

OHIO CUMBERLAND GAS COMPANY

**RULES, REGULATIONS AND RATES
GOVERNING THE
DISTRIBUTION AND TRANSPORTATION OF GAS**

CASE NO. 02-1200-GA-AIR

ISSUED: January 24, 2003

EFFECTIVE: January 24, 2003

OHIO CUMBERLAND GAS COMPANY

FIRST REVISED Sheet No. 0 - 1
Replaces Original Sheet No. 0 - 1

RULES, REGULATIONS AND RATES GOVERNING
THE DISTRIBUTION AND TRANSPORTATION OF GAS

TABLE OF CONTENTS

	Sheet No.
SECTION I - SERVICE	1 - 1
SECTION II - METER AND BILLING	2 - 1
SECTION III - PHYSICAL PROPERTY	3 - 1
SECTION IV - DISTRIBUTION SERVICE	4 - 1
SECTION V - TRANSPORTATION SERVICES	5 - 1
SECTION VI - GENERAL	6 - 1

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OHIO CUMBERLAND GAS COMPANY
MARK R. RAMSER, PRESIDENT

**RULES, REGULATIONS AND RATES GOVERNING
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SECTION I - SERVICE

1. **AVAILABILITY.** Available to the extent of Company's gas supply and Company's gas distribution facilities in all territories where the Company's distribution facilities are located, to Customers who contract for gas service under the terms and conditions stated herein, and subject to the Rules, Regulations and Rates filed by the Company from time-to-time with the Public Utilities Commission of Ohio, and any subsequent revision thereof, and to the lawful orders of regulatory authorities having jurisdiction.

New service availability from the Company's gathering facilities is at the Company's discretion based on long-term plans for the specific gathering line involved.

2. **APPLICATION FOR SERVICE.** All applications for service shall be made through the local office of the Company.
3. **SERVICE NOT TRANSFERABLE.** No person may commence the use of gas until after making application therefor. In the event of violation of this provision, in addition to other rights of the Company, such person shall be liable for all gas consumed in the premises from the date the customer moved into and/or agreed to take responsibility for the premises, according to Rule 4901:1-18-06 (D) (3) Ohio Administrative Code. Any successor in interest to a Customer, including without limitation, heirs, executors, administrators, assignees, trustees, guardians, receivers, and conservators, shall be deemed to be a person who must make application for service, provided that successors in interest whose rights arise from death or incompetence of the Customer shall have thirty (30) days in which to make application.

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4. CONTINUITY OF SERVICE. The Company shall make reasonable provision to supply gas in sufficient quantity and at adequate uniform pressure, but does not guarantee constant supply or adequate or uniform pressure. The Company shall not be liable in damages for failure to supply gas or for interruptions in service, and shall be relieved of its obligations to serve and may discontinue or modify service, if such failure or interruption is due to acts of God or the public enemy, military actions, wars, insurrections, riots, civil disturbances, vandalism, strikes, fires, floods, washouts, explosions, acts or orders of any civil, judicial or military authorities, failure of gas supply or gas facilities, and without limitation by the foregoing, accidents, contingencies or other causes beyond the control of the Company.

Without incurring any liability therefore, the Company may also suspend service after reasonable notice, for such period as may be reasonably necessary to make repairs to or changes in its plant, transmission or distribution systems, or other property.

5. CHARACTER OF SERVICE. The Company's supply of natural gas is received from natural gas interstate pipelines and local Ohio gas wells. Thus, the heating value and specific gravity of gases received may vary between delivery points and from day-to-day. These variations are beyond the control of the Company, which can only dispatch the gases received. Natural gas delivered to a Customer shall have a heating value of not less than 900 BTUs per cubic foot, when measured as prescribed by Section 4933.06 of the Ohio Revised Code.
6. SERVICE NOT TO BE DISTURBED. No Customer shall attach or use any appliance which may result in the injection of air, water, or other foreign matter into the Company's lines; and, without prior approval from the Company, no Customer shall attach or use any appliance which will increase or decrease the pressure in the Company's lines intermittently to such extent as to interfere with continuous service to other Customers.

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SECOND REVISED Sheet No. 1 – 3
Replaces First Revised Sheet No. 1 - 3

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7. **NO CUSTOMER SHALL SELL TO ANOTHER.** The Customer shall not supply or sell gas for use in any location or by any person other than that specified in the application for service.
8. **ACCESS TO PREMISES.** The Company and its authorized employees shall have access at all reasonable times to its facilities and at all of the premises in which gas supplied by the Company is used or is to be used. The Customer shall, at reasonable request of the Company, trim all shrubs, trees, or bushes that may obstruct meter reading, maintenance, or other activities that may be performed by the Company. Upon request, the employee of the Company shall identify himself/herself and provide Company photo identification and state the reason for the visit.
9. **CUSTOMER'S RESPONSIBILITIES.** Customer assumes all responsibility for property owned by the Customer on Customer's side of the point of delivery, which will be the outlet side of the meter, as well as for the installation and appliances used in connection therewith, and will save Company harmless from and against all claims for injury or damage to persons or property occasioned by or in any way resulting from such service or the use thereof on Customer's side of the point of delivery.
10. **RIGHT-OF-WAY AND LINES.** Customer, without reimbursement, unless otherwise agreed to, will make or procure conveyance to Company of right-of-way ~~and installed line satisfactory to it across property~~ between Company's lines and Customer's property at the location where service is to be furnished, including property owned or controlled by Customer for Company's distribution mains, extensions thereof, or appurtenances necessary or incidental to the supplying of service to Customer.
11. **CHARGES AND PAYMENT FOR TEMPORARY SERVICE.** In addition to regular payments for gas used, the Customer shall pay the cost for all material, labor, and other necessary expense incurred by the Company in supplying gas service to the Customer at his request for any temporary purpose or use.

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12. **CUSTOMER INDEBTED TO COMPANY.** Subject to the requirements of Chapter 4901:1-17, Ohio Administrative Code, service will not be supplied to any premises if at the time of application for service the applicant is indebted to Company for any service of like type previously supplied at the same or other premises, until payment of such indebtedness or other arrangement satisfactory to the Company shall have been made.
13. **CUSTOMER SHALL SATISFACTORILY SECURE ACCOUNT.** Subject to the requirements of Section 4933:17, Revised Code, and Chapter 4901:1-17, Ohio Administrative Code, Company may require a Customer satisfactorily to secure an account. In the event such security is required, the procedures with respect thereto shall be in accordance with orders of the Public Utilities Commission of Ohio. Copies of such orders shall be made available for inspection upon the request or inquiry of any Customer or applicant for service.
14. **RIGHT TO SHUT OFF GAS.** After reasonable notice, the Company shall have the right to discontinue service and the right to disconnect and remove from the premises of any consumer the meter and any other property belonging to the Company for any of the following reasons or purposes subject to Rule 4901-1-18-03, Ohio Administrative Code.

The Company shall follow the termination procedures for residential customers established in Rule 4901:1-18, Ohio Administrative Code, and for small commercial customers established in Rule 4901:1-13-08, Ohio Administrative Code and any subsequent revisions thereof, and to orders of the P.U.C.O. and orders of any other regulatory authorities having jurisdiction. Copies of the Company's procedure and of the rules shall be made available for inspection upon the request or inquiry of any Customer or applicant for service.

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15. **CHANGE OF ADDRESS OF CUSTOMER.** When a Customer's address changes, the Customer must give notice thereof to the Company prior to the date of change. The Customer is responsible for all service supplied to the vacated premises until such notice has been received and the company has had a reasonable time, but not more than three (3) business days, to discontinue service.
16. **INFORMATION RELATIVE TO SERVICE.** Information relative to the service that will be supplied at a given location should be obtained from Company. Information given orally or over the telephone shall be subject to confirmation by these Rules and Regulations and the written communications of the Company.
17. **MINIMUM SERVICE STANDARDS.** The Company shall comply with the minimum gas service standards set forth in Chapter 4901:1-13, Ohio Administrative Code. These rules supersede any inconsistent provisions, terms, and conditions that may be found elsewhere in these tariffs with the exception of those cases where the Company has elected to adopt superior standards of service, reliability or greater protection for customer or consumers. Further the Company may adopt tariff provisions that involve areas not addressed in Chapter 4901-1-13 of the Ohio Administrative Code. Where the Public Utility Commission has granted a waiver the Company shall comply with any Entry granting such waiver. Copies of Chapter 4901:1-13, O.A.C., shall be made available for inspection upon the request or inquiry of any customer or applicant for service.

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SECTION II – METERING AND BILLING

1. **QUANTITY OF GAS DELIVERED BY METER.** Gas will be measured by a meter installed by the Company, which shall be and remain the property of the Company. Subject to certain exceptions, enumerated below, consumption shall be determined on the basis of the meter registration and bills shall reflect the consumption so registered. Any mistake in reading the registration, however, shall not affect the liability for gas consumed as determined by a corrected reading of the registration. Metering shall comply with the requirements of Rule 4901:1-13-04, Ohio Administrative Code, or any subsequent revisions thereof.

UNIT OF MEASUREMENT. The unit of measurement shall be that quantity of gas which will occupy one (1) cubic foot at a pressure base of fourteen and seventy-three hundredths (14.73) pounds per square inch absolute [thirty inches (30") of mercury], a temperature base of sixty (60^o) degrees Fahrenheit [five hundred twenty (520^o) degrees absolute], and without adjustment for water vapor content. To determine the volume of gas delivered, volumetric calculations shall follow the recommendations of the latest edition of the American Gas Association (A.G.A.) Report No. 3, No. 7, or Section 2.1 of the A.G.A. Gas Measurement Manual for orifice, turbine or positive displacement meters, respectively.

NON-METERED SERVICE. Without prejudice to its providing metered service, where warranted, the Company may provide gas light service on a non-metered basis, using for billing purposes the approximate average consumption of such appliance at the Company's current applicable rate.

ESTIMATED BILL. When the meter is not read, the Company may estimate the quantity of gas consumed and render a bill for such quantity.

CORRECT METER. A meter registering between three percent (3%) fast and three percent (3%) slow shall be deemed for all purposes to be registering correctly. A meter registering incorrectly shall be replaced or recalibrated by the Company at its expense.

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INCORRECT METER READINGS. During any period that incorrect registration can be established, the meter readings and bills based thereon shall be adjusted by the Company on the basis of all available information concerning the use of gas by the Customer. If, as the result of such adjustment, overpayments or underpayments are shown to have occurred, the Company shall reimburse the Customer in the amount of such overpayment; and subject to the requirements of Section 4933.28, Revised Code, the Customer shall pay the Company the amount of such underpayments. The Company shall continue to supply gas to the Customer, and the Customer shall continue to pay the amounts billed pending the adjustment.

METER TEST. The Company shall test the meter, at the reasonable request of the Customer, and, if Customer so desires, in Customer's presence. The date of inspection shall be recorded and retained by the Company in accordance with its operating procedures.

2. BILLING PERIODS. Bills for residential customers are rendered at regular intervals. Non-receipt of bills by Customer does not release or diminish the obligation of Customer with request to payment thereof. Meters are ordinarily read at monthly intervals but may be read more or less frequently at Company's option.
3. PAYMENT OF BILLS. Bills shall be paid by the Customer to any one of the Company's authorized collecting agents during the regular office hours of such agent or by First Class mail through the U.S. Postal Service. The payment due date is the 14th day after the mailing date, however, if the 14th day falls on a Saturday, Sunday, or holiday then the due date is the next business day thereafter. The due date is shown on the billing card. The Company does not charge a late payment fee. Termination procedures for residential customers are outlined in Section I, Item 14, of this tariff.

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SECTION III – PHYSICAL PROPERTY

1. SERVICE LINES. The term “service line” is used to designate the complete line between the Company’s main line and the outlet side of the meter connection at the Customer’s location. This service line shall be made by the Company, at the Customer’s expense, however, it shall remain the property of the Company. At the Company’s option, the Company may include a valve for stopping the flow of any gas into the Customer service line. At the Company’s option, a qualified contractor may be utilized to install part or all of the service line. In certain circumstances, the Company may exercise the option to pay for part, or all, of the cost of a Customer service line if it is economically beneficial to the Company.

2. PRESSURE REGULATORS. If it is necessary, the Customer shall install and maintain, at Customer’s expense, substantial housing or other protection acceptable to the Company in size and design for the regulator or regulators and the meter in order to protect them from the weather, vandalism and accidental damage.

If it becomes necessary to construct, operate, and maintain a heater on the inlet side of the regulator to maintain satisfactory operation of the regulator or regulators, the gas used in such heater shall be at the expense of the Customer and shall be taken from the outlet side of meter serving Customer.

3. METER FURNISHED. The Company will furnish each Customer with a meter of such size and type as the Company may determine will adequately serve the Customer’s requirements, and such meter shall be and remain the property of the Company, and the Company shall have the right to replace it as the Company may deem it necessary. Any equipment required by the Company to provide real time measurement, communication and control capability for the transportation of natural gas, pursuant to the conditions set forth in Section V, will be paid for by the Transportation Customer, unless otherwise agreed to by the Company.

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4. METER LOCATION. The Company shall determine the location of the meter, which shall ordinarily be outside of any enclosed building and shall be accessible to the Company without the necessity of Customer presence or approval.

When changes in buildings, arrangements or improvements therein render the meter inaccessible or exposed to hazards, the Company may require the Customer, at the Customer's expense, to relocate the meter setting together with any portion of the Customer's service line necessary to accomplish such relocation.

5. ONLY COMPANY CAN CONNECT METER. The owner of Customer shall not permit anyone who is not an authorized agent of the Company to connect or disconnect the company's meters, regulators or gauges or in any way alter or interfere with the Company's meters, regulators, or gauges.
6. CUSTOMER PIPING. The Customer shall install, own and maintain, at the Customer's expense, the customer piping from the outlet of the meter to gas burning equipment.
7. APPLIANCES. The Customer shall install and maintain all gas burning equipment at the Customer's expense.
8. STANDARDS FOR CUSTOMER'S PROPERTY. The Customer piping, including fittings, valves, connections, equipment venting, and all associated equipment shall be installed with materials and workmanship, which meet the reasonable requirements of the Company and shall be subject to inspection and test by the Company. The Company shall have no obligation to establish service until after such inspection and test demonstrates compliance with such requirements of the Company with respect to the facilities in place at the time of the test.

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9. DISCONTINUANCE OF SUPPLY ON NOTICE OF DEFECT IN CUSTOMER'S PROPERTY. If the Customer piping, including pressure regulators, fittings, valves, connections, equipment, venting, and any other associated equipment on a Customer's premises are defective or in such condition as to constitute a hazard, the Company, upon reasonable notice to Customer of such defect or condition may discontinue the supply of gas to such Customer until such defect or condition has been rectified by the Customer in compliance with the reasonable requirements of the Company.
10. NO RESPONSIBILITY FOR MATERIAL OR WORKMANSHIP. The Company is not responsible for maintenance of, or any imperfect material or defective or faulty workmanship in Customer piping, including pressure regulators, fittings, valves, connections, equipment, venting, and any other associated equipment and is not responsible for any loss or damage arising from inadequate or improper maintenance or from imperfect material or defective or faulty workmanship.
11. INSPECTION OF ALTERED PIPING. It shall be the duty of the Customer to notify the Company promptly of any additions, changes, alternations, remodeling or reconstruction affecting Customer piping on the Customer's premises.

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SECTION IV – DISTRIBUTION SERVICE

1. **DESCRIPTION OF SERVICE.** Applicable for gas service from existing distribution lines and applicable gathering lines of Company having sufficient capacity therefore, to Customers at one location who will guarantee payment of the minimum monthly charge for a term of twelve consecutive months. Company shall have the right to curtail deliveries of gas, hereunder wherever and to the extent necessary in its sole judgment the protection of service to its higher priority Customers, if any, may require. Company shall not be required to furnish gas service hereunder to any Customer or applicant except by written application for gas service by Customer to Company.
2. **GENERAL SERVICE RATE.** The rates to be charged for the distribution service specified above will be as follows:
 - A. **CUSTOMER CHARGE.** A service charge of \$10.00 per month shall apply to all general service customers, without reference to volume or price.
 - B. **BASE RATE.** \$3.4658 per MCF.
 - C. **GAS COST RECOVERY RATE.** As filed with the Public Utilities Commission of Ohio, adjustment quarterly, as determined in accordance with Chapter 4901:1-14, O.A.C.
 - D. All bills rendered shall be adjusted to include the effects of Ohio Excise Tax on Gross Receipts, excepting those accounts exempted from such tax. The Ohio Excise Tax is applicable to all charges as provided in Section 2 of the General Service Rate.
3. **RECONNECT CHARGE.** If service is reconnected after disconnection for nonpayment, that Customer shall be assessed a reconnect charge of \$30.00. A fee of \$25.00 will be charged if Company personnel are paid at the premises to avoid disconnection.
4. **RETURNED CHECK FEE.** A fee of \$30.00 will be charged to a customer's account when a check or automatic withdrawal (automatic clearing house procedure - ACH) is returned by a bank due to insufficient funds, stopped payment on a check/ACH, or a closed account. If the situation is not rectified in a timely manner, the Company may also elect to prosecute according to the law.

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SECTION IV – DISTRIBUTION SERVICE

5. **ADDITIONAL TERMS AND CONDITIONS.** Distribution service is subject to Rules, Regulations, and Rates filed by the Company with the Public Utilities Commission of Ohio and any subsequent revisions thereto, and to the orders of regulatory authorities having jurisdiction.

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SECTION V – TRANSPORTATION SERVICES & STANDBY/PARTIAL SERVICE.

1. DEFINITIONS. As used in conjunction with the following services, the following terms shall have the meanings indicated below:
 - A. The term “gas” shall mean the gas that is provided to Customer’s plant, and made available to Company under this Special Arrangement.
 - B. The term “month” shall mean calendar month.
 - C. The term “MCF” shall mean one thousand (1,000) cubic feet of gas with the unit of volume utilized for measurement purposes being based upon one (1) cubic foot of gas at a pressure of fourteen and six-tenths (14.6) pounds per square inch absolute with corrections for super compressibility and at a temperature of sixty (60^o) degrees Fahrenheit.
 - D. The term “Delivery Point” shall mean the location at which company shall first receive Customer’s gas supply.
 - E. The term “Redelivery Point” shall mean the location where gas is metered at Customer’s premises for billing purposes.
 - F. The term “Nomination” shall mean the quantity of gas which Customer will have delivered to the Delivery Point for redelivery by Company for the relevant period. It is understood that the ultimate Nomination each month must take into account Company’s allowance for unaccounted-for-gas (“UFG”) and any similar reductions made by other transporters.

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- G. The term "Imbalance" shall mean the monthly difference between the quantity received by Company at the Delivery Point and the quantity consumed by Customer as measured at the Redelivery Point. It is understood that quantity received by Company at the Delivery Point must exceed the quantity measured at the Redelivery Point by the amount of the adjustment required for unaccounted-for-gas. An imbalance exists when actual receipts adjusted for unaccounted-for-gas are either greater or lesser than actual deliveries. The term "month" or "monthly" shall have the same meaning as established by the supplier that makes Customer's gas available to Company at the Delivery Point.
- H. The term "Commission" shall mean the Public Utilities Commission of Ohio.
- I. The term "Firm" shall indicate the quality of service provided under the terms and conditions of this Agreement with Company providing service absent a *Force Majeure* condition.
- J. The term "interruptible" shall indicate the quality of service provided under the terms and conditions of this Agreement with Company providing service only when available each day based upon the sole judgment of Company. Whenever Company determines that such is desirable for operational, gas supply, capacity, or safety considerations Company may discontinue service under this Agreement provided that Company shall attempt to provide verbal notice of such discontinuation. Company's failure to continue service under this Agreement and its failure to provide notice prior to discontinuance of service shall not give rise to any claim, cause of action or right in Customer being well within the nature of service provided hereunder.

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- K. The term "Index" shall be the monthly value determined based on the published price for the Appalachian Region. This price is reported as the "Index Price" for the month in which deliveries are made as reported in "Inside F.E.R.C.'s Gas Market Report". Specifically, the price will be reported as the "Appalachia Index" under the Columbia Gas Transmission Corporation section. In the event this publication ceases to exist as a convenient reference, the value shall be determined based on accepted industry practice as applied to the determination of prices for first of the month spot purchases from the same region and delivered to Columbia Gas Transmission Corporation unless the parties otherwise agree, in writing, upon another specific publication. In addition to Index value applicable to the service supplied hereunder, the Customer shall reimburse Company for all gas supply, transportation, storage, balancing, penalties or other costs which are incurred by Company as a direct result of the Customer's load or usage characteristics.
- L. The term "Decatherm" shall be the Company's billing unit measured by its thermal value. A Decatherm or Dth is ten (10) therms. It shall be proper for Company to rely upon the heating value measurements or assumptions provided to Company by upstream suppliers for purposes of Company's determinations of the heating value of gas received by Customers. Company shall not be required to install any equipment to measure heating value at the Customer's premises for the purpose of converting volumetric measurements into Dth.

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2. DESCRIPTION OF SERVICES. Transportation service consists of delivery of Customer-owned or supplied gas volumes injected by Customer into Company's facilities for redelivery by Company. Except pursuant to standby or partial service, where and when available, Company provides no assurance of continued delivery of natural gas in the event of interruption of the Customer's supply. Subject to capacity constraints, transportation service hereunder is available to Company's Customers who: (1) enter into a transportation service agreement; (2) have annual average usage in excess of 30 MCF per day; and (3) have purchased or otherwise arranged for a supply of natural gas of acceptable quality from a supplier other than Company. The Customer must qualify for transportation service under the P.U.C.O. Gas Transportation Program Guidelines and must have requested that Company transport such gas and have provided for the delivery of such gas to a point on Company's existing system which is acceptable to Company for redelivery at a point on Company's system which is acceptable to Company. Company reserves the right to decline requests to provide such services whenever, in Company's judgment, rendering such service would be detrimental to the operation of its system. Notwithstanding this tariff offering, Company shall continue to enter into transportation service arrangements pursuant to R.C. 4905.31 when, in its judgment, the circumstance warrants a specific arrangement to address the nature of the service to be provided. The different types of transportation service are as follows:
- A. FIRM SERVICE. Company shall allocate and reserve pipeline capacity of Company's facilities on behalf of Customer for redelivery of Customer's supply for consumption by Customer.

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- B. INTERRUPTIBLE SERVICE. Company shall accept Customer's supply for redelivery to Customer based on available capacity of Company's facilities. Interruptible capacity shall be determined after considering all capacity commitments related to general service and firm transportation service.
- C. STANDBY OR PARTIAL SERVICE. Company may provide, based upon the physical availability of natural gas supply, a standby or backup service for a transportation service Customer who does not have sufficient alternative fuel supplies in the event of interruption of the Customer-owned or supplied natural gas transported through Company's facilities.
3. TRANSPORTATION RATES. The maximum and minimum rates to be charged for the transportation service specified above will be as follows:

A. MAXIMUM RATES.

Firm and Interruptible Service. The firm and interruptible service rate shall not exceed the otherwise applicable General Service tariff rate less all gas cost recovery (GCR) related elements.

B. MINIMUM RATES.

The Company, at its sole discretion, may offer transportation services at rates that are downwardly flexible from the maximum rates above. The rate may be flexed between the upper bound of the basic transportation rate and a lower bound that recovers all variable costs of service and provides a contribution to the Company's fixed costs of providing service. Such reduced rates may be determined based on competitive services available to the Customer, the quality (firm or interruptible) of service and the Company's need to achieve load preservation or the economic recovery of costs of the Company.

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The above rates do not reflect any sale of gas service from Company to Customer, but are agreed to transportation charges. As a result of actions by the Federal Energy Regulatory Commission and the Commission, Company may be authorized to recover so-called pipeline supplier take-or-pay or transition costs from some of all of its system supply or full requirements customers. In the event that the Commission does not permit full recovery of transition or take-or-pay costs from system supply or full requirements customers, Company may add an additional charge per Dth or MCF to Customer's monthly invoice to permit Company to recover the non-system supply portion of such costs from transportation customers such as Customer. The additional charge per Dth or MCF so added shall be determined on the same basis as the similar charge which is applicable to system supply customers unless the parties otherwise agree. In addition to all other rates and charges specified therein, Customer shall reimburse Company for all cost incurred by Company as a result of variations between the amount of gas consumed by Customer and the amount of Customer's gas delivered to Company at the Delivery Point.

4. NEW FACILITIES. Where necessary, and as the Customer and Company agree, Company may construct additions, replacements, or betterments of its facilities in order to accommodate the volumes of gas delivered to and by Company on Customer's behalf; Company may bill Customer for the cost thereof or as the parties may otherwise agree; and Customer agrees to pay such costs within thirty (30) days after receipt of Company's bill, or as the parties may otherwise agree. The Company may own such additions, replacements or betterments except for the part of the Customer's service line contained within the Customer's property at the location where service is to be furnished. The labor portion of any charges applicable to installation for new facilities shall be subject to the Ohio Excise Tax in effect at the time.

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OHIO CUMBERLAND GAS COMPANY
MARK R. RAMSER, PRESIDENT

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5. BANKING AND BALANCING. Customer's monthly gas utilization at the Redelivery Point shall equal the monthly amount of gas Customer provides to Company at the Delivery Point (subject to adjustment for the allowance for unaccounted-for gas) plus or minus five percent (5%). For each Dth of positive or negative Imbalance in excess of five percent (5%) each month (hereinafter referred to as "Excess Imbalance"), Customer shall pay to Company an Imbalance fee as specified below:

A. If a negative Excess Imbalance exists, Customer shall be obligated to pay to Company a sum (in addition to all other charges specified herein) equal to the total amount of the negative Imbalance multiplied by the following schedule of rates and charges:

<u>Percentage Imbalance Level</u>	<u>Charges</u>
0 - 5	(No Purchase)
> 5 - 10	1.10 x Index
> 10 - 20	1.30 x Index
> 20	1.50 x Index

This additional charge does not entitle Customer to rely upon Company to secure a supply of gas or provide "back-up" or supplemental gas service but merely represents a means of eliminating the Imbalance condition to the extent Company has gas available to it to do so without imposing additional costs on system supply customers.

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- B. It a positive Excess Imbalance (actual monthly receipts adjusted for unaccounted-for gas more than five (5%) greater than monthly deliveries) is not eliminated in the month following its creation exists, Customer hereby authorizes Company to purchase the Excess Imbalance according to the following schedule:

<u>Percentage Imbalance Level</u>	<u>Charges</u>
0 - 5	(No Sale)
> 5 - 10	0.9 x Index
> 10 - 20	0.7 x Index
> 20	0.5 x Index

6. LATE PAYMENT CHARGE. If payment is not received in the Company offices on or before the due date on the bill, an additional amount equal to 1.5% of the unpaid balance existing on the subsequent bill will become due and payable as part of the Customer's total bill obligation.
7. UNACCOUNTED-FOR GAS. The Customer shall have a right to retain, pursuant to an approved arrangement, 100% of the gas delivered to the Company, less the average system-wide unaccounted-for gas percentage, or a different percentage when such is justified by the Company in any application approved by the Commission pursuant to either Sections 4905.31 or 4909.18, Revised Code. The Company recalculates its average system-wide unaccounted-for gas percentage annually.

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OHIO CUMBERLAND GAS COMPANY

FIRST REVISED Sheet No. 5 - 9
Replaces Original Sheet No. 5 - 9

RULES, REGULATIONS AND RATES GOVERNING
THE DISTRIBUTION AND TRANSPORTATION OF GAS

8. TITLE TO GAS. Any Customer taking transportation service pursuant to this Tariff thereby warrants the title to gas delivered to Company and covenants and agrees to indemnify Company for and save it harmless from all suits, actions, debts, account, damages, costs, losses and expenses arising from or attributable to the adverse claims of any and all other persons or parties to such gas.

9. STANDBY AND PARTIAL SERVICE.
 - A. Applicability. Unless otherwise agreed by Company, this rate shall be applicable to any Customer that has obtained delivery of natural gas from a source other than the Company's distribution system or in addition to Company.

 - B. Billing. Company shall render bills for service provided hereunder pursuant to the same procedures followed for full service customers. The bill shall be based upon all the rates and charges specified below.

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C. RATES AND CHARGES.

Facilities Charge	\$100.00 per month
Commodity Charge	The Commodity Charge shall be equal to the Commodity cost component of the Company's currently effective CGR Rate plus any per MCF charges which are applicable to Company's General Service Customers. The Commodity Charge shall be billed on the basis of the Customer's per MCF usage for the current billing month.
Base Rate Demand Charge (D-1)	The Base Rate Demand Charge (D-1) shall be equal to the usage sensitive charges in Company's General Service Rate plus any charges contained in riders which are applicable to the General Service Rates.
Gas Cost Demand Charge (D-2)	The Gas Cost Demand Charge (D-2) shall be equal to the average per MCF demand and fixed cost component of the Company's currently effective GCR Rate.

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D. BILLING DETERMINANTS.

The billing determinants for the Facilities Charge shall be equal to the number of billing meters for the location receiving service under this rate.

The billing determinants for the commodity Charge shall be based upon volumes actually consumed as measured by the meter at the Customer's premises.

The billing determinants for the Base Rate Demand Charge (D-1) and the Gas Cost Demand Charge (D-2) shall be based upon the highest of the following:

1. The actual volumetric measurement for the current billing period;
2. The contract demand agreed to by Company and the Customer;
3. One Hundred percent (100%) of the maximum daily volumetric measurement recorded for the Customer during the prior twenty-four (24) months excluding measurements during the months of May, June, July, August, and September. In the event daily measurement information is not available, maximum daily volumetric measurement shall be equal to the maximum monthly volumetric measurement during the period November through March divided by the number of days in said month.

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P.U.C.O. NO. 8

OHIO CUMBERLAND GAS COMPANY

FIRST REVISED Sheet No. 5 -12
Replaces Original Sheet No. 5 -12

RULES, REGULATIONS AND RATES GOVERNING
THE DISTRIBUTION AND TRANSPORTATION OF GAS

In addition to all other rates and charges applicable to the service supplied hereunder, the Customer shall reimburse Company for all gas supply, transportation, storage, balancing, penalties or other cost which are incurred by Company as a direct result of the Customer's load or usage characteristics.

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OHIO CUMBERLAND GAS COMPANY

FIRST REVISED Sheet No. 6 - 1
Replaces Original Sheet No. 6 - 1

RULES, REGULATIONS AND RATES GOVERNING
THE DISTRIBUTION AND TRANSPORTATION OF GAS

SECTION VI – GENERAL

These Rule and Regulations are subject to and include as part thereof all orders, rules, and regulations applicable to the Company from time-to-time issued or established by The Public Utilities Commission of Ohio under its emergency powers.

The Company reserves the right to modify, alter, or amend the foregoing Rules, Regulations, and Rates and to make such further and other Rules, Regulations, and Rates as experience may suggest, as the Company may deem necessary or convenient in the conduct of its business, and as The Public Utilities Commission of Ohio may approve.

Approval of the above tariff language by the Public Utilities Commission does not constitute a determination by the Commission that the limitation of liability imposed by the Company should be upheld in a court of law. Approval by the Commission merely recognizes that since it is a court's responsibility to adjudicate negligence and consequent damage claims, it is also the court's responsibility to determine the validity of the exculpatory clause.

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