Ohio Administrative Code, )  
Regarding the Establishment of Credit for ) Case No. 03-888-AU-ORD  
Residential Utility Services and the )  
Disconnection of Natural Gas or Electric )  
Service to Residential Customers, )  
Respectively. )

In the Matter of the Application of Pike )  
Natural Gas Company, Eastern Natural )  
Gas Company and Southeastern Natural ) Case No. 05-1312-GA-UNC  
Gas Company for Approval of New Bill )  
and Disconnect Notice Formats. )

ENTRY

The Commission finds:

- (1) On September 1, 2004, in Case No. 03-888-AU-ORD (03-888), amended rules in Chapters 4901:1-17 and 4901:1-18, Ohio Administrative Code (O.A.C.), became effective. Among the rules amended were Rule 4901:1-18-09(B), O.A.C., which lists the specific information to be provided on residential gas bills, and Rule 4901:1-18-05(A), O.A.C., which lists the requirements for the disconnection notice.<sup>1</sup>
- (2) On April 7, 2005, in 03-888, Pike Natural Gas Company (Pike), Eastern Natural Gas Company (Eastern) and Southeastern Natural Gas Company (Southeastern) (hereinafter referred to jointly as the Clearfield Companies or Companies) filed an application for waiver of Rule 5(A)(5)(c) through (e) and (i), and Rule 9(B)(4), (5), (21) and (24).
- (3) In the waiver application, the Clearfield Companies state that the Companies currently issue a postcard-size bill and disconnection notice. The Companies assert that to comply with the amended rules in Chapters 4901:1-17 and 4901:1-18, O.A.C., would require a complete transformation of their bill formats and disconnect notice. The Companies state that

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<sup>1</sup> Hereinafter, the rules in Chapter 4901:1-18, O.A.C., will be referred to by rule number and section only. For example, Rule 4901:1-18-09(B)(4), O.A.C., will be referred to simply as Rule 9(B)(4).

revising the companies' customer bills and disconnection notices will require significant programming modifications and necessitate contracting with an information technology company to reformat their customer bills and disconnection notices to comply with the rules.

- (4) The Clearfield Companies also state, in their initial request for waiver, that two of their companies have either filed or intend to file a rate case (Eastern has filed a rate case<sup>2</sup> and Pike intends to file a rate case in the near future<sup>3</sup>), and those two Companies will have to revise their tariffs which will require corresponding changes in other areas, including their bill formats. As a result, the Companies request a waiver of the customer bill and disconnect notice requirements, until one year after the issuance of this entry, to file new proposed bill formats and disconnect notice.
- (5) Specifically, the Companies request a waiver of Rule 9(B) to the extent that the rule requires residential customer bills to include a statement that customers with bill questions or complaints should call or write the natural gas company first and include the company's contact information, pursuant to section 4 of the rule, and Commission contact information, pursuant to section 5. In addition, the Companies request a waiver of the percentage of income payment program (PIPP) billing information and historical consumption information as required in accordance with Rule 9(B)(21) and (24).
- (6) On October 25, 2005, as amended on October 26, and November 1, 2005, the Clearfield Companies filed, in docket number 05-1312-GA-UNC (05-1312), an application for approval of new bill formats and a new disconnection notice. In this filing, the Clearfield Companies have revised their bill formats to provide the Companies' customers with sufficient information to contact each company and/or the Commission for further information about their utility service as required by Rule 9(B)(4) and (5). Also, the Companies have revised the PIPP bill information to more clearly present the required PIPP account and arrearage information on PIPP customer bills in accordance with Rule 9(B)(21).

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<sup>2</sup> See Case No. 04-1779-GA-AIR, *In the Matter of the Application of Eastern Natural Gas Company for Authority to Amend its Filed Tariffs to Increase the Rates and Charges for Gas Services and Related Matters*.

<sup>3</sup> Pike filed the rate application on June 28, 2005. See Case No. 05-824-GA-AIR, *In the Matter of the Application of Pike Natural Gas Company for Authority to Amend its Filed Tariffs to Increase the Rates and Charges for Gas Services and Related Matters*.

- (7) The Commission agrees with the Companies' assertion that, with the changes made to their bill formats and disconnection notice, the bill formats and disconnect notice substantially comply with the requirement of Rule 9(B)(4), (5) and (21), as currently effective.
- (8) In 05-1312, the Companies renew their request for a waiver of the requirement to include historical consumption information on customer bills as required by Rule 9(B)(24). The Companies note that, as small local distribution companies with less than 15,000 customers, Eastern, Pike and Southeastern are exempt from opening their distribution systems to competitive retail natural gas service providers pursuant to Section 4929.29, Revised Code.
- (9) The Commission recognizes that, pursuant to Section 4929.29, Revised Code, gas distribution companies who serve 15,000 or fewer customers are exempt from the requirement to open their distribution systems to competitive retail natural gas suppliers. We are also aware that the Clearfield Companies each serve fewer than 15,000 customers (Eastern, 6,775 customers; Pike, 7,111 customers; and Southeastern, 1,476 customers). However, historical consumption information is useful to all customers, not just customers with the option to select a gas choice provider. Therefore, the Commission finds it reasonable to grant the Clearfield Companies' request for a waiver of Rule 9(B)(24) which requires the historical consumption information on customer bills, contingent upon the Companies providing such historical consumption information to any customer upon request.
- (10) Further, in the 03-888 filing, the Clearfield Companies requested certain waivers in regards to the disconnection notice. Rule 5(A)(5), O.A.C., requires that the disconnection notice, or documents accompanying the disconnection notice, list contact information for the company; state that Commission Staff is available to assist with unresolved complaints and list Commission contact information; inform customers that a security deposit and reconnection charge may be required and the dollar amount of such charges; provide an explanation of the payment plans and options available to a customer whose account is delinquent; and note that the customer can contact the company for a list of authorized payment agents.
- (11) The Clearfield Companies have revised their disconnect notice to substantially comply with the requirements of Rule 5(A)(5)

such that the Commission finds that a waiver of the noted provisions of Rule 5(A) is not necessary.

- (12) The Clearfield Companies are put on notice that the Commission recently adopted rule amendments that revise the billing and disconnection notice requirements set forth in Rule 5 and Rule 9, among other rules, in Case No. 05-1350-AU-ORD (05-1350), *In the Matter of the Amendment of Certain Rules of the Ohio Administrative Code to Implement Sections 4905.261 and 4911.021, Revised Code*, to revise the Ohio Consumers' Counsel's (OCC) contact information. The Commission recognizes that implementing the new bill formats and notices pursuant to the decision in this case, 05-1312, and to incorporate the OCC contact information, pursuant to 05-1350, will both require the Companies to revise their bill formats and disconnection notices. If the implementation of new bill formats and notices in accordance with 05-1312 and, shortly thereafter, the implementation of revisions pursuant to 05-1350 will cause the Companies to incur undue and burdensome programming and/or printing expenses, the Companies are directed to file a request for an extension of time to comply with the directives in this entry to coordinate with the effective date of compliance with the administrative rule notice and billing requirements adopted in 05-1350. Any request for such an extension should be filed in this docket.

It is, therefore,


ORDERED, That the Clearfield Companies' April 7, 2005 requests for waivers in 03-888 of Rule 5(A)(5)(c) through (e) and (i) and Rule 9(B)(4), (5), and (21) are no longer necessary as the Companies have proposed in 05-1312 acceptable bill formats. It is, further,

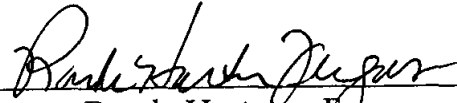
ORDERED, That the Clearfield Companies' requests in 03-888 and 05-1312 for a waiver of Rule 9(B)(24), which requires that historical consumption information be listed on the customer bill, are granted contingent upon the Companies providing such information to customers upon request. It is, further,

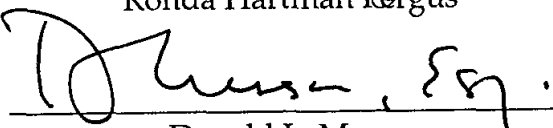
ORDERED, That, subject to today's ruling, the revised proposed bill formats and disconnection notice in 05-1312 are approved. It is, further,


ORDERED, That a copy of this entry be served upon the Clearfield Companies and their counsel and all other interested persons of record in 05-1312-GA-UNC.

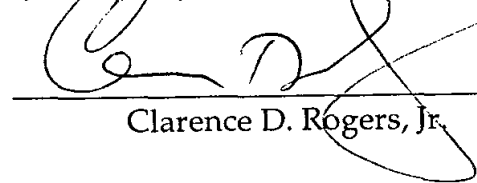
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
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Alan R. Schriber, Chairman

  
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Ronda Hartman Fergus

  
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Donald L. Mason

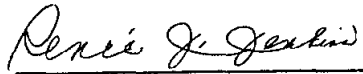
  
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Judith A. Jones

  
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Clarence D. Rogers, Jr.

GNS/vrm

Entered in the Journal

**FEB 1 2008**

  
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Renee J. Jenkins  
Secretary