

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Investigation into Long-)
Term Solutions Concerning Disconnection of) Case No. 83-303-GE-COI
Gas and Electric Service in Winter Emergen-) (Phase I)
cies.)

In the Matter of the Study of the Current State) Case No. 01-152-GA-UNC
of the Natural Gas Industry in Ohio.)

ENTRY

The Commission finds:

- (1) On October 18, 2000, the Commission issued an entry in Case No. 83-303-GE-COI (83-303). The Commission directed the gas and natural gas companies and the electric distribution utilities under its jurisdiction to reconnect the service of those who have had their service disconnected for nonpayment or maintain the service of those who have received a notice that their service is to be disconnected for nonpayment, provided that the person seeking to have service restored or maintained meets certain conditions set forth in the entry. At that time, we did not impose a general moratorium on the disconnection of gas, natural gas, or electric service for nonpayment of bills.
- (2) Thereafter, due to the sharp increase in the cost of natural gas and one of the coldest months of November and December on record in Ohio, the Commission expressed its concern on January 25, 2001, in 83-303, that many customers of gas, natural gas, and electric service may not be able to pay their increased winter heating bills during the very cold months. Therefore, the Commission prohibited all gas, natural gas, or electric distribution utilities subject to the Commission's jurisdiction from disconnecting residential gas or electric service for nonpayment of bills for a 60-day period, as long as the customer is on an extended payment plan with the utility, or the customer agrees to enroll in the percentage of income payment plan, if eligible, or another extended payment plan.
- (3) On January 19, 2001, the Ohio Consumers' Counsel (OCC) filed a petition requesting that the Commission investigate the current state of the natural gas industry in Ohio. That petition was docketed as Case No. 01-152-GA-UNC (01-152). OCC suggested the following topics to be covered by the investigation: the cause of the high natural gas prices and the methods to prevent the high prices in the future, the appropriateness of the current rates and the prudence of the gas purchasing and procurement policies of Ohio's four largest local distribution

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companies, a review of Ohio's gas choice programs, and alternatives available to consumers who cannot pay their bills and who are ineligible for low income energy assistance programs.

- (4) On March 16, 2001, the Neighborhood Environmental Coalition, Empowerment Center, and Consumers for Fair Utility Rates jointly filed a motion to intervene in Case No. 01-152-GA-UNC and join in the petition of OCC. These joint movants support OCC's petition and also recommend other matters appropriate for an investigation of Ohio's natural gas industry, as well as other actions they feel would be appropriate for the Commission to take. One of the joint movants' suggestions relates to the current disconnection moratorium. Specifically, the joint movants ask the Commission to extend the moratorium deadline (as applied to residential and small commercial gas customers) until at least July 1, 2001, when they claim warm weather returns to northern Ohio.
- (5) The disconnection moratorium was put in place to assist customers in maintaining their gas, natural gas, and electric service throughout the very cold winter months. The moratorium period expires on March 26, 2001.
- (6) We only received the joint movants' filing last week. However, the 60-day moratorium will end very soon. Therefore, we believe it is now appropriate to address that one aspect of the joint movants' filing because of the impending deadline. The remaining aspects of the joint movants' filing will be considered further.
- (7) The Commission does not agree that the disconnection moratorium should be extended (in whole or in part) until July 1, 2001. We continue to believe the 60-day period we originally ordered is ample to assist customers during the very cold Ohio weather. Therefore, we deny the joint movants' request to extend the deadline. We, however, expect the utility companies to follow the applicable disconnection requirements and procedures set forth in Sections 4933.121 and 4933.122, Revised Code, and Chapter 4901:1-18, Ohio Administrative Code. In stating this, we emphasize that the gas, natural gas, and electric companies must provide all customers, who are subject to disconnection for nonpayment at the end of the moratorium period, the necessary advanced notice of such impending disconnection. We specifically clarify that those companies can pursue disconnection for delinquency only after serving, after March 26, 2001, new fourteen-day disconnection notices and additional ten-day notices, along with the applicable 24-hour notices prior to

disconnection.¹ No disconnection notices served prior to March 26, 2001 shall satisfy this directive.

It is, therefore,

ORDERED, That the joint request of Neighborhood Environmental Coalition, Empowerment Center, and Consumers for Fair Utility Rates to extend the deadline of the current service disconnection moratorium is denied. It is, further,

ORDERED, That the regulated Ohio gas, natural gas, and electric companies comply with the directives of this Entry. It is, further,

ORDERED, That a copy of this Entry be served upon: Neighborhood Environmental Coalition; Empowerment Center; Consumers for Fair Utility Rates; OCC; all regulated gas, natural gas, and electric companies in Ohio; all parties served with a copy of our January 25, 2001 entry in 83-303; and all interested persons of record in 83-303 and 01-152.

THE PUBLIC UTILITIES COMMISSION OF OHIO



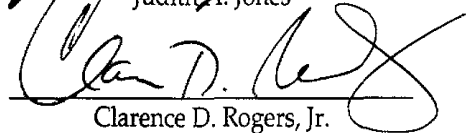
Alan R. Schriber, Chairman

Ronda Hartman Fergus



Judith A. Jones

Donald L. Mason



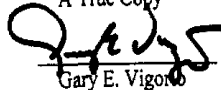
Clarence D. Rogers, Jr.

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Entered in the Journal

MAR 22 2001

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Gary E. Vigoro
Secretary

¹ Rule 4901:1-18-04(A), Ohio Administrative Code, requires that no gas, natural gas, or electric residential service may be disconnected for nonpayment unless notice of the pending disconnection is provided at least 14 days in advance. Rule 4901:1-18-04(C), Ohio Administrative Code, requires that such pending residential service disconnections for nonpayment not occur between November first and April 15, unless the advance notice is given an additional 10 days earlier (for a total of 24 days in advance). Finally, Rule 4901:1-18-04(A), Ohio Administrative Code, requires gas, natural gas, and electric companies to provide a minimum of 24-hour notice to county departments of human services that have requested lists of customers whose service will be terminated for nonpayment.